

IBERVILLE
PARISH
LOUISIANA
EST. 1805



Unified Development Code (UDC)

Appendix B of the Iberville Parish Code of Ordinances

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Acknowledgments

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Appendices

Appendix A - Street Cross Sections

Appendix B – Application Fee

Appendix C – Land Development Application Guide

Appendix D - SWPPP Template

Appendix E – Amendments to the UDC

1 **General Provisions**

1.A **Enactment**

1.A | 1 **Title**

1.A | 1.1 This Law shall be known and cited as the Iberville Parish Unified Development Code or UDC and is referred to as “this code” within this law.

1.A | 2 **Authority**

1.A | 2.1 The Parish Council of the Parish of Iberville, Louisiana, has enacted this Law pursuant to the provisions of Louisiana R.S. 33:101 *et seq.*, in particular R.S. 33:1236(20), and in accordance with authority provided by the Iberville Parish Home Rule Charter adopted on October 31, 1997.

1.A | 3 **Purpose**

1.A | 3.1 It is the purpose and intent of this code to:

1.A | 3.1.1 Protect the public health, safety and welfare;

1.A | 3.1.2 Protect the value of property and preserve quality of life for Iberville Parish residents;

1.A | 3.1.3 Facilitate provision of public services and infrastructure, provide for orderly development in Iberville Parish, and ensure that facilities and infrastructure will be available and will have sufficient capacity to serve any proposed development;

1.A | 3.1.4 Provide for the most beneficial relationship between the uses of land and buildings, and the circulation of traffic, while securing safety from fire, flood and other danger;

1.A | 3.1.5 Prevent the pollution of air, streams, ponds and lakes, assure the adequacy of drainage facilities, safeguard the water tables, and to encourage the wise use and management of natural resources throughout the parish in order to preserve the integrity, stability, and natural beauty of the community and the value of land;

1.A | 3.1.6 Preserve the quality and productivity of undeveloped and working lands, and support continued agricultural and silvicultural use of these lands; and,

1.A | 3.1.7 Implement the goals and policies set forth in the Iberville Parish Community Master Plan (2005) and Land Use Plan (2009) and subsequent amendments and revisions thereto, including this code and all attachments thereto.

1.A | 4 Repeal of Ordinances

1.A | 4.1 All ordinances or parts of ordinances in conflict herewith or inconsistent with the provisions of these regulations are hereby repealed.

1.A | 4.2 The following denoted ordinances and/or codes of regulation of the Iberville Parish Council as amended are hereby repealed.

1.A | 4.2.1 Appendix A – **Subdivision Regulations** otherwise referred to as the *Iberville Parish Subdivision Regulations of 1981*.

1.A | 4.2.2 Appendix B – **Unified Development Code** adopted by *IPC #98-00* on January 18, 2000.

1.A | 4.2.3 Chapter 18 – **Planning**, Article 1, Section 18-1(*Res. of 10-6-81*) and Section 18-2(*Ord. of 10-20-81*)

1.A | 4.2.4 Chapter 20 – **Roads and Drainage**, Section 20-4 (*Mo. of 3-6-79; Ord. of 6-16-98(1)*), Section 20-5 (*Res. of 12-21-82*)

1.A | 4.2.5 Chapter 25 – **Water and Sewers**, Article II – Individual Sewage Disposal Systems (*Ord. of 1-10-57*)

1.A | 5 Applicability

1.A | 5.1 This code shall apply to all land use activities, which include:

1.A | 5.1.1 The construction, erection, location, reconstruction or expansion of any structure.

1.A | 5.1.2 Any change in or expansion of the use of a structure or of land.

1.A | 5.1.3 The division of a parcel into 2 or more lots.

1.A | 5.1.4 Any mining, excavation, or filling of land.

1.A | 6 Relationship with Other Jurisdictions

1.A | 6.1 This code applies to the entire area of the Parish of Iberville except the incorporated municipalities of Plaquemine, White Castle, Grosse Tete, Rosedale, Maringouin and St. Gabriel.

1.A | 7 Effective Date

1.A | 7.1 In accordance with R.S. 33:108, this code shall become effective upon its final adoption and execution by both the Iberville Planning Commission and the Iberville Parish Council and filing of duly executed and certified copies with the Division of Administration, with the Iberville Parish Council and with the Iberville Parish Clerk of Court.

1.A | 8 Amendment

1.A | 8.1 Amendments to this code shall be prepared and adopted in accordance with applicable Louisiana Revised Statutes and the Iberville Parish Home Rule Charter. Amendments are listed for reference in Appendix E.

1.A | 9 Severability

1.A | 9.1 If any provision of this code, or its application to any person or circumstance, shall be found invalid or unconstitutional by any court of competent jurisdiction, such order or judgment shall not affect, impair or invalidate the remainder of this code, but shall be confined in its operation to the provision of this code, or in its application to the person or circumstance directly involved in the case in which such order or judgment was rendered.

1.A | 10 Code Numbering

1.A | 10.1 This development code is divided into Articles, Chapters and Sections, as set forth below. The terms shall be used to interpret the provisions of this development code.

Article 1
Chapter 1.A
Section 1.A | 1
Sub-Section 1.A | 1.1
Paragraph 1.A | 1.1.1

1.B Vested Rights

1.B | 1 Prior Approvals

1.B | 1.1 Construction lawfully approved before the adoption or amendment of this code shall require no additional building permit or permit amendment if such construction is substantially completed within 1 year from the date of such adoption or amendment.

1.B | 1.2 The parish shall not require any change in plans or construction of a structure, or use, for which a building permit has been lawfully issued and which has subsequently been made nonconforming by the adoption or amendment of this code, if:

1.B | 1.2.1 The construction is substantially completed or the use is commenced while the building permit is valid; and

1.B | 1.2.2 The structure or use is constructed or carried out in accordance with its permit(s).

1.B | 2 Previously Created Lots

- 1.B | 2.1 Any lot of record, lawfully existing and complying with all local laws in effect on the day the deed or subdivision map was filed with the Iberville Clerk of Court, shall be considered a legal lot and may be developed in accordance with the applicable provisions of this code. Any lawful lot of record that does not conform to the dimensional requirements of this code shall be considered a legal nonconforming lot of record.

1.B | 3 Pending Applications

- 1.B | 3.1 Any application lawfully submitted and deemed complete before the effective date of this code shall be reviewed under the laws in place at the time the application was deemed complete.

1.B | 4 Nonconformities

- 1.B | 4.1 **Nonconforming Lots.** A legal nonconforming lot in existence as of the effective date of this code, which does not meet the minimum dimensional standards of this code, may be developed and used in accordance with all applicable provisions of this code.
- 1.B | 4.2 **Nonconforming Structures.** Any lawful structure existing as of the effective date of this code shall be considered a nonconformity if it does not comply with all applicable provisions of this code. Except for individual dwellings within a nonconforming mobile home park, which shall be regulated in accordance with 7.B, a nonconforming structure:
- 1.B | 4.2.1 May be used in conformance with all applicable provisions of this code.
- 1.B | 4.2.2 May undergo normal repair and maintenance if such activity does not increase the structure's degree of nonconformity.
- 1.B | 4.2.3 May, if not located within the Flood Hazard Zone, be restored or reconstructed after damage from any cause provided that the reconstruction does not increase the degree of nonconformity that existed before the damage and provided that construction is substantially completed within 3 years of the date the damage occurred. For structures within the Flood Hazard Zone, see 6.B.
- 1.B | 4.2.4 May be structurally enlarged, expanded or moved, after receiving a building permit, provided that the degree of nonconformity is not increased.
- 1.B | 4.2.5 May, subject to conditional use approval:
- 1.B | 4.2.5.1 Be allowed to increase in height in accordance with all other applicable provisions of this code and provided that the degree of nonconformity of the building footprint is not increased.

- 1.B | 4.2.5.2 Be structurally altered or expanded in a manner that would increase the degree of nonconformity for the purpose of meeting mandated state or federal environmental, health, accessibility, safety or energy regulations that would allowed for the continued use of the structure.
- 1.B | 4.2.5.3 Be structurally altered or expanded in a manner that would increase the degree of nonconformity for the purpose of restoring a structure individually listed, or identified as a contributing structure within a listed historic district, in the National Register of Historic Places in accordance with the *Secretary of the Interior's Standards and Guidelines for the Rehabilitation of Historic Buildings*.
- 1.B | 4.3 **Certificate of Nonconformity.** The owner or operator of a nonconforming structure may apply to the Planning Commission for a Certificate of Nonconformity by submitting credible evidence of the nonconformity's lawful existence prior to the adoption or amendment of this code and continued use or occupancy. A Certificate of Nonconformity shall document the owner's or operator's vested rights by accurately describing the lawful use, extent and character of the nonconformity.

2 **Administrative Mechanisms**

2.A **General**

2.A | 1 **Fees**

2.A | 1.1 Parish Council may from time to time adopt by resolution a schedule of application fees and other fees for applicants under this code. See Appendix B for applicable fee schedule.

2.A | 2 **Technical and Legal Review**

2.A | 2.1 Iberville Parish may require any applicant to directly pay, or reimburse the parish for, cost of services by any independent commission or selected consultant deemed necessary by the Parish to review and evaluate an application or otherwise assist the Parish in making its decision under provisions of this code and to provide construction inspections services as deemed necessary by the Parish.

2.A | 3 **Letter of Credit or Bond**

2.A | 3.1 Applicants may be required to post a letter of credit, bond or similar security acceptable to the parish to ensure completion of the project as approved. A letter of credit, bond or similar security, when required, shall be submitted prior to construction of required public improvements.

2.A | 3.2 Letter of credit or bond in favor of Iberville Parish for estimated cost of required site improvements shall be unconditional and irrevocable for a period of not to exceed 3 years. In any subdivision where public improvements are required subdivider must comply with bond requirements in 8.A | 10.

2.A | 3.3 The subdivider or developer shall furnish construction and maintenance bonds for all sewer service improvements required as stated in 5.B | 2.1.2.3.

2.A | 3.4 Should permit holder fail to perform required site improvements within agreed period of time, Code Enforcement Officer shall issue a written notice of such failure to permit holder. It shall be sufficient service of such notice if it is mailed to permit holder at address provided in application. If permit holder fails to perform required site improvements within 15 business days of issuance of such notice, Code Enforcement Officer is authorized to draw upon letter of credit or to access any other offered security necessary to cover costs to the parish to perform work which permit holder failed to perform.

2.A | 4 **Referral and Notice Requirements**

2.A | 4.1 Any matter under this code which is required to be referred or noticed to Parish Council or Planning Commission pursuant to Louisiana Revised Statutes shall be so referred or noticed. No action shall be taken by any parish legally constituted board or officer except in compliance with terms of those sections.

2.A | 5 **Regulatory Reviews**

2.A | 5.1 Any matter under this code that is subject to state or state environmental or regulatory reviews shall be so reviewed, including classification of the action, coordination with other agencies as appropriate and preparation of a negative or positive declaration.

2.A | 5.2 Applicants may be required to include environmental site assessment forms as part of the application submittal. Time periods for review of land development and permit applications shall begin upon filing that any and all environmental issues have been resolved.

2.A | 6 **Planning Commission**

2.A | 6.1 **Procedures.** Following procedures shall apply to Planning Commission and any legally constituted subordinate or advisory, commissions or boards (e.g., industrial, economic development, cultural, recreation, historical, main street, land use, appeals, etc.) associated therewith:

2.A | 6.1.1 A designated parish official shall administer the required oaths of office to members of each board.

2.A | 6.1.2 Any board member may be appointed for one or more successive terms. If a vacancy occurs, other than by expiration of a term, it may be filled by an appointment made by a resolution of Parish Council for unexpired portion of term.

2.A | 6.1.3 In accordance with LA R.S. 33§104 for each board, members shall annually elect a chairperson and vice-chairperson from appointed members of each board. These persons shall be eligible for re-election the following year.

2.A | 6.1.4 Board members shall serve at the pleasure of the Parish Council and may be only removed for official misconduct or neglect of duty, in accordance with applicable provisions of parish and state laws. Membership shall be forfeited by any member who has been absent for more than 3 meetings, general or specific, during one calendar year.

2.A | 6.1.5 In accordance with LA R.S. 33§103.1 all appointed members of parish and municipal planning commissions and of advisory boards to such commissions, including boards of zoning adjustment shall be required to attend 4 hours of training in duties, responsibilities, ethics and substance of positions held or to be held; either prior to taking office, or no later than one year after office is assumed. All training shall be approved by Planning

Commission. The provisions of this Section shall only apply to members appointed to such boards and commissions on or after July 12, 2004.

- 2.A | 6.1.6 Each board shall prescribe such rules for conduct of its affairs as may be necessary to carry out its duties under this code, and its conduct shall be in accord with such rules. In particular, each board shall conduct itself according to the following:
- 2.A | 6.1.6.1 All board meetings shall be held at the call of the chairperson and at such times as a majority of members of full board may determine. All meetings shall be conducted in accord with “Robert’s Rules of Order” and with any procedures established by chairperson or, in his/her absence, the vice-chairperson, in consideration of matter at hand.
- 2.A | 6.1.6.2 A board may establish an attendance policy and recommend that Parish Council remove members who violate that policy, including failure to attend meetings as previously prescribed.
- 2.A | 6.1.6.3 No board member shall participate in hearing or disposition of any matter in which they have an interest. Any conflict of interest prohibited by Louisiana Revised Statutes and ethical rules shall disqualify a member.
- 2.A | 6.1.6.4 All board meetings shall be open to public and shall be governed by Louisiana Open Meetings Law. Each board shall keep minutes and records of all its proceedings, findings and official actions. Each board shall record the vote of each member upon every question put to vote or, if absent or failing to vote, indicating such fact. All board decisions shall be recorded in minutes. A clerk appointed by each board shall keep minutes of the board, and minutes shall be subject to board approval. An official copy of the minutes of each board meeting shall be filed with the Parish Clerk within 5 days of being approved.
- 2.A | 6.1.6.5 Concurring vote of a majority of full membership (total seats, not filled seats or members present) of a board shall be required to constitute an official action of the board.
- 2.A | 6.1.7 Applicants or their duly authorized representatives shall be present at public hearings and board meetings where their applications will be considered. The board may continue its consideration of an application to its next regularly scheduled meeting (or a specified date and time if the board does not have a regular meeting schedule) if applicant or a duly authorized representative is not present. In case of such a continuation, intervening days shall not be counted as part of any time period within which board is required to act.
- 2.A | 6.2 **Composition.** In accordance with LA R.S. 33§103 and the Iberville Parish Home Rule Charter there shall be a Planning Commission which shall consist of not less than 5 or more than 9 citizen members appointed and approved by Iberville Parish Council. Each member shall be appointed for a term of not less than 4 years.

- 2.A | 6.2.1 Vacancies arising among appointive members shall be filled by appointing body for unexpired portion of the term.
- 2.A | 6.2.2 Planning Commission shall also have as Ex-Officio members, Code Enforcement Officer and Parish Sanitarian.
- 2.A | 6.3 **Compensation.** In accordance with LA R.S. 33§103C(1)(k) the governing authority of Iberville Parish may pay members of the Iberville Parish planning commission and such members may receive a per diem of not more than twenty-five dollars for attendance at meetings of the commission for up to twenty-four meeting days per year. Any such per diem shall be paid out of funds appropriated or otherwise made available for such purpose.
- 2.A | 7 **Public Hearings and Notice**
- 2.A | 7.1 A public hearing shall be held by Planning Commission prior to hearing any agenda items related to hearing appeals or granting variances to this code.
- 2.A | 7.2 A public hearing shall be held by Planning Commission on any subdivision or conditional use application. A public hearing may be held by Planning Commission, at its discretion, on any other matter that is subject to its jurisdiction. When no public hearing will be held, the Planning Commission may require applicant to provide notice to neighbors on such terms as board may stipulate.
- 2.A | 7.3 In accordance with LA R.S. 33§113 Planning Commission and other subordinate or advisory boards shall place a notice of any public hearing in legally designated newspaper of general circulation within parish at least 5 days prior to date of such hearing, which shall specify date, time, place and purpose of such hearing, including a summary description of project to be considered. Boards are encouraged to use other available means (parish website, cable access channel, public notice boards) to also publicize upcoming hearings. Notice shall be sent to the applicants address by certified mail of the time and place of such hearing not less than five days before the date fixed therefor.
- 2.A | 7.4 Applicant shall either:
- 2.A | 7.4.1 Mail or deliver a copy of public hearing notice provided by parish to all owners of land within 200 feet of perimeter of overall tract of land on which applicant's project is proposed. Names and addresses used for these mailings shall be those set forth on Parish Tax Assessor's property records. This notice shall be made at least 7 days prior to date of the public hearing, and an affidavit of mailing or delivery shall be provided to applicable board clerk at least 5 days prior to date of public hearing. Applicant may request that board clerk send notices and pay parish an additional fee to cover associated costs.

2.A | 7.4.2 Post a notice of public hearing provided by parish in a prominent location on site of proposed project visible from public vantage points at least 7 days prior to date of the hearing.

2.A | 7.5 Public hearing shall be conducted in accordance with any procedures established by appropriate board or by presiding officer for consideration of matter at hand. Any person or party may appear at a public hearing in person or by authorized representative or counsel and shall be given an opportunity to be heard as is relevant to the proceeding.

2.A | 7.6 Public hearing for decisions required by the Parish Council shall be in accordance with the requirements of the Iberville Parish Home Rule Charter.

2.A | 8 **Records and Decisions**

2.A | 8.1 **Record.** The following shall constitute the record of any board action or decision:

2.A | 8.1.1 Transcript of testimony, if any;

2.A | 8.1.2 Minutes of secretary or clerk;

2.A | 8.1.3 All applications, reports, requests, exhibits and papers filed in any proceeding before the board; and

2.A | 8.1.4 Decision of the board.

2.A | 8.2 **Decisions.** Board may rely on personal knowledge of its members, testimony during public hearings, on its inspections or site visits of property and on any reports available to it. Every board decision shall be by written resolution that shall set forth recommendation of board or shall approve, approve with conditions or deny approval. Every resolution shall expressly set forth any limitations or conditions imposed on any approval or any development, work or use authorized. Board shall take no final or binding vote on any decision pertaining to an application unless it shall first state its findings and conclusions at a meeting open to the public.

2.A | 8.3 **Notification of Decision.** Within 5 business days following any decision on an application, board secretary or clerk shall mail notice of decision to each person entitled to such notice and file decision in office of the Parish Clerk.

2.A | 9 **Duration of Board Approvals**

2.A | 9.1 Applicant shall begin construction of any project approved by Planning Commission within 3 years of the date of the approval. Failure to commence construction within specified time period shall require resubmittal and reapproval of application.

2.A | 9.2 Conditions of approval shall run with land and the project, not with owner of such land or project.

2.A | 10 Appeal of Board Decisions

2.A | 10.1 In accordance with applicable provisions of parish laws, any person aggrieved or any authorized officer, department or board of the parish may appeal any final decision of Planning Commission within 30 days of such decision being filed in the office of Parish Clerk to district court having jurisdiction for subject property in accordance with Louisiana Revised Statutes.

2.A | 11 Record Drawings

2.A | 11.1 Record drawings shall be filed upon completion of any underground installations, any facility or improvements offered for dedication to parish, or as required elsewhere in this code or as a condition of board approval.

2.A | 12 Street Names

2.A | 12.1 **Street Name Process.** All proposed street names shall be checked against duplication of existing street names and approved by the Planning Commission. In no case shall name for a proposed street duplicate an existing street name, regardless of suffix used.

2.A | 12.1.1 Proposed streets obviously in alignment with existing and named streets shall bear same name as existing street.

2.A | 12.2 **Street Name Change Request.** A letter of request shall be submitted to Planning Commission and such letter shall set forth reason for renaming of public street. Request may originate by Parish Council, Planning Commission, or any person or organization, including property owners along street proposed for re-naming.

2.A | 12.2.1 A listing of all abutting property owners with their addresses along entire length of street proposed to be renamed shall be included with request. A petition of a majority, 51%, of property owners along entire length of street to be renamed agreeing to proposed renaming shall be included with request.

2.A | 12.2.2 Planning Commission will advertise a legal and display notice of proposed street renaming in Official Journal of the Parish of Iberville, at least 10 days prior to holding a public hearing. Planning Commission shall then hold a public hearing on proposed street renaming and forward its recommendation to Parish Council.

2.A | 12.2.3 Proposed street renaming shall be placed on agenda of Parish Council for public hearing introduction and then final action on renaming will be acted upon by Parish Council after completion of public hearing.

2.A | 13 Penalties.

2.A | 13.1 **Subdivisions.** Whoever, being owner and/or agent of owner of any land located within a subdivision, transfers or sells any land by reference to or

exhibition of or by other use of a subdivision plat, before such plat has been approved by the Planning Commission and the Parish Council, and recorded or filed in Office of the Clerk of Court of the Parish of Iberville, shall forfeit and pay a penalty of Five Hundred (\$500.00) Dollar for each lot or parcel so transferred or sold or agreed to be sold and description of such lot or parcel by metes and bounds in instruments of transfer or other document used in process of selling or transferring shall not exempt transaction from such penalties herein provided.

2.A | 13.2 Buildings. Any person or corporation who shall build or alter any building in violation of any detailed statement or plan submitted and approved hereunder shall be guilty of a misdemeanor and shall be fined not less than \$250.00 Dollars and not more than \$500.00 or be imprisoned for not more than 30 days for each day that violation continues and each day such violation shall be permitted to exist shall constitute a separate offense.

2.A | 13.3 Injunction. In case any building or structure is erected, constructed, reconstructed, altered, converted, or maintained, or any building, structure, or land is used in violation of these regulations; Code Enforcement Officer, in addition to other remedies, may institute any appropriate action or proceedings in name of Parish of Iberville to prevent such unlawful erection, construction, reconstruction, alteration, repair, conversion, maintenance, or use, to restrain, correct, or abate such violation, to prevent occupancy of said building, structure, or land, or to prevent any illegal act, conduct, business, or use in or about said premises.

2.B Code Enforcement Officer

2.B | 1 Powers and Duties

2.B | 1.1 The Code Enforcement Officer or Parish Building Inspector shall have following powers and duties:

2.B | 1.1.1 Submit a monthly report to Parish Council listing all applications received, inspections made, referrals and action taken on each. Copies of this report shall be transmitted to Planning Commission at the same time.

2.B | 1.1.2 Maintain a permanent and current record of all applications for building, site plan, conditional use and subdivision permits or approvals, his/her action upon the same, and any other matters considered and actions taken by him/her. Such records shall form a part of the records of his/her office and shall be available for use by parish officials and for inspection by the public.

2.B | 1.1.3 Cause any plans, buildings or premises to be examined or inspected to determine compliance with the provisions of this code.

2.B | 1.1.4 Issue building permits to all applicants who fully comply with provisions of this code.

- 2.B | 1.1.5 Provide, in writing, specific reasons for denial of any building permit and instruct applicant on proper methods to apply for relief. Provide Planning Commission, in writing, with all facts pertaining to refusal to issue building permits when such information is requested by board.

2.B | 2 **Building Permit**

- 2.B | 2.1 **Applicability.** No building permit may be issued by Code Enforcement Officer unless proposed land use or development activity complies with all applicable sections of this code, and all applicable approvals required by Planning Commission have been granted. Owners of property shall secure a building permit from the Parish Building Inspector's Office before starting any form of construction or remodeling on their property, which includes, but is not limited to: commercial buildings, homes, major remodeling, placement of manufactured homes, etc.

- 2.B | 2.2 **Application.** An application for a building permit shall be filed with Code Enforcement Officer on form(s) provided by parish for that purpose. Required application fees for all relevant development review processes shall be submitted with application.

- 2.B | 2.3 **Content.** Application shall be made on forms provided in Appendix C. Plan requirements shall be as specified on the attached Building Permit Application Instruction Form & Checklist.

- 2.B | 2.3.1 **Design Professional Required.** While our state has limited exemptions as stated in (La. R.S.) 40:1730.23 permitting unregistered/unlicensed persons to prepare plans for single-family houses, farm buildings and other structures of limited scope, it is clear public policy in our state, and indeed all states, that structures of significant size or complexity must be designed by registered/licensed professionals. Louisiana Revised Statute (La. R.S.) 37:155 requires an architect or civil engineer registered in Louisiana on any renovation or alteration of any size building which affects structural integrity or life safety, exclusive of furnishings, that exceeds \$125,000. All Assembly, Educational, & Institutional occupancies require sealed plans. A Professional of Record is required on any new building with square footage greater than the following table values, buildings with changes in occupancy classifications when the building exceeds the table values, or for additions to buildings that cause the completed building to exceed the following table values:

2.B | 2.3.1.1 **Building Occupancy Requiring a Professional of Record.**

Building Occupancy	Square Footage
Storage	6,250
Factory, Industrial	5,000
Mercantile Business, Multi-Family, Residential	4,000
Educational, Detention, Hospitals, Nursing Homes	2,500
Hazardous	1,500
Assembly	2,650

2.B | 2.3.1.2 Projects requiring a design professional shall bear the seal of a Louisiana Architect and/or Civil Engineer on each page Mechanical Engineer's seal is required when heating and air conditioning unit(s) are 10 tons or more. Electrical Engineer's seal is required when electrical service size is 600 amps and greater or a 480- volt system.

2.B | 2.4 **Fire Marshal Approval Required.** Before any construction other than single family residential can start in Iberville Parish, if required plan review approval from the Louisiana State Fire Marshal must be granted. A Plan Review is required for all buildings to be constructed, renovated, repaired or the occupancy changed. A change of occupancy is determined by the classifications of the Life Safety Code; NFPA 101.

2.B | 2.4.1 **Exceptions for Fire Marshal Approval Required.** The primary legal exceptions are new or renovated one or two family dwellings. If you are contemplating opening a business in your home that invites the public, such as a Day Care Center or a Hair or Nail Salon, then you are required to submit for review, even if you are not intending to modify the structure. Note that some modification may be required due to the changes of Occupancy for that part of the home that you intend to use in your business.

2.B | 2.4.2 Replacement of roofing is considered maintenance and would not require submittal.

2.B | 2.4.3 If you have any concern as to whether a modification requires plan review, write a letter to the Plan Review Division 8181 Independence Blvd., Baton Rouge, La 70806. Specify in the letter exactly what you propose to do to the building, indicate the occupancy classification of the building, the occupant load, and the square footage of the building. Specifically ask in your letter whether a Plan Review will be required.

2.B | 2.5 **Action.** Code Enforcement Officer shall review application and issue or deny building permit, or advise applicant of any required additional information or referral required within 30 days of receipt of application. Notice of denial

shall be given to applicant in writing and shall state reasons for the denial. Approval of application shall be indicated by issuance of permit in accordance with provisions of this section.

- 2.B | 2.6 **Duration.** All land use or development activities authorized by a building permit shall commence and construction authorized by a building permit shall be substantially completed within 2 years of such a permit being issued by Code Enforcement Officer. Upon request of permit holder, Code Enforcement Officer may grant a 1 year extension upon finding that project has been started and is proceeding in conformance with all applicable provisions of this code and any conditions of approval. Extension of performance sureties shall be required as a condition of extending time for construction. Otherwise, building permit shall expire and no development shall be undertaken without applying for and receiving a new building permit.

2.B | 3 **Inspections**

- 2.B | 3.1 **Right to Inspect.** Code Enforcement Officer shall have right to enter upon, examine and inspect, or cause to be entered, examined and inspected, any building or property, for purpose of carrying out provisions of this code after reasonable written notice of intent to examine or inspect has been provided to a property owner, and permission of owner has been granted. If such permission is denied, access may be pursued by the parish attorney, who shall be notified by Code Enforcement Officer of such denial. Pending the granting of such access or inspection, no further permits, certificates of occupancy or other approvals shall be granted by Code Enforcement Officer or any other agency or board of the parish.

- 2.B | 3.2 **Required Inspection.** Code Enforcement Officer shall at a minimum conduct an inspection as specified below.

- 2.B | 3.2.1 Upon completion of preparation for all foundation work required for project proposed, permit holder shall request a site inspection. Within 2 business days following receipt of such notice, Code Enforcement Officer shall make, or cause to have made, an on-site inspection of property to measure and confirm that proposed foundation location, as actually delineated on the ground, will be located and positioned in accordance with site plan submitted by applicant, all applicable requirements of this code and as any conditions of approval specified by Planning Commission.

- 2.B | 3.2.2 Upon completion of any new construction and before a structure is occupied or use commenced, permit holder shall request a site inspection. Within 2 business days following receipt of such notice, Code Enforcement Officer shall make, or cause to have made, an on-site inspection of the property to measure and confirm that development has been completed in accordance with site plan submitted by the applicant, all applicable requirements of this code and as any conditions of approval specified by Planning Commission.

Upon a positive finding, the Codes Enforcement Officer shall issue a Certificate of Occupancy in accordance with 2.B | 4.

2.B | 4 Certificate of Occupancy

2.B | 4.1 A certificate of occupancy shall be required for all new construction for which a building permit is required to be issued under this code or under any other ordinance or local law of Iberville Parish or under the Louisiana Uniform Building Code or any successor statute. Issuance of certificates of occupancy shall be governed, in addition to requirements of this code, by requirements of the Louisiana Uniform Building Code, rules and regulations promulgated thereunder, and any similar or successor statutes, and in accordance with requirements of any laws, ordinances, rules or regulations of Iberville Parish.

2.B | 5 Enforcement

2.B | 5.1 Investigation and Notification. Any site, structure or use that does not comply with this code or a board decision shall be investigated by Code Enforcement Officer. Code Enforcement Officer shall file a written report of his/her investigation with the Parish Council. Code Enforcement Officer shall also give written notice of any violation to owner of the land on which violation is occurring, as identified by latest completed Parish Tax Assessors records, as well as to any tenant, operator or contractor who is responsible for or involved in apparent violation. Owner and such other responsible person(s) shall correct such noncompliance within 30 days from date of notification, or such other period as Code Enforcement Officer may provide.

2.B | 5.2 Enforcement Actions.

2.B | 5.2.1 Stop Work Orders. In cases where construction or other activity in violation of this code or any board decision is ongoing, Code Enforcement Officer may issue a stop work order to owner of land involved and other persons responsible for violation. Persons upon whom such order is served shall immediately stop work on project until there is an agreed process for correcting or resolving violation and Code Enforcement Officer has lifted the order.

2.B | 5.2.2 Injunctive Action. If a violation cannot be corrected or resolved in accordance with 2.B | 5.1 of this section, Iberville Parish may institute legal action to prevent, restrain, correct or abate violation by injunctive action and/or seeking of penalties as provided in 2.B | 5.3.

2.B | 5.3 Penalties

2.B | 5.3.1 Criminal Penalties. A violation of this code is an offense, punishable by a fine in accordance with applicable parish laws and Louisiana Revised Statutes. However, for purpose of conferring jurisdiction upon courts and judicial officers generally, violations of this code shall be deemed

misdemeanors and for such purpose only all provisions of law relating to misdemeanors shall apply to such violations. Each week's continued violation shall constitute a separate additional violation.

2.B | 5.3.2 **Revocation of Permit.** Any permit or approval granted under this code that is based upon or is granted in reliance upon any material misrepresentation, or failure to make material fact or circumstance known, by or on behalf of an applicant shall be void. This provision shall not be construed to affect remedies otherwise available under this section or other applicable law. Code Enforcement Officer may revoke a building permit in any of the following instances:

2.B | 5.3.2.1 Where there has been a false statement or misrepresentation as to a material fact in the application, plans or specifications on which the permit was based.

2.B | 5.3.2.2 Where permit was issued in error and should not have been issued in accordance with applicable law.

2.B | 5.3.2.3 Where work performed or use operated under the permit is not being performed or operated in accordance with provisions of the application, plans, specifications or approval.

2.B | 5.3.2.4 Where permit holder fails or refuses to comply with a stop work order issued by Code Enforcement Officer.

2.C **Planning Commission**

2.C | 1 **Site Plan Review**

2.C | 1.1 **Purpose.** Purpose of site plan review is to provide for review and approval of development plans to ensure that land development occurs:

2.C | 1.1.1 In harmony with surrounding uses and vision for the future of the parish as described in master land use plan; and

2.C | 1.1.2 Without adversely impacting community character, quality of life, public facilities, infrastructure or the natural environment.

2.C | 1.2 **Applicability.** Before Code Enforcement Officer may issue a permit or certificate of occupancy for any land use and development activities for which site plan approval is required, Planning Commission must approve a site plan in accordance with this section and other applicable provisions of this code. Requirements of this section shall apply to all land use activities or development that are referred to elsewhere in this code as requiring a site plan review.

2.C | 1.3 Whenever development is for a high density use such as multifamily development, offices, shops, stores, commercial recreation facility with land area containing more than one half-acre or other commercial uses with a

building or buildings containing more than thirty thousand (30,000) square feet, or an addition to an existing structure(s) in which the increase in aggregate floor area greater than thirty thousand (30,000) square feet is greater than twenty (20) percent must submit a Site Plan Review Application and plans to the Planning Commission for review and approval. Whether or not such uses are to be retained by the Applicant, sold, leased or rented, the development shall be subject to the review procedure. Whenever development is for a communication tower as stated in 7.A | 6 applicant must submit a Site Plan Review Application and plans to the Planning Commission for review and approval.

- 2.C | 1.4 **Review Criteria.** Planning Commission shall only approve a site plan that demonstrates compliance with review criteria of 2.C | 4.2 through 2.C | 4.11.
- 2.C | 1.5 **Pre-Application Conference.** Applicants may request a pre-application conference with the Code Enforcement Officer. The applicant shall present two (2) copies of the proposed sketch plan to the Code Enforcement Officer at a pre-application conference. Purpose of pre-application conference is to generally and informally discuss proposed project and advise the applicant. Planning Commission shall not vote to approve or disapprove, or issue a written decision with regard to, a sketch plan during a pre-application conference.
- 2.C | 1.6 **Final Plan.** Site plan review shall be conducted as follows:
- 2.C | 1.6.1 **Application.** Applicant shall file with Planning Commission an application for site plan review. Applicant shall submit site plan to Code Enforcement Officer in accordance with agenda deadline policies of Planning Commission. The date site plan is deemed substantially complete shall be considered the date of submission.
- 2.C | 1.6.2 **Content.** Application shall be made on forms provided in Appendix C. Site plan requirements shall be as specified on the attached application form checklist.
- 2.C | 1.6.3 **Hearing.** Planning Commission may hold a public hearing on site plan in accordance with the procedures of 2.A | 7. If a hearing is deemed appropriate, Planning Commission shall hold a public hearing on a site plan application.
- 2.C | 1.6.4 **Action.** Planning Commission shall act on a site plan application within 60 days after submission thereof to it. A site plan application shall be deemed final and completed when all required prior approvals of studies and permits have been secured and fully executed copies provided to Code Enforcement Officer. Notwithstanding, the time within which the Planning Commission must act may be extended by mutual written consent of applicant and Planning Commission. Planning Commission shall issue a written decision on site plan in accordance with 2.A | 8.

- 2.C | 1.7 **Application for Area Variance.** Notwithstanding any other provisions of this article, where a proposed site plan contains one or more features that do not comply with dimensional standards of this code, applicants may apply to Planning Commission for an area variance in accordance with 2.D | 4 without necessity of a decision or determination by Code Enforcement Officer.
- 2.C | 2 **Conditional Use Approval**
- 2.C | 2.1 **Applicability.** Before Code Enforcement Officer may issue a permit or certificate of occupancy for any land use activities for which conditional use approval is required, Planning Commission must approve a site plan in accordance with this section and other applicable provisions of this code. Requirements of this section shall apply to all land use activities or development that are referred to elsewhere in this code as requiring conditional use approval.
- 2.C | 2.2 **Review Criteria.** Planning Commission shall only approve a conditional use that demonstrates compliance with review criteria of 2.C | 4.2 through 2.C | 4.11.
- 2.C | 2.3 **Pre-Application Conference.** Applicants may request a pre-application conference with the Code Enforcement Officer. The applicant shall present two (2) copies of the proposed sketch plan to the Code Enforcement Officer at a pre-application conference. Purpose of pre-application conference is to generally and informally discuss proposed project and advise the applicant of required items necessary to complete the application package. Planning Commission shall not vote to approve or disapprove, or issue a written decision with regard to, a sketch plan during a pre-application conference.
- 2.C | 2.4 **Final Plan.** Conditional use review shall be conducted as follows:
- 2.C | 2.4.1 **Application.** Applicant shall file with Planning Commission an application and site plan for conditional use approval. Applicant shall submit application and plan to the Code Enforcement Officer in accordance with agenda deadline policies of Planning Commission. The date site plan is deemed substantially complete shall be considered the date of submission.
- 2.C | 2.4.2 **Content.** Application shall be made on forms provided in Appendix C. Sketch plan requirements shall be as specified in the attached application form checklist.
- 2.C | 2.4.3 **Hearing.** Planning Commission shall hold a public hearing on a conditional approval once a completed application is submitted and in accordance with procedures of 2.A | 7.
- 2.C | 2.4.4 **Action.** Planning Commission shall act on a final completed conditional use application within 60 days of receipt of completed application. A conditional use application shall be deemed final completed when all regulatory environmental clearances and permits have been secured and fully executed

copies provided to the Code Enforcement Officer. Notwithstanding, time within which Planning Commission must act may be extended by mutual written consent of applicant and Planning Commission. Planning Commission shall issue a written decision on preliminary plan in accordance with 2.A | 8.

2.C | 2.5 **Application for Area Variance.** Notwithstanding any other provisions of this article, where a proposed site plan contains one or more features that do not comply with dimensional standards of this code, applicants may apply to Planning Commission for an area variance in accordance with 2.D | 4 without necessity of a decision or determination by Code Enforcement Officer.

2.C | 3 **Subdivision or Planned Development Approval**

2.C | 3.1 **General.** It is suggested that each subdivider or developer of land confer with the Planning Commission, Parish Director of Public Works, Parish Building Inspector, and Parish Sanitarian before preparing the tentative geometric layout, in order to become thoroughly familiar with the subdivision requirements and the proposal of the official Master Plan effecting the territory in which the proposed land subdivision lies. The Secretary of the Planning Commission shall cause sufficient copies of these regulations to be prepared for distribution to interested parties.

2.C | 3.2 **Purpose.** This section establishes a process for review of land subdivisions to achieve the following objectives:

2.C | 3.2.1 Encourage orderly, beneficial development of parish in accordance with master land use plan.

2.C | 3.2.2 Provide that land proposed for subdivision shall be of such character that it can be used safely for building purposes without danger to health, or peril from fire, flood or other natural hazard.

2.C | 3.2.3 Ensure that proper provisions shall be made for access, drainage, water supply, sewerage and other improvements needed to support development.

2.C | 3.2.4 Maintain harmony with development patterns and open space characteristics

2.C | 3.3 **Applicability.** Subject to the exceptions hereinafter provided as an Administrative Procedure under 2.C | 3.4, any sale or contract of sale or agreement to purchase any lot or division of land either by lot description or by metes and bounds shall constitute a subdivision of land and shall require submission of a plat to the Planning Commission as required by law before sale or purchase agreement and before the delivery of a deed. Every subdivision of land, site, or tract, within the jurisdiction of the Parish of Iberville, except industrial areas as defined, shall be shown upon a plat and submitted to the Planning Commission for approval or disapproval. Any plat which has been approved by the Planning Commission and endorsements shown thereon shall be recorded in the Office of the Clerk of Court of the

Parish of Iberville, and no lots shall be sold from such plat unless and until approved. No street number or building permit shall be issued for the erection of any building in the above limits on any property other than on an original or resubdivided lot in a duly approved and recorded subdivision without the written approval of the Planning Commission, or its authorized representative. Public money shall not be expended for the maintenance of streets, sewers, or other improvements until those improvements have been accepted by the Department of Public Works and the plan, plot, or replot of such land shall have been approved by the Planning Commission, Parish Council, and recorded in the office of the Clerk of Court of the Parish of Iberville.

- 2.C | 3.4** **Administrative Procedure.** An administrative procedure for subdivision approval may be granted in view of the fact that some subdivisions are small with no public street or utility improvements required and will have little or no far-reaching effects on the developments of the parish and as defined by the requirements stated in LA R.S. 33:113.1.
- 2.C | 3.4.1** All plats approved or certified by an administrative procedure provided for herein shall designate such fact on the plat and the plats shall be recorded in the conveyance records of the parish. Any plat so approved shall have the same force and effect and legal status of a subdivision application approved by the established legislative process.
- 2.C | 3.4.2** The Parish Council President and Secretary-Treasurer and the Chairman and the Secretary of the Parish Planning Commission are authorized to approve final subdivision plats in the following instances without public hearing:
- 2.C | 3.4.2.1** The realignment or shifting of lot boundary lines, including removal, addition, alignment, or shifting of interior lot boundary lines, or the redesignation of lot numbers provided the application meets the following requirements:
1. Does not involve the creation of any new street or other public improvement.
 2. Does not involve more than two acres of land or ten lots of record.
 3. Does not reduce a lot size below the minimum area or frontage requirements established by ordinance.
 4. Otherwise meets all the requirements of the subdivision regulations and zoning ordinances.
- 2.C | 3.4.2.2** Parcels of land where a portion has been expropriated or has been dedicated, sold, or otherwise transferred to the parish or municipality, thereby leaving a severed portion of the original property which requires a redesignation of lot number and establishment of new lot boundary lines.
- 2.C | 3.5** **Review Criteria.** Planning Commission shall only approve a subdivision that demonstrates compliance with review criteria of 2.C | 4.2 through 2.C | 4.11.

2.C | 3.6 Pre Application Conference. A Pre-Application Conference is mandatory for all subdivisions with dedicated public improvements and is intended to provide applicant with an opportunity to consult informally and at an early stage with the Code Enforcement Officer to generally and informally discuss proposed project and advise the applicant of required items necessary to complete the application package. Planning Commission shall not vote to approve or disapprove, or issue a written decision with regard to, a sketch plan during a pre-application conference. Sketch plan review shall be conducted as follows:

2.C | 3.6.1 Application. Applicants shall file a request for Pre-Application Conference and sketch plan with Code Enforcement Officer. The date application and sketch plan is deemed substantially complete shall be considered the date of submission.

2.C | 3.6.2 Content. Application shall be made on forms provided in Appendix C. Sketch plan requirements shall be as specified in the attached application form checklist.

2.C | 3.6.3 Hearing. Within 30 days of date of submission, Code Enforcement Officer or designated representative shall meet with applicant or an authorized representative to review the proposed subdivision, procedure to be followed, and required standards to be met.

2.C | 3.7 Preliminary Plat. Preliminary plat review and public hearing is mandatory for all subdivisions that do not meet the requirements for administrative approval. Preliminary plat review shall be conducted as follows:

2.C | 3.7.1 Application. Applicant shall, within 12 months of the date of Pre-Application meeting, file with Planning Commission an application for Subdivision. Otherwise the initial pre-application meeting shall expire unless an extension of time is applied for and granted by Planning Commission. Applicant shall submit preliminary plat to Code Enforcement Officer in accordance with agenda deadline policies of Planning Commission. The date preliminary plat is deemed substantially complete shall be considered the date of submission.

2.C | 3.7.2 Content. Application shall be made on forms provided in Appendix C. Preliminary Plat requirements shall be as specified on the attached application form checklist.

2.C | 3.7.3 Planning Commission Hearing. Planning Commission shall hold a public hearing on a Preliminary Plat after the preliminary plat submittal is deemed complete and public notice is given in accordance with procedures of 2.A | 7.

2.C | 3.7.4 Planning Commission Action. Planning Commission shall act on a Preliminary Plat within 60 days after completed application is received. A preliminary subdivision plat application shall be deemed final completed when all required clearances and permits have been secured and fully executed copies of same provided to Code Enforcement Officer.

Notwithstanding, time within which Planning Commission must act may be extended by mutual written consent of applicant and Planning Commission. Planning Commission shall issue a written decision on preliminary plat in accordance with 2.A | 8.

2.C | 3.7.5 **Parish Council Hearing.** The Parish Council when conducting any public hearing shall schedule the date of public hearing of all requests in accordance with the requirements of the Iberville Parish Home Rule Charter.

2.C | 3.7.6 **Parish Council Action.** Parish Council shall act on a Preliminary Plat after approval by the Planning Commission. A preliminary subdivision plat application shall be deemed final and completed when all comments by the Planning Commission are properly addressed in the plans, and when all required clearances and permits have been secured and fully executed copies of same provided to Code Enforcement Officer. Parish Council shall hold a public hearing and issue a written decision on preliminary plat in accordance with the Iberville Parish Home Rule Charter.

2.C | 3.8 **Construction Plan Approval.** Within two years after final approval of geometric layout has been granted by Planning Commission and the Parish Council, subdivider shall submit complete construction plans for first or initial phase of development of area given preliminary approval, to Parish Department of Public Works for review and approval.

2.C | 3.8.1 Subdivider shall do no construction work until his completed construction plans have been approved by Department of Public Works. After construction plans have been approved by Department of Public Works and sewer construction plans have been approved by Parish Sanitarian, Planning Commission shall be notified of such approval in writing.

2.C | 3.8.2 After construction plans have been approved, subdivider and his/her Engineer shall proceed with preparation of final plat. Subdivider shall not sell or lease any lots in the subdivision until final plat has been approved by Planning Commission and properly recorded.

2.C | 3.9 **Construction of Improvements.** After construction plans have been approved by Department of Public Works and prints filed with Director, subdivider may construct required improvements. Department of Public Works shall be notified in advance of date that such construction shall begin. Construction shall be performed under supervision of Department of Public Works and shall at all times be subject to inspection by that department. However, this in no way relieves the subdivider and his Engineer of close field supervision and final compliance with approved plans and specifications.

2.C | 3.10 **Acceptance of Improvements.** When construction is complete and in accordance with approved plans and specifications and complies with provisions of these regulations, subdivider through his engineer, shall certify that all work has been completed and request final inspection so that he may

obtain written final approval and acceptance from Department of Public Works and submit such written approval to Planning Commission.

- 2.C | 3.11 **Final Plat.** Final plat review and public hearing is mandatory for all subdivisions. Final plat review shall be conducted as follows:
- 2.C | 3.11.1 **Application.** Applicant shall, within 6 months of acceptance of improvements, file with Planning Commission an application for approval of final plat. Otherwise preliminary plat shall expire unless an extension of time is applied for and granted by the Planning Commission. For phased subdivisions, applicant may submit a final plat for each phase separately and only first phase shall be required to be submitted within 6 months of action on preliminary plan. Applicant shall submit final plat to Code Enforcement Officer in accordance with agenda deadline policies of Planning Commission. The date final plat is deemed substantially complete by Code Enforcement Officer shall be considered the date of submission.
- 2.C | 3.11.2 **Content.** Application shall be made on forms provided in Appendix C. Sketch plan requirements shall be as specified in the attached application form checklist.
- 2.C | 3.11.3 **Planning Commission Hearing.** Planning Commission shall, within 60 days of date application is deemed complete, hold a public hearing on final plan in accordance with procedures of 2.A | 7. Planning Commission may waive hearing requirement if it finds final plan to be in substantial agreement with preliminary plan.
- 2.C | 3.11.4 **Planning Commission Action.** Planning Commission shall approve, with or without modification, or disapprove, final plan within 60 days of closing hearing or acceptance of a complete application if no hearing is required. Notwithstanding, time within which Planning Commission must act may be extended by mutual written consent of applicant and Planning Commission. Planning Commission shall issue a written decision on final plan in accordance with 2.A | 8.
- 2.C | 3.11.5 **Parish Council Hearing.** The Parish Council when conducting any public hearing shall schedule the date of public hearing of all requests in accordance with the requirements of the Iberville Parish Home Rule Charter.
- 2.C | 3.11.6 **Parish Council Action.** Parish Council shall act on a Final Plat after approval by the Planning Commission. A final subdivision plat application shall be deemed final and completed when all comments by the Planning Commission are properly addressed in the plans, and when all required clearances and permits have been secured and fully executed copies of same provided to Code Enforcement Officer. Parish Council shall hold a public hearing and issue a written decision on final plat in accordance with the Iberville Parish Home Rule Charter.
- 2.C | 3.12 **Combined Action.** Planning Commission may combine action on preliminary and final plans where circumstances warrant such as no street,

drainage, or sewer improvements are required for a site or tract development, the preliminary plat may be approved as the final plat.

2.C | 3.13 Failure to Act. If Planning Commission fails to act on a subdivision application within required time period and after completion of all environmental review and permitting requirements, application shall be deemed approved on day following expiration of period to act. Such decision may be appealed in same manner as any other decision but, on appeal, shall be entitled to no presumption of correctness.

2.C | 3.14 Signature and Filing. Within 1 year of date of resolution granting approval, applicant shall have met all requirements of conditional approval, where applicable, and have submitted original of final plat for signature as required denoting final approval. Notwithstanding the foregoing, Planning Commission may extend time within which a conditionally approved final plan must be submitted for signature, where in its opinion such extension is warranted and performance sureties are extended. Upon completion and acceptance of improvements, Planning Commission and Director of Public Works shall check final plat for conformity with preliminary plans and for compliance. Chairperson of Planning Commission shall then indicate such approval by their signature on final plat. Signature shall constitute final approval of subdivision plan, which may then be filed according to the following:

2.C | 3.14.1 Within 60 days from date of such signature, applicant shall file final plan in Iberville Parish Clerk of Court's Office.

2.C | 3.14.2 Within 30 days from date of filing with Clerk of Court, applicant shall file one copy of final filed plan with Code Enforcement Officer.

2.C | 3.15 Acceptance. Approval and signature of final plan shall not constitute acceptance by Parish Council of any offer of dedication for any improvements without separate and formal acceptance by Parish Council. Acceptance of public utilities, infrastructure or servitude dedications authorized by Parish Council shall be certified on the final plat by Parish Council President.

2.C | 3.16 Amendment. No unauthorized changes, erasures, modifications or revisions shall be made in any final plan after approval has been given by Planning Commission, unless final plan is first resubmitted to Planning Commission and the board specifically approves any such modifications. In the event that any final plan is recorded in contravention of this requirement, plan shall be considered null and void and parish shall institute proceedings to have plan stricken from records of Parish Clerk of Court's Office. Notwithstanding, if at any time following approval and filing of a subdivision plan, it is demonstrated that unforeseen conditions make it necessary or desirable to modify location or design of any required improvement, Planning Commission may authorize, in writing, such modification, provided it is within spirit and intent of original action and does not constitute a substantial departure for the approved and filed subdivision plan.

2.C | 3.17 **Waiver of Application Requirements.** Planning Board may consider requests from applicants to waive or modify application requirements. Content and level of detail needed for review may vary depending on size and scale of proposed development.

2.C | 4 **Review Criteria**

2.C | 4.1 **Applicability.** Planning Commission shall use these criteria when reviewing applications for site plan, conditional use or subdivision approval, and amendments to any prior board approvals. If these criteria conflict with any other applicable provisions of this code, the more stringent shall apply. Planning Commission shall find that proposed development will not result in an adverse impact on applicable criteria of this section.

2.C | 4.2 **Character of the Neighborhood.** Applicant shall demonstrate that location, scale, type, density and intensity of use associated with proposed development will not have an adverse impact on character of neighborhood or district. Existence of one use in a neighborhood or district shall not be interpreted as justification for another similar use to be located there. Character of neighborhood or district shall be determined by Planning Commission based on master land use plan and submitted materials and testimony. When determining character of neighborhood or district, Planning Commission may consider some or all of the following as applicable:

2.C | 4.2.1 Existing and planned pattern of development, uses and types of buildings in neighborhood or district.

2.C | 4.2.2 Intensity, uniformity or mix of uses and buildings.

2.C | 4.2.3 Mass, scale and spacing of buildings.

2.C | 4.2.4 Noise and traffic.

2.C | 4.2.5 Privacy, security, identity, sense of community and cohesion.

2.C | 4.2.6 Scenic resources, aesthetics and open space.

2.C | 4.2.7 Historic structures and features.

2.C | 4.3 **Design.** Applicant shall demonstrate that design and location of structures will be compatible with their proposed setting and context, existing site conditions and features, and adjoining structures and uses. Conditions may be imposed with regard to siting, density, setbacks, height, massing, materials, color, reflectivity and/or orientation, to ensure compatibility. A design or visual impact analysis may be required to identify potential adverse impacts and appropriate mitigation measures.

2.C | 4.4 **Landscaping and Screening.** Applicant shall demonstrate that proposed development is compatible with existing land uses. Landscaping and screening may be required to establish buffers or barriers between incompatible land uses.

2.C | 4.5 Drainage Impact Study. In order to comply with Federal and State regulations for urban storm water and to ensure no impact on parish drainage systems, a Drainage Impact Study (DIS) by a licensed professional engineer may be required by Planning Commission for major development and redevelopment projects that propose significant change to existing hydrology and/or hydraulic characteristics and features of development upstream, onsite, and/or downstream. A Drainage Impact Study is not required if exempted by certain conditions as outlined in 6.A | 5.2 or a waiver is granted as outlined in 6.A | 5.3.

2.C | 4.5.1 Prior to Planning Commission approving proposed development drainage improvements, Department of Public Works must confirm based on information provided by applicant, drainage improvements will have no adverse impacts on water quantity or quality for parish drainage systems.

2.C | 4.5.2 Drainage studies shall also assess and quantify impact on floodplains, floodways and wetlands created by the proposed development.

2.C | 4.5.3 Mitigation measures may include excavation of onsite detention ponds, stormwater management BMP's, infiltration greenspace, rainwater harvesting for irrigation, etc.

2.C | 4.6 Traffic and Circulation.

2.C | 4.6.1 General. Applicant shall demonstrate that projected traffic resulting from proposed development will have no adverse impact on condition, capacity, safety and function of roads, parking and associated infrastructure (e.g., bridges, culverts) potentially affected by proposed development. At a minimum, Planning Commission shall consider and seek input as appropriate related to:

2.C | 4.6.1.1 Public safety;

2.C | 4.6.1.2 Traffic plans or studies;

2.C | 4.6.2 Traffic Impact and Access Requirements.

2.C | 4.6.2.1 Any proposed development requiring access to State Highways or developments within one quarter mile of a State Highway that may affect traffic on a State Highway must adhere to State of Louisiana Traffic Impact Policy for New Access Requests on State and US Highways. Developer must submit to Planning Commission all correspondence pertaining to meetings between Developers representatives and DOTD district representatives. Traffic impact must be determined before preliminary plat is accepted.

2.C | 4.6.2.2 Applicant may be required to submit a traffic impact statement prior to submittal of the preliminary plat or site plan review application from a licensed Louisiana Civil Engineer to Planning Commission stating if development will generate more than 100 peak hour trips. Traffic impact

statement should have a trip generation based on latest edition of the Institute of Traffic Engineers (ITE) Trip Generation Manual.

2.C | 4.6.2.3

A traffic impact study (TIS) may be required if development will generate more than 100 peak hour trips and particularly for uses that will result in substantial increase in traffic. When a development generates traffic above this threshold then a traffic study may be required in order for Iberville Parish to determine whether provisions shall be made for construction, extension, or widening of public streets or drives where justified by anticipated traffic generation and circulation. Planning Commission will determine whether or not a Traffic Impact Study is required. Traffic Impact Study when required shall follow the requirements of the LADOTD traffic impact policy.

2.C | 4.6.3

Pedestrian and Bicycle Access. Planning Commission may require provision for pedestrian access within site, and access through site to adjacent properties and along roads. Such access may take the form of sidewalks, walking and/or bicycle paths, or other facilities depending upon property's location, site conditions and proximity to other facilities. Bicycle racks may be required for commercial and public uses intended for general public access. In addition, adequate access from parking area and sidewalks to building(s) that are open to public shall be provided for people with disabilities in accordance with applicable state and federal laws.

2.C | 4.7

Community Services or Infrastructure. Applicant shall demonstrate that demand for community services and facilities resulting from proposed development shall not exceed available or planned capacity of such services and facilities. Available capacity may be determined in part through consultation with parish and/or state officials or agencies having jurisdiction over affected services and facilities. Conditions may be imposed as appropriate to ensure that demand for community facilities or services does not exceed existing or anticipated available capacity. Planning Commission shall at a minimum consider the following:

2.C | 4.7.1

Water, Gas and Sewer. Development shall have sufficient water, gas and sewer capacity available for its needs and shall not result in an unreasonable burden on parish's current or planned water, gas or sewer systems. If public water or sewer is not involved, property shall have adequate capability for on-site water supply and wastewater disposal in accordance with applicable state regulations. Planning Commission may solicit input of appropriate parish officials/staff and/or require engineering reports by applicant.

2.C | 4.7.2

Fire Protection Facilities. Development shall have adequate water storage or distribution facilities for fire protection. Planning Commission may require applicant to install infrastructure to suppress or fight fire such as sprinkler systems, fire hydrants, dry hydrants, cisterns or ponds. Applicant may be asked submit documentation from local fire department as to

adequacy of emergency access and fire protection facilities. Planning Commission may independently solicit input from local fire department.

2.C | 4.7.3 **Public Services Impact.** Development shall not create an undue burden on parish facilities or create an unreasonable demand for public services, nor shall it endanger public or quasi-public investments or materially interfere with function, efficiency, safety or public's use and enjoyment of governmental, utility or non-profit community facilities, services or lands. Planning Commission may consider whether anticipated tax return from proposed development is equal to or exceeds cost of anticipated parish services and facilities directly attributable to proposed development, and whether proposed development will place an unreasonable burden on ability of local governmental units to provide parish, governmental, or educational services and facilities. A fiscal impact analysis and/or the phasing of development in accordance with any duly adopted capital improvement program may be required as appropriate. Planning Commission may solicit input from appropriate officials/staff and other qualified professionals.

2.C | 4.8 **Local Laws and Comprehensive Plan.** Applicant shall demonstrate that proposed development is in conformance with all applicable requirements of this code, any capital improvement program, official map, other parish laws or ordinances, parish permit and/or approval conditions, and is consistent with applicable goals, objectives and policies of the master land use plan.

2.C | 4.9 **Natural Resources.** Applicant shall demonstrate that land to be developed will be able to support intended use without adverse impact on important natural resources or fragile features located on the parcel, including wetlands, steep slopes, rivers and streams, critical wildlife habitat and travel corridors, and floodplains identified in the master land use plan, by state or federal government agencies, or through field investigation. An environmental assessment may be required to determine potential adverse impacts and associated mitigation measures. Planning Commission may require measures to ensure protection of natural resources and fragile features including but not limited to:

2.C | 4.9.1 Establishment of buffer areas;

2.C | 4.9.2 Permanent protection through conservation servitudes, open space agreements or other deed restrictions;

2.C | 4.9.3 Designation of building envelopes to ensure that activities incidental to development, including clearing and yard area, do not adversely impact identified resources; and/or

2.C | 4.9.4 Preparation and implementation of management plans for protected resources and associated buffer areas.

2.C | 4.10 **Historic and Cultural Resources.** Applicant shall demonstrate that proposed development will not have any undue adverse impact on historic, archaeological or other cultural resources. To that end:

- 2.C | 4.10.1 Development shall be designed to maintain historic context of site, as defined by any historic structures located on property and in immediate vicinity of site, and to minimize impact of new development on historic and cultural resources.
- 2.C | 4.10.2 Location of lot lines and building envelopes should be configured to reflect settlement pattern of nearby historic development, and to minimize contrast between contemporary and historic development.
- 2.C | 4.10.3 Historic features should be preserved and integrated into project design to greatest extent feasible.
- 2.C | 4.10.4 Prior to development on sites identified as being archaeologically sensitive in master land use plan, by the state or, through site investigation; Planning Commission may require a site assessment to identify presence and relative value of archaeological resources on the site and to document archaeological resource and/or recommend strategies for its protection.
- 2.C | 4.11 **Recreation.** Applicant shall demonstrate that demand for recreational facilities resulting from proposed development will be met. Planning Commission may require establishment of parks, playgrounds, trails, pathways or other recreation facilities to meet demand from proposed development. All such land shall be of a reasonable character for its intended use. Applicants are encouraged to maintain any existing public recreational access on property being developed to greatest extent feasible.

2.D **Appeals and Variances**

2.D | 1 **Authority**

- 2.D | 1.1 Planning Commission shall have authority to review and approve requests for variances, to hear appeals from a decision of Code Enforcement Officer and to decide any question involving interpretation of a provision or definition contained in this code.
- 2.D | 1.2 Planning Commission shall, in granting of area variances, have authority to impose such reasonable conditions and restrictions as are directly related to and incidental to proposed use of property and/or period of time its decision shall be in effect. Such conditions shall be consistent with spirit and intent of this chapter, and shall be imposed for purpose of minimizing any adverse impact such variance may have on the neighborhood or community.

2.D | 2 **Appeals of Code Enforcement Officer Decisions**

- 2.D | 2.1 Any appeal of a decision of Code Enforcement Officer shall be made within 60 days after Code Enforcement Officer makes and files decision.

2.D | 2.2 Planning Commission may reverse or affirm, wholly or partly, or may modify the order, requirement, decision, interpretation or determination appealed from. Planning Commission shall make such order, requirement, decision, interpretation or determination as in its opinion ought to have been made in matter by Code Enforcement Officer, and to that end shall have all powers of Code Enforcement Officer from whose order, requirement, decision, interpretation or determination the appeal is taken.

2.D | 3 **Stay upon Appeal**

2.D | 3.1 An appeal shall stay all proceedings in furtherance of the action appealed from unless the Code Enforcement Officer certifies to Planning Commission, after notice of appeal has been filed with Code Enforcement Officer, that, by reason in facts stated in the certificate, a stay would, in his/her opinion, cause imminent peril to life or property, in which case proceedings shall not be stayed otherwise than by restraining order that may be granted by Planning Commission or by a court of record on application, on notice to Code Enforcement Officer from whom the appeal is taken and due cause is shown.

2.D | 4 **Area Variances**

2.D | 4.1 Planning Commission shall have to power, upon appeal from a decision or determination of Code Enforcement Officer, to grant area variances. An area variance shall mean authorization of Planning Commission for use or development of land in a manner that is not allowed by dimensional or physical requirements of this code.

2.D | 4.2 In making its determination, Planning Commission shall take into consideration benefit to applicant if variance is granted, as weighed against any detriment to public health, safety or welfare, character of area, quality of life, and value of property in neighborhood or parish as a whole if variance is granted. In making such determination Planning Commission shall consider:

2.D | 4.2.1 Whether an undesirable change will be produced in character of neighborhood or a detriment to nearby properties will be created by granting of variance;

2.D | 4.2.2 Whether benefit sought by applicant can be achieved by some method, feasible for applicant to pursue, other than a variance;

2.D | 4.2.3 Whether requested area variance is substantial;

2.D | 4.2.4 Whether proposed variance will have an adverse impact on physical or environmental conditions in neighborhood or district; and

2.D | 4.2.5 Whether alleged difficulty was self-created, which consideration shall be relevant to decision of Planning Commission, but shall not necessarily preclude granting of area variance.

2.D | 4.3 Planning Commission, in granting of area variances, shall grant minimum variance that it shall deem necessary and adequate and at same time preserve and protect the character of neighborhood and the health, safety and welfare of community.

2.D | 5 **Flood Hazard Areas**

2.D | 5.1 In addition to all applicable provisions of this chapter, Planning Commission shall not grant variances within flood hazard areas except in compliance with provisions of 6.B | 16.

2.D | 6 **Application and Review Procedures**

2.D | 6.1 Planning Commission shall undertake a preliminary review of an application at a meeting scheduled in a timely manner after application is submitted. At preliminary review, Commission shall determine whether application is complete. If application is deemed to be incomplete, then applicant shall be notified, in writing, of what further information is required. If application is considered to be complete, then Commission shall precede to schedule a public hearing.

2.D | 7 **Rehearing**

2.D | 7.1 A motion to hold a rehearing to review an act or decision of Planning Commission may be made by any member of the board. A unanimous vote of all members of the board present is required for such a rehearing to occur. A rehearing shall be subject to the same notice and procedural requirements as original hearing. Following a rehearing, board may reverse, modify or annul its original action or decision upon a unanimous vote of all members present.

3 **Dimensional Regulations**

3.A **Lots, Setbacks and Yards**

3.A | 1 **General**

3.A | 1.1 Only a single principal use or structure may be located on a lot, unless approved by the Planning Commission as a mixed use or as part of a Planned Development. Where multiple principal structures will be approved on a lot, the minimum space required between structures is defined in the International Building Code, Chapter 6, or NFPA 5000.

3.A | 1.2 No lot shall be so reduced in area that it cannot conform to lot size, setback, lot frontage, lot coverage and other dimensional standards set forth in this code, except as approved by the Planning Commission or as a result of governmental action (e.g. taking of land for a road or similar public purpose).

3.A | 1.3 Any yard adjoining a road shall be considered a front yard. A corner lot shall be considered to have only front and side yards. Corner lots shall have extra width to permit establishment of deeper building lines on the side of the lots adjoining the side street.

3.A | 1.4 Above grade projections from a building such as roof overhangs, balconies, sills, cornices or similar architectural features may be permitted to extend up to 36 inches into required yards except for cases where the International Building Code requirements would be violated, and except that no projection shall extend over a public or private right-of-way unless approved by the Planning Commission as a public amenity (e.g. awning, arcade or marquee that extends over the sidewalk).

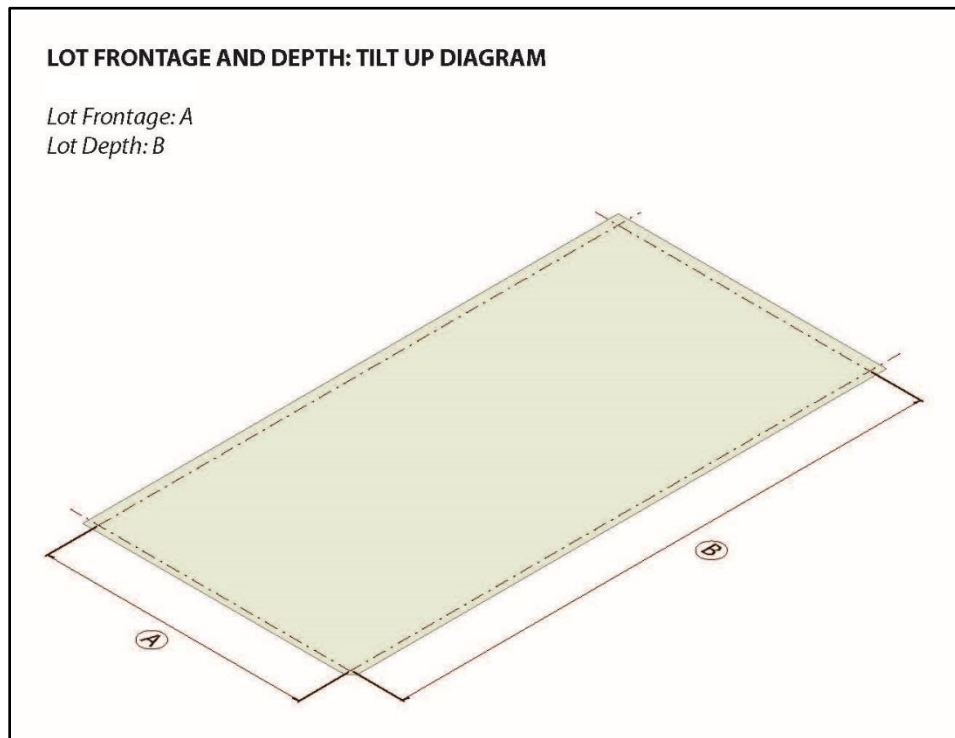
3.A | 2 **Lot Frontage and Depth.**

3.A | 2.1 Road frontage shall be measured as straight-line distance between intersection of the side lot lines and the edge of road right-of-way. If edge of right-of-way is not known, road frontage shall be measured from an assumed line that is 25 feet from the road centerline.

3.A | 2.2 Water frontage shall be measured as the straight-line distance between intersection of lot lines and mean high watermark of waterbody.

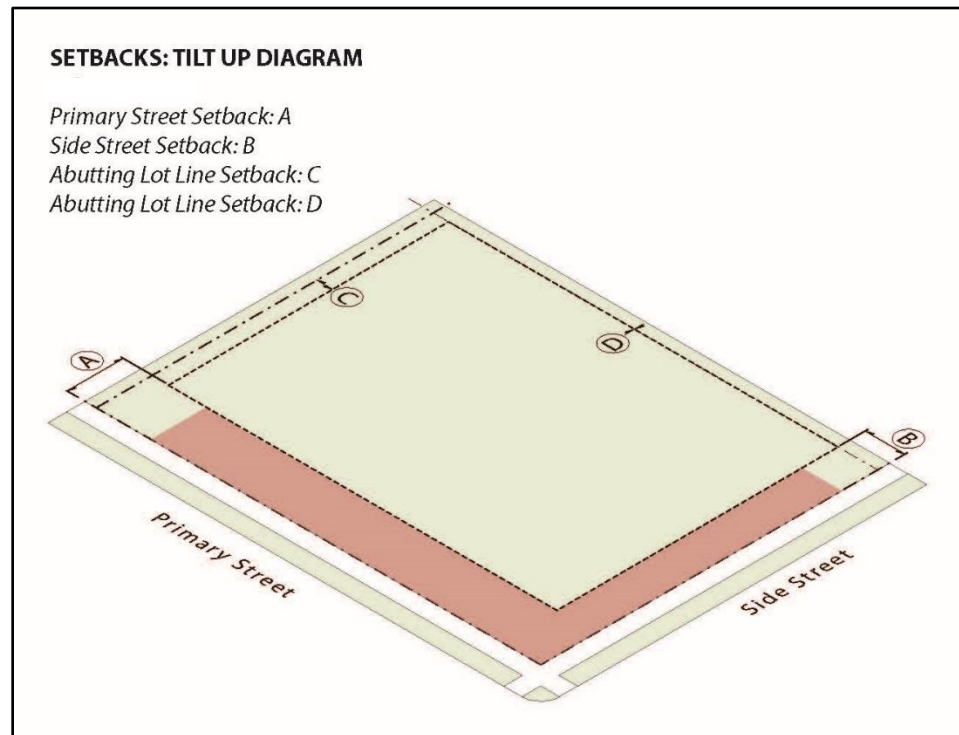
3.A | 2.3 Lot depth shall be measured by averaging straight-line distances between intersection of each side lot line with front and rear lines.

3.A | 2.4 Planned developments may be allowed to reduce lot frontage width for some lots subject to approval of the Planning Commission and demonstration of efficient and effective land utilization and space planning.



3.A | 3 Setbacks.

- 3.A | 3.1 Front or road setbacks shall be measured from the edge of the road right-of-way, or if the right-of-way is uncertain, from the centerline of the road by adding 25 feet to the setback. Water setbacks shall be measured from normal water level.
- 3.A | 3.2 Planned developments may be allowed to reduce setback distances for some lots subject to the approval of the Planning Commission and demonstration of efficient and effective land utilization and space planning.



3.A | 4 **Lot Dimensional Standards**

3.A | 4.1 The planning commission may grant waivers as appropriate for dimensional standards shown in the table below.

3.A | 4.2 All lots, either those with access to an established community sewerage system, or those with individual sewerage, must meet the minimum size and street frontage required by the Sanitary Code of the State of Louisiana, adopted by the State Health Officer in accordance with R.S. 40:4 and promulgated in accordance with R.S. 49:951 et seq. including all amendments thereof.

3.A | 4.3 **Dimensional Standards Table**

	Minimum	Maximum
Lots		
Lot Size	0.25 acres*	n/a
Lot Frontage	70 feet*	n/a
Principal Structure Placement		
Road Setback	25 feet	n/a
Property Line Setbacks	10 feet	n/a
Accessory Structure Placement		
Road Setback	25 feet	n/a
Property Line Setback	15 feet	n/a
<p>*Minimum Lot Size and Frontage for any lot with an individual mechanical sewerage plant cannot be less than prescribed in the Public Health Sanitary Code, LAC, Title 51, Part XIII, Chapter 5.</p> <ol style="list-style-type: none"> 1. Minimum area of each lot is 16,000 square feet (0.367 acres) and minimum road frontage is 80 feet where an approved individual mechanical plant is to be utilized. 2. Minimum area of each lot is 12,000 square feet (0.275 acres) and a minimum road frontage is 70 feet where an approved individual mechanical plant is utilized and is followed by a modified absorption field. 3. For individual lots or sites, regardless of size, when the installation of an individual sewerage system is proposed in order to renovate or replace a preexisting inadequate or malfunctioning individual sewerage system. Such installation may be allowed when, in the opinion of the State Health Officer, a public health hazard or nuisance will not result. This provision shall apply to the renovation or replacement of preexisting systems only and shall not be utilized to circumvent other requirements, particularly those relative to the minimum lot size for new residences and subdivision development. 		

3.A | 5 **Fences**

3.A | 5.1 **Standards.** All fences shall be subject to the following provisions:

3.A | 5.1.1 **Setbacks.** A fence shall be erected within boundaries of applicant's property and shall be placed wholly within property boundaries. Property line and road setback requirements shall not apply to fences except as specified in this section.

3.A | 5.1.2 **Visual Obstruction Prohibited.** No part of any fence shall be placed in such manner as to visually obstruct vehicular or pedestrian traffic. Placement of fences near corner of a property at intersection of two roads shall provide for clear vision within the sight distance triangle established as per 4.A | 4.

3.A | 5.1.3 **Creation of Hazards Prohibited.** No fence shall be erected in such a manner as to inhibit or divert natural drainage flow or cause blockage or damming of surface water. No fence shall be erected that may create a fire hazard or other dangerous condition that may result in obstruction to fire fighting.

3.A | 5.1.4 **Maintenance.** Fences shall be maintained in a safe and substantial condition.

4 Streets and Sidewalks

4.A Street Standards

4.A | 1 Public Streets and Roads

4.A | 1.1 **Applicability.** The Planning Commission shall not approve any development involving new road construction unless proposed roads are designed in accordance with the requirements of this section or any public works specifications duly adopted by the parish. Approval of such development by the Planning Commission shall not be deemed to constitute or be evidence of acceptance by the parish of any road or servitude. Every road shown on a plat that is filed or recorded in the Iberville Parish Clerk of Court's Office shall be deemed a private road unless it has been dedicated and formally accepted as a public road by resolution of the Parish Council.

4.A | 1.2 **Application Requirements.** Applicants shall submit application and construction drawings in accordance with the requirements stated in Appendix C.

4.A | 1.3 **Geotechnical Report.** When development roads are intended to be dedicated to the Parish for ownership and maintenance, soil borings and geotechnical report will be commissioned by the developer and provided to the Planning Commission at no charge. The report will be prepared by a licensed professional geotechnical engineer in the State of Louisiana and will provide boring logs and material specifications for the typical section of street pavement, including required base and subgrade preparation. Pavements shall be designed and constructed in accordance with the findings of the soil boring report, but shall not be less than the minimum design criteria stated herein.

4.A | 1.4 **Improvements within Public Rights-of-Way or Roads.** Where applicant proposes any improvements within existing public rights-of-way or roads, proposed design and construction details shall be approved in writing by Iberville Parish or state entity, as applicable.

4.A | 2 Private Roads.

4.A | 2.1 In addition to design standards of 4.A | 4, the following requirements shall be met by all private roads:

4.A | 2.1.1 All private roads shall be designated as such and shall include that designation on required road signs.

4.A | 2.1.2 All properties served by a private road shall provide adequate access for emergency vehicles and shall conform to the Iberville Parish 911 street numbering system.

4.A | 2.1.3 Where subdivision roads are to remain private, the following words shall appear on the recorded plat, “***All roads in this subdivision shall remain private roads to be maintained by the developer or the lot owners and shall not be accepted by the parish unless they meet all applicable design and construction standards. Conformance with applicable design and construction standards shall not be deemed to constitute or to mandate the parish’s acceptance of private roads.***”

4.A | 2.1.4 A road maintenance agreement shall be recorded with the deed of each property to be served by a private road. The agreement shall provide for a method to initiate and finance a private road and maintain that road in condition, and a method of apportioning maintenance costs to current and future users.

4.A | 2.1.5 Frontage requirements for lots served by private roads shall be the same as requirements for lots served by public roads.

4.A | 3 **Private Family Roads**

4.A | 3.1 The Planning Commission and Council shall have the authority to approve private, family roads for the purpose of transfer of lots to immediate family members. Those persons by definition herein shall only mean children, parents, grandparents, great-grandparents, grandchildren, stepchildren, brother, sister, spouse, the parents of his or her spouse, and spouses of his or her children, of the property owner or owners. It shall be stated on the plat and signed by the property owner or owners, that any further sale, transfer, donation, resubdivision, or rearrangement of said lots to anyone other than an immediate family member shall be submitted to the Planning Commission and Council for review and all Parish development standards shall then be brought into full compliance.

4.A | 3.2 In addition to the requirements of 4.A | 2 private family roads shall have a twenty-five (25) foot minimum width private servitude of access to all lots in lieu of the normal roadway construction required by the code. Surfacing shall be not less than a minimum of six (6) inches of crushed limestone or gravel and fifteen (15) feet in width. The roadway materials, construction, and maintenance shall be the responsibility of the property owners and a sign shall be posted noting the end of public maintenance.

4.A | 4 **Road Design Standards**

4.A | 4.1 Roadway widths, right of way, servitudes and utility space allocation shall comply with the applicable street cross section illustrations shown in Appendix A.

4.A | 4.2 These design standards shall control the roadway, shoulders, clear zones, curbs, sidewalks, drainage systems, culverts and other appurtenances associated with the road, and shall be met by all proposed roads. The

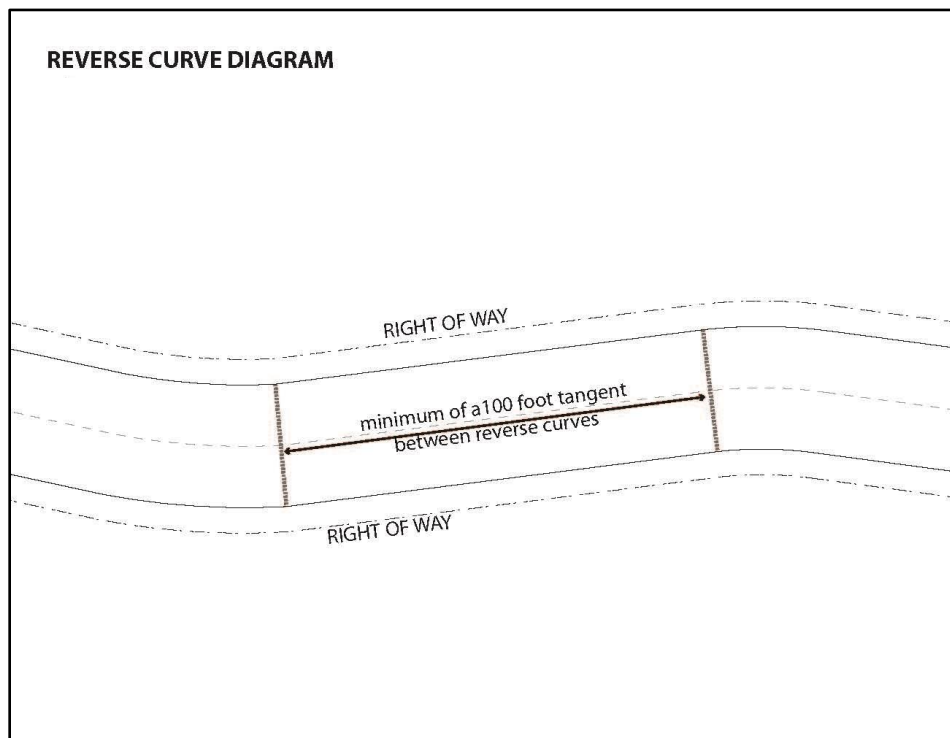
following design standards shall apply to all new roads, whether public or private except for Private Family Roads as noted in 4.A | 3:

- 4.A | 4.2.1 **General.** Arrangement, character, extent, width, grade and location of all roads shall be considered in their relation to existing and planned roads, to topographical conditions, to public convenience and safety, and to proposed uses of the land to be served by such roads. Road grades shall be arranged to allow for maximum number of proposed building sites to be situated at or above the finished grade level of the road. Arrangement of new roads shall provide for continuation, if appropriate, of roads in the surrounding area and be such as to compose a convenient system both for the development and connection to the existing road network.
- 4.A | 4.2.2 **Roads and Utilities.** Road layout shall consider the installation of utility distribution and service lines and shall be situated so as to best accommodate these installations in an acceptable manner. Construction of roads and installation of utilities shall be planned sequentially, so that construction operations do not conflict and interfere with or destroy completed work. A minimum 15 feet in width utility servitude shall be placed on both sides of proposed roads beyond the required right of way line.
- 4.A | 4.2.3 **Roads and Protection of Natural Resources.** Road layout shall minimize stream and wetland crossings, avoid traversing steep slopes, and avoid soils with susceptibility to erosion or slippage. Clearing and grading for road and utility installations shall be limited to that which is necessary to construct safe roads, provide needed roadside and embankment drainage, construct stable cuts and fills and provide for utility installation.
- 4.A | 4.2.4 **Reservations for Road Realignment or Widening.** Where development borders an existing road that does not meet width requirements of this section, or when plans exist for realignment or widening of a road, plat or plan shall indicate reserved areas for widening or realigning the road marked "Reserved for Road Realignment/Widening Purposes." Land reserved for such purposes shall not be included in computing lot area or setback requirements.
- 4.A | 4.2.5 **Compatibility with Anticipated Traffic and Use.** Road design standards shall be compatible with the estimated average daily traffic expected to occur on the road, and types and density of development allowed. The Planning Commission may increase minimum standards as deemed necessary to accommodate anticipated traffic levels, travel speed, truck traffic, terrain, or types/density of development to be served by the road.
- 4.A | 4.2.6 **On-Street Parking.** The Planning Commission shall have authority to require adequate provisions for parking lanes when deemed appropriate based on existing or proposed development pattern and density, and area character.
- 4.A | 4.2.7 **Intersections.** The grade shall not exceed 3% within 50 feet of any intersection. All intersections shall be separated as specified in 4.A | 4 unless directly opposed. Road jogs with centerline offsets less than the minimum

requirement shall be prohibited. Roads shall be laid out so as to intersect as close as possible to a right angle. No road shall intersect another road at an angle of less than 75 degrees. Within the sight triangle (as established in 4.A | 4.3 below, based on the highest posted speed), visibility shall not be restricted by natural landform or by location of any structure or vegetation; this provision may be modified by the Planning Commission as necessary to accommodate traditional development patterns (e.g. buildings built to the edge of sidewalk) within Planned Developments.

4.A | 4.2.8

Reverse Curves. Length of a tangent between reverse curves shall be a minimum of 100 feet. Street jogs with centerline offsets of less than 125 feet shall be prohibited.



4.A | 4.2.9

Curbs. Following shall be applied to curbs:

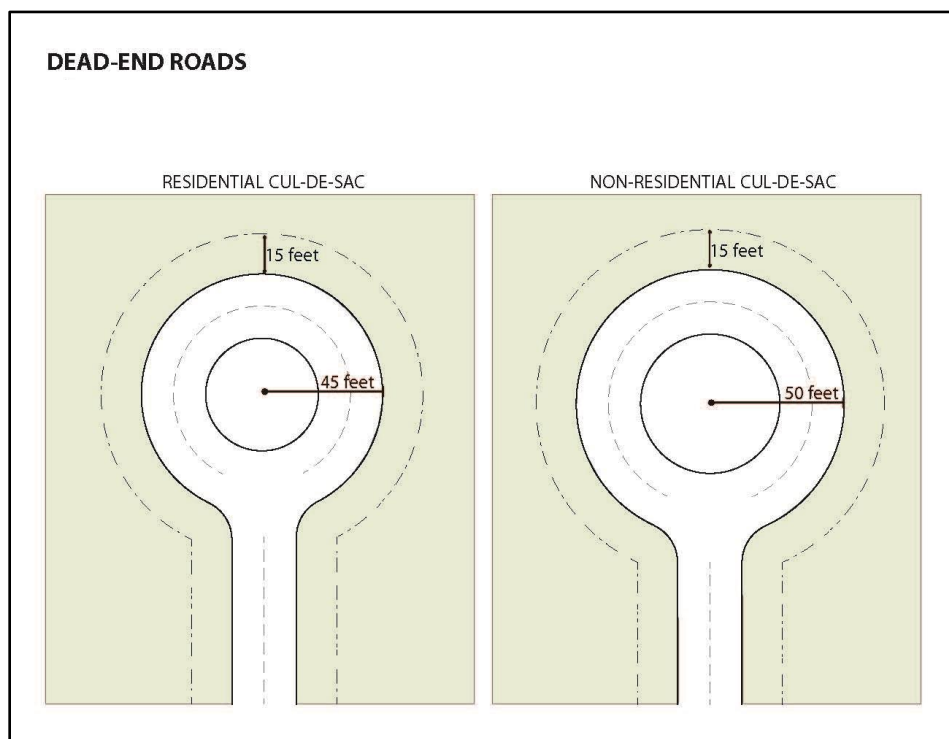
4.A | 4.2.9.1

Curbs shall be installed where necessary for stormwater management, to protect pavement edge from deteriorating along parking lanes, or in very intensive developments where heavy use may erode the area at the edge of the pavement.

4.A | 4.2.9.2

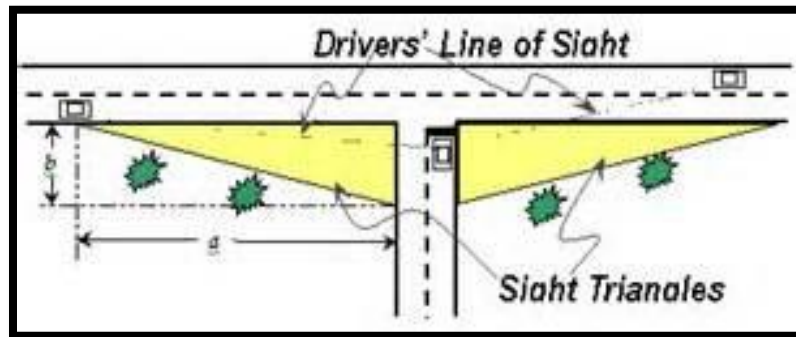
For vertical barrier curbs where no parking lane is present, a minimum gutter width of 1.5 feet shall be required from the traveled way to the 6 inch wide curb. For sloped mountable curbs where no parking lane is present, a minimum 1 foot shoulder or gutter width shall be required from the traveled way to the one foot curb width. In no case should combination curb and gutter width be less than 2 feet in width.

- 4.A | 4.2.10 **Shoulders.** Planning Commission may require additional shoulder widths where deemed necessary or beneficial to safely accommodate bicycle traffic. In situations where additional shoulder widths are required for bicyclists, the minimum width of the paved shoulder shall be four feet on either side of the traveled way.
- 4.A | 4.2.11 **Centerline.** Centerline of the roadway shall be the centerline of the right-of-way.
- 4.A | 4.2.12 **Dead-End Roads.** Dead-end roads shall only be allowed where necessitated by site-specific physical conditions (e.g., steep slopes, streams, wetlands, etc.) Dead-end roads shall be constructed to provide a cul-de-sac turn-around with a travel lane width equal to the full minimum width required for the road.



- 4.A | 4.2.12.1 For roads serving only residential development, minimum cul-de-sac radius shall be 45 feet. For all other roads, minimum cul-de-sac radius shall be 50 feet. Minimum right-of-way width shall be 15 feet beyond the outside pavement edge.
- 4.A | 4.2.12.2 The center of a cul-de-sac shall be maintained as grassy or landscaped area unless otherwise approved by the planning commission.
- 4.A | 4.2.12.3 A cul-de-sac street shall not be more than 500 feet in length unless approved by the Planning Commission for specific reasons of topography or design.
- 4.A | 4.2.13 **Future Connections.** The Planning Commission may require reservation of a right-of-way servitude equal to the right-of-way width of the road in-line

with the road to provide continuation of the road where future development is possible on the subject or an adjoining parcel. The Planning Commission may require construction of road stubs or financial guarantees to ensure future construction of road connectors.



4.A | 4.3 Standards Table for Sight Distance. (based on the highest posted speed at the intersection)

	<30 MPH	30/35 MPH	40 MPH	45/50 MPH
Minimum Sight Distance (d)	250 ft	350 ft	450 ft	600 ft
Minimum Sight Distance Triangle (b)	30 ft	40 ft	50 ft	50 ft

4.A | 4.4 Standards Table for Parish Roads.* (based on average daily traffic)

	<50 ADT	50-100 ADT	100-400 ADT	400-1,500 ADT	>1,500 ADT
Minimum Right-of-Way	50 ft	50 ft	50 ft	50 ft	50 ft
Minimum Traveled Way Width	20 ft	20 ft	20 ft	20 ft	22 ft
Minimum Shoulder Width (each side)	2 ft	2 ft	2 ft	2 ft	2 ft
Clear Zone Width (Curbed Roads) (each side)	6 ft	6 ft	6 ft	10 ft	10 ft
Minimum Vertical Clearance	15 ft	15 ft	15 ft	15 ft	15 ft
Maximum Grade (average over 100 ft)	7%	7%	6%	6%	5%
Minimum Centerline Radius	100 ft	120 ft	150 ft	200 ft	250 ft
Minimum Curb Radius (at intersections)	20 ft	20 ft	20 ft	25 ft	25 ft
Roadway Crown (concrete)	2.5 %	2.5 %	2.5 %	2.5 %	2.5 %
Roadway Crown (asphaltic concrete)	2.5 %	2.5 %	2.5 %	2.5 %	2.5 %

*See also Appendix A - Street Cross Sections for utility space allocation and other dimensional requirements.

4.A | 5 Construction Standards.

4.A | 5.1 Following shall apply to all new roads, whether public or private:

4.A | 5.1.1 Authority of the Planning Commission to require higher street standards. The Planning Commission based on the recommendation from the Department of Public Works, reserves the right to require street standards and specifications so as to provide adequate construction to carry the traffic which can reasonably be anticipated to use such existing or proposed street, or major street or main artery.

4.A | 5.1.2 **Testing**

4.A | 5.1.2.1 After construction plans have been approved by the Department of Public Works, and prints filed with the director, the applicant shall request a preconstruction meeting with the Department of Public Works in writing. The applicant, testing laboratory, and representatives from the applicant's appropriate licensed design professional of record and contractor shall be present at this meeting, and a permit will be issued to the contractor. Construction shall be performed under the standards of the Department of Public Works, and shall at all times be subject to inspection by that department. The applicant, his appropriate licensed design professional of record, and the testing laboratory shall be responsible for close field supervision and final compliance with approved plans and specification. Field inspection shall be performed by applicant's appropriate licensed design professional of record and the testing laboratory.

4.A | 5.1.2.2 The applicant's appropriate licensed design professional of record shall be responsible for the following: Provide a sampling plan for project construction and submit to DPW in conjunction with the request for the preconstruction meeting.

4.A | 5.1.3 **Preparation.**

4.A | 5.1.3.1 Before any clearing has started on the right-of-way, centerline and side lines of new road shall be staked or flagged at 100 foot intervals for inspection by developer's engineering consultant and Parish Department of Public Works to verify compliance with approved plans.

4.A | 5.1.3.2 Before grading is started, entire area within the right-of-way necessary for traveled way, shoulders, clear zones, sidewalks, drainage-ways, and utilities shall be cleared of all stumps, roots, brush, and other objectionable material. All tree stumps shall be removed from cleared area and backfilled with approved embankment compacted material underneath proposed pavement sections.

4.A | 5.1.3.3 All organic materials or other deleterious material shall be removed to a depth of two feet below subgrade of roadway. On soils that have been identified as not suitable for roadways, either subsoil shall be removed from the road site to a depth of two feet below subgrade and replaced with material meeting specifications for embankment below, or a stabilization geotextile may be used.

- 4.A | 5.1.3.4 Side slopes shall be no steeper than a slope of three feet horizontal to one foot vertical, and shall be graded, loamed, limed, fertilized, and seeded according to specifications of the erosion and sedimentation control plan.
- 4.A | 5.1.3.5 All underground utilities shall be installed before paving to avoid cuts in the pavement. Any sewer and/or water service connections shall be installed to the edge of the right-of-way before paving.
- 4.A | 5.1.4 **Embankment.**
- 4.A | 5.1.4.1 Embankment material shall be free from vegetation, broken concrete, other rubble, roots, or other organic material and should be at or near optimum moisture prior to compaction. Embankment material shall be in accordance with site-specific geotechnical recommendations for roadway embankment and acceptable to the Parish Department of Public Works.
- 4.A | 5.1.4.2 Material shall be brought up in lifts not exceeding 8 inches in depth and shall be compacted to at least 90% of maximum density, except that the top 8 inches compacted thickness of the embankment shall be compacted to at least 95% maximum density based on Standard Proctor Curve.
- 4.A | 5.1.5 **Subbase Materials.**
- 4.A | 5.1.5.1 Minimum subbase material standards shall be in accordance with the latest edition of the Louisiana Department of Transportation and Development specifications for subgrade layer with lime treatment required for insitu clay soils with a high shrink-swell potential or plastic limit greater than 40. Percentage of lime shall be recommended by a geotechnical testing firm and shall be compacted to at least 90% maximum density to a minimum depth of 8 inches.
- 4.A | 5.1.5.2 Once the roadway alignment is stripped and undercut to the required sub grade elevation. The roadway sub grade shall be proofrolled using a single or a tandem axle dump truck or similar heavily loaded rubber tired vehicle weighing about 20 tons. Soils which are observed to rut or deflect under the moving load shall be undercut and replaced with compacted structural fill, disked open to dry, or treated to form a stable non-yielding sub grade prior to fill placement. Proofrolling the roadway subgrade shall be witnessed by Iberville Parish Inspection personnel or their representative prior to proceeding with fill placement. The approval of the subgrade is valid for 24 hours. Therefore the subgrade shall be protected and covered with fill as soon as possible. Should the sub grade be exposed to excessive amount of precipitation, reapproval of the subgrade will be required.
- 4.A | 5.1.6 **Base Materials.**
- 4.A | 5.1.6.1 Minimum aggregate base course material standards for asphaltic concrete pavement shall be in accordance with the latest edition of the Louisiana

Department of Transportation and Development specifications for Class II Base Course and shall be compacted to at least 95% maximum density. Stone is preferred for asphaltic concrete pavement base course material to minimize long-term reflective cracking.

- 4.A | 5.1.6.2 Compacted base course for asphaltic concrete pavement shall be primed with bituminous material in accordance with the latest edition of the Louisiana Department of Transportation and Development specifications. The bituminous material used as prime coat shall be Grade MC-30 or Grade MC-70 Cutback asphalt.
- 4.A | 5.1.6.3 Minimum aggregate base course material standards for concrete pavement shall be in accordance with the latest edition of the Louisiana Department of Transportation and Development specifications for Class II Base Course and shall be compacted to at least 95% maximum density.
- 4.A | 5.1.7 **Materials Thickness and Width.** Minimum thickness of material after compaction shall meet the specifications included in the Standards Table for Minimum Pavement Materials Thicknesses. Compacted base course material shall extend at least one foot beyond the finished pavement width on each side.
- 4.A | 5.1.8 **Pavement Joints.** Where new pavement joins an existing pavement, the existing pavement shall be cut along a smooth line to form a neat, even, vertical joint. All concrete pavements shall have contraction, expansion and construction joints located in accordance with the latest requirements of the Portland Cement Association.
- 4.A | 5.1.9 **Pavements**
- 4.A | 5.1.9.1 Minimum standards for binder course of asphaltic concrete pavement shall be in accordance with the latest edition of the Louisiana Department of Transportation and Development specifications for Type 3 Mixture type with a grade of PG 70-22 or Superpave Binder Course Mix at a minimum.
- 4.A | 5.1.9.2 Minimum standards for surface course of asphaltic concrete pavement shall be in accordance with the latest edition of the Louisiana Department of Transportation and Development specifications for Type 3 Mixture type with a grade of PG 70-22 or Superpave Wearing Course or Incidental Paving Mix at a minimum.
- 4.A | 5.1.9.3 Minimum standards for concrete pavement shall be in accordance with the latest edition of the Louisiana Department of Transportation and Development specifications for Portland Cement concrete with a twenty-eight-day minimum compressive strength of 4,000 psi.
- 4.A | 5.1.10 **Aggregate Surface Course.** Aggregate surface course for temporary roadway surfacing or shoulder pavement surfaces shall be in accordance with

the latest edition of the Louisiana Department of Transportation and Development specifications.

4.A | 5.1.10.1 For those roads constructed without curb and gutter sections, it shall be required that no less than two inches of crushed limestone two feet wide be placed on shoulders next to the pavement.

4.A | 5.1.10.2 Crushed limestone shall be compacted with steel roller. Finish grade shall be flush with the pavement grade.

4.A | 5.1.11 Minimum Material Thickness Table

	Min. Material Thickness
Subbase Treatment	12 in
Aggregate Surface Course for Shoulders	4 in
Asphalt Pavement	
Stone Base Course for Residential and Commercial	9 in
Asphaltic Concrete Binder Course for Residential	0 in
Asphaltic Concrete Binder Course for Commercial	1.5 in
Asphaltic Concrete Surface Course for Residential	2.0 in
Asphaltic Concrete Surface Course for Commercial	1.5 in
Concrete Pavement	
Stone Base Course	6 in
Concrete Pavement for Residential	6 in
Concrete Pavement for Commercial	7 in

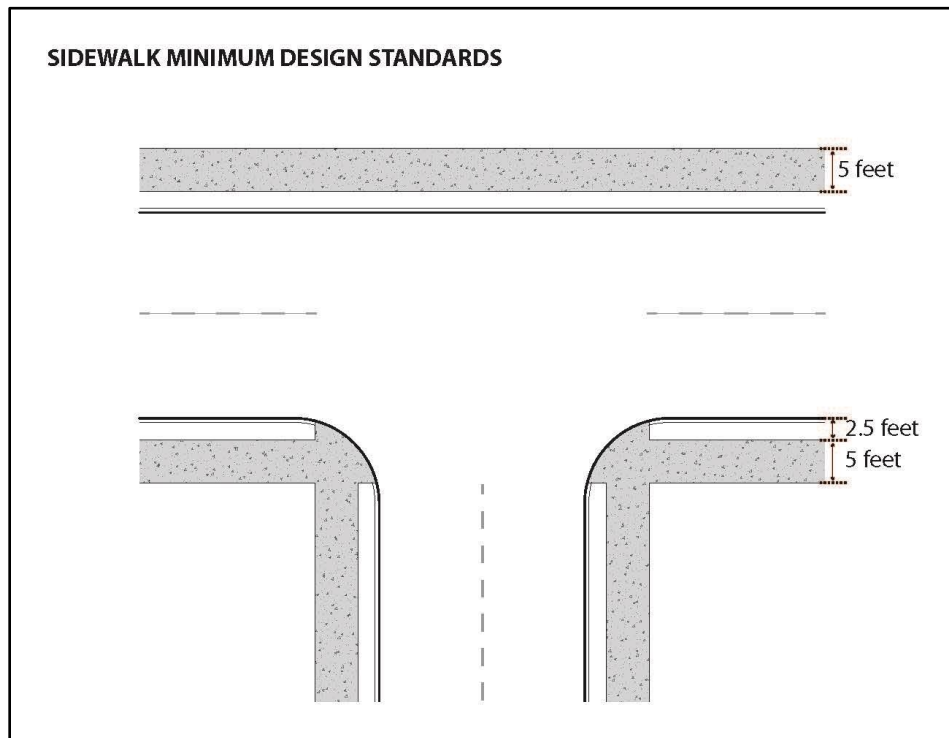
4.B Sidewalks

4.B | 1 General Provisions

4.B | 1.1 The Planning Commission shall require sidewalks in any situation where the proximity of proposed development to future or existing neighborhood businesses, schools, community facilities, recreation areas or other pedestrian traffic generators suggest sidewalks will be needed. Planning Commission may require sidewalks along one or both sides of the road for subdivisions or developments at its discretion based on intended or future street use.

4.B | 2 Design Standards

4.B | 2.1 Where provided, sidewalks shall be constructed in accordance with the following design standards:



- 4.B | 2.1.1 **Location.** Sidewalks may be located adjacent to the curb, but it is preferable to locate sidewalks a minimum of 2.5 feet from the curb facing. If curb is not provided, the sidewalk shall be located a minimum of four feet from the shoulder or edge of pavement.
- 4.B | 2.1.2 **Width.** Sidewalks shall be a minimum of 5 feet in width. The Planning Commission may approve narrower sidewalks where the new sidewalk will be connecting to an existing sidewalk with a width of less than 5 feet.
- 4.B | 2.1.3 **Material.** Sidewalks shall be constructed of Portland Cement concrete. The Planning Commission may approve use of brick or concrete pavers as a design element or accent.
- 4.B | 2.1.4 **Portland Cement Concrete Sidewalks.** Subbase shall be no less than 6 inches thick select fill or acceptable native material after compaction. The Portland Cement concrete shall be no less than 4 inches thick.
- 4.B | 2.1.5 **Permeable Pavers Sidewalks.** Pavers shall be installed in accordance with manufacturer's recommendations and shall be no less than $2\frac{3}{8}$ inch thick placed on a 6 inch aggregate stone course over geotextile fabric with 6 inch thick reinforced concrete banding

5 Utilities

5.A General Requirements

- 5.A | 1.1 All utility systems, existing and proposed, shall be shown on the site plan or final plat, and shall be located and designed as follows:
- 5.A | 1.1.1 The applicant shall coordinate subdivision or site design with utility companies to ensure adequate and suitable areas for utility installation, both for the proposed development, and areas adjacent to the development.
- 5.A | 1.1.2 Plans for all subdivision water supplies, sewer lines and treatment plants or treatment facilities shall be approved by the Louisiana Department of Health and Hospitals.
- 5.A | 1.1.3 The installation of all subdivision or resubdivision sewer lines, treatment plants and facilities, water and gas lines shall be approved and supervised by the Parish Department of Public Works.
- 5.A | 1.1.4 To the greatest extent feasible, utility corridors shall be shared with other utility and/or transportation corridors, be connected to and/or continue corridors from adjoining parcels, and be located to minimize site disturbance and any adverse impacts to natural, cultural or scenic resources, and to public health.
- 5.A | 1.1.5 All utility boxes shall be screened from public view to the greatest extent feasible. Setback requirements shall not apply to utility boxes.
- 5.A | 1.1.6 Utility buildings shall be designed to have the exterior appearance of principal buildings or customary residential or agricultural accessory buildings typical of the area in which they will be located. Setback and other dimensional requirements shall apply to utility buildings.
- 5.A | 1.1.7 Public utility lines require a minimum 15 feet wide servitude.

5.B Wastewater

5.B | 1 Public Wastewater Service

- 5.B | 1.1 Development within an area currently served by public sewers, or within a planned sewer service district, shall make provisions for connection to the public system in accordance with the following:
- 5.B | 1.1.1 In compliance with and under the authority of R.S. 33:4004 and R.S. 33:4041—33:4049, the Iberville Parish Council hereby adopts the statutory provisions contained in the aforementioned state statutes relative to requiring

property owners located within three hundred (300) feet of a public sewer system to connect to the public sewer system.

5.B | 1.1.2 Servicing sewer district shall certify that providing service to the proposed development is within the capacity of the system's existing collection and treatment system or improvements planned to be complete before the construction of the development. No development shall be approved that will generate a demand beyond the capacity of the public sewage system, considering any improvements that are planned to be in place before occupancy of the development. The applicant shall be responsible for paying the costs of improvements to the public system as necessary in order to facilitate connection.

5.B | 1.1.3 When a development is proposed to be served by the public sewage system, the complete collection system within the development, including manholes and pump stations, shall be installed at the expense of the applicant and to the design requirements of the utility owner and applicable state agencies.

5.B | 1.1.4 The servicing sewer district shall review and approve the construction drawings for the sewerage system. The size and location of laterals, collectors, manholes and pump stations shall be reviewed and approved in writing by the servicing sewer district. A final measured sewer service connection location map in the form of an as-built drawing shall be provided by the developer to the Parish.

5.B | 2 **Private Individual or Community Wastewater Systems**

5.B | 2.1 When a proposed development is not within 300 feet of an area currently served by public sewers, or within a planned sewer service district, wastewater disposal shall be from an individual onsite or a private community wastewater system in accordance with the following:

5.B | 2.1.1 No subdivider or developer shall sell any lot or commence the construction of any sewer service without first submitting plans and specifications and obtaining written approval of the Louisiana Department of Health and Hospitals to do so. Any subdivider or developer commencing any such construction in violation of this section shall be guilty of a misdemeanor.

5.B | 2.1.2 This section shall provide the installation of approved sewage treatment facilities in all residential and commercial subdivision developments and to restrict the use of individual sewage treatment plants for each unit in the following residential/commercial developments. A residential/commercial development for the purpose of this section shall mean all subdivisions having more than five (5) individual residences or more than two (2) business buildings used primarily for the purchase, sale, or exchange of goods or services, including but not limited to office buildings, apartments,

condominiums, motels, mobile home parks, campgrounds, schools, hospitals, nursing homes, restaurants, etc..

- 5.B | 2.1.2.1 Where any public sewage facility is available, the service shall be extended by the subdivider or developer to all lots in the subdivision and septic tanks or other form of sewage disposal on individual lots shall not be permitted. Where such tap-on to a public sewage facility is not possible, the subdivider or developer shall provide a central sewage system for the subdivision. **NO SUBDIVISION OR DEVELOPMENT SHALL BE APPROVED WITHOUT AN ACCEPTABLE SEWAGE DISPOSAL PLAN WHICH PROVIDES SEWAGE SERVICE TO EACH LOT INTENDED FOR SALE OR DEVELOPMENT.** No lot shall be sold for use as a residence or business unless adequate sewage service is available as certified by the Louisiana Department of Health & Hospitals
- 5.B | 2.1.2.2 The Iberville Parish Planning Commission shall require that the subdivider or developer make the sewer service improvements provided for in this section. All sewer service shall be installed at the expense of the subdivider or developer in compliance with the requirements of the Louisiana Department of Health & Hospitals and Iberville Parish Inspection Department. No subdivider or developer shall sell any lot or commence the construction of any sewer service without first submitting plans and specifications and obtaining written approval of the Louisiana Department of Health & Hospitals to do so. Any subdivider or developer commencing any such construction in violation of this section shall be guilty of a misdemeanor and shall be punishable by a fine of \$500.00 and imprisonment up to six months in jail or both.
- 5.B | 2.1.2.3 The subdivider or developer shall furnish construction and maintenance bonds for all sewer service improvements required by this ordinance. Such bonds shall be in the form of cash, certified check or checks payable to the Iberville Parish Council, surety bonds of approved companies, or other collateral acceptable to the Parish Council in an aggregate amount equal to the total construction costs, with provisions made for bonding subsequent maintenance and operation as follows: The amount the construction bond shall be equal to the estimated cost of the improvement as determined by the Iberville Parish Planning Commission, and the amount of the maintenance bond shall be sufficient to maintain the system for five (5) years and shall be automatically renewable each year for a subsequent five years. The cash, check, or other collateral provided for the bond shall accompany the final plat when submitted to the Planning Commission for certification or final approval. In the event the maintenance and operation of the sewer system is turned over to an operator approved by all governmental agencies having jurisdiction thereof, and said operator has provided a like maintenance bond, the subdivider/developer shall continue to be responsible for the operations

and maintenance. In the event the sewage system is accepted by a public utility service, the operation and maintenance bond shall no longer be required.

5.B | 2.1.2.4 In the absence of an approved construction bond, no final plat and/or site plan shall be approved or recorded until the required improvements have been installed and approved by the Louisiana Department of Health & Hospitals and the Parish Department of Public Works Director or his designee.

5.B | 2.1.2.5 Prior to commencing any sewage service improvements required by this code, the subdivider or developer shall submit in accordance with the requirements of Appendix C the proposed plans and specifications to the Parish, and receive written approval by the return of one copy with such approval endorsed thereon by the parish's authorized representative. No such approval shall be given without prior written approval of the Louisiana Department of Health & Hospitals. Said plans and specifications shall have been prepared by a qualified and Louisiana licensed civil engineer. The Director of Public Works or his designee shall also make or have made such inspections during and after final installation of the sewage system required herein as deemed necessary, and no installation shall be accepted as completed until so certified by the Planning Commission.

5.B | 2.1.3 The Planning Commission may further require that community systems and sites be planned for future expansion and construction of additional parallel treatment processes to increase capacity where it determines that construction of multiple treatment plants within a close proximity to each other will have adverse impacts on property development or natural resource sustainability.

5.B | 2.1.4 All sewer service shall be installed at the expense of the subdivider or developer in compliance with the requirements of the Louisiana Department of Health and Hospitals and Iberville Parish Inspection Department.

5.B | 2.1.5 If sewerage disposal is to be by an individual or community treatment system, plat shall carry the following notation:

5.B | 2.1.5.1 SEWAGE DISPOSAL

5.B | 2.1.5.2 NO PERSON SHALL PROVIDE A METHOD OF SEWAGE DISPOSAL, EXCEPT CONNECTION TO AN APPROVED SANITARY SEWER SYSTEM, UNTIL THE HEALTH UNIT OF IBERVILLE PARISH HAS APPROVED THE METHOD OF SEWAGE TREATMENT AND DISPOSAL.

5.B | 2.1.5.3 *(IF APPLICABLE, THE FOLLOWING IS TO BE ADDED)

5.B | 2.1.5.4 WHERE A SEWAGE TREATMENT PLANT IS TO BE PROVIDED BY THE DEVELOPER, THE AREA TO BE USED FOR THIS PURPOSE SHALL BE DEDICATED BY THE OWNER AS A

SERVITUDE FOR THAT PURPOSE ONLY, AND SHALL BE SEPARATE FROM ANY OTHER LOT OR BUILDING SITE.

5.B | 2.1.5.5

SIGNATURE

5.B | 2.1.5.6

NAME & TITLE

5.B | 2.1.5.7

NAME OF COMPANY

5.B | 2.1.6

Either method must be maintained in order to insure compliance with effluent standards and avoid the creation of a health hazard or public nuisance. Reserve areas designated for future replacement of an on-site subsurface wastewater disposal system shall be shown on the plan or plat, and restricted in the deed so as not to be built upon.

5.B | 3

Individual Sewerage Systems

5.B | 3.1

Permits. A person shall not install, cause to be installed, alter subsequent to installation, or operate an individual sewerage system of any kind without first having obtained a permit from the state health officer. No person shall install, cause to be installed, or alter subsequent to installation an individual sewerage system of any kind except in accordance with the plans and specifications for the installation which have been approved as a part of a permit issued by the state health officer. Such permits shall be issued in a two-stage process in accordance with §701.B and C. (*LAC Title 51, Part XIII, Chapter 7, §701.A*)

5.B | 3.2

Individual Sewerage Systems are allowed when built in accordance with the requirements of the Public Health Sanitary Code, LAC, Title 51, Part XIII, Chapter 5, and when all other requirements of this Code are met and the following conditions are met:

5.B | 3.2.1

Minimum area of each lot is 16,000 square feet and minimum road frontage is 80 feet where an approved individual mechanical plant is to be utilized.

5.B | 3.2.2

Minimum area of each lot is 12,000 square feet and a minimum road frontage is 60 feet where an approved individual mechanical plant is utilized and is followed by a modified absorption field.

5.B | 4

Centralized Wastewater Treatment

5.B | 4.1.1

Where the Planning Commission determines that it is in the interest of the Parish to participate in the siting of a community wastewater system such that it can accommodate future development from other adjoining developments, it shall recommend to the Parish Council that a public wastewater treatment plant be centrally located in lieu of allowing multiple private plants.

5.B | 4.1.2

Upon Parish Council approval, the Planning Commission shall coordinate with a new or established sewer service district to develop a comprehensive plan for design and construction of a centralized wastewater treatment system and require proposed developments feasibly served by same to connect

thereto. Impact fees may be assessed for developments with serviced properties to recover development costs associated therewith.

- 5.B | 4.1.3 If property developer cannot defer development until centralized wastewater treatment is available, provisional acceptance may be made by the Planning Commission for an interim community treatment plant that will be subsequently decommissioned and replaced with a sewerage pump station and pressure main with dedicated servitude to the centralized treatment plant.

5.C **Water Supply**

5.C | 1 **Water Distribution**

- 5.C | 1.1 All newly constructed water distribution lines for either new water systems or extensions to existing water systems, will be designed by a registered engineer and constructed in accordance with the criteria established by the Department of Public Works and the Department of Health and Hospitals.

- 5.C | 1.1.1 Design shall provide adequate flow capacity and pressure, together with an adequate number of fire hydrants required for fire protection in that area.

- 5.C | 1.1.2 Size and location of mains, gate valves, hydrants, and service connections shall be reviewed and approved in writing by servicing district and fire chief. Minimum pipe size providing fire protection shall be 6 inches.

- 5.C | 1.1.3 Fire hydrants connected to a public water supply system shall be located no further than 500 feet from any building.

- 5.C | 1.1.4 The design and construction shall allow systems performance to be consistent with generally accepted standards for fire defense and, thereby allow favorable credit in accordance with established evaluation procedures as promulgated by the Insurance Service Office and/or Property Insurance Association of Louisiana.

- 5.C | 1.1.5 Materials and methods used to construct systems will be of such quality and standards as approved for fire defense by the Underwriters Laboratories, Inc. and/or the American Water Works Association.

5.C | 2 **Public Water Supplies**

- 5.C | 2.1 In accordance with the Public Health Sanitary Code, LAC, Title 51, PartXII, §347.A, All inhabited premises and buildings located within 300 feet of an approved public water supply shall be connected with such supply, provided that the property owner is legally entitled to make such a connection. Development within an area currently served by public water, or within a planned water service district, shall make provisions for connection to public system in accordance with the following:

- 5.C | 2.1.1 A proposed development shall not generate a demand on the source, treatment facilities or distribution system beyond the capacity of those system components, considering improvements that are planned to be in place before occupancy of the development.
- 5.C | 2.1.2 The applicant shall be responsible for paying costs of system improvements to public system as necessary in order to facilitate connection.
- 5.C | 2.1.3 If public water supply service will not be available at the time of construction of the development, a capped system shall be installed within the development to allow future connection when service becomes available without excavation within the right-of-way of any road within the development.
- 5.C | 2.1.4 When a development is to be served by a public water system, the complete supply system within the development, including fire hydrants, shall be installed at the expense of the applicant.

5.C | 3 **Private Individual or Community Water Supplies**

- 5.C | 3.1 When a proposed development is not within an area currently served by public water, or within a planned water service district, water supply shall be from individual wells or a private community water system in accordance with the following:
- 5.C | 3.1.1 Individual wells shall be sited and constructed to prevent infiltration of surface water, and contamination from subsurface wastewater disposal systems and other sources of potential contamination.
- 5.C | 3.1.2 Lot design shall permit placement of wells, subsurface wastewater disposal areas and reserve sites for subsurface wastewater disposal areas in compliance with state regulations.
- 5.C | 3.1.3 If a central water supply system is provided by the applicant, the location and protection of the source, the design, construction and operation of the system shall conform to state regulations.

5.C | 4 **Fire Protection**

- 5.C | 4.1 The Planning Commission may require development of any size to provide access to and storage of water for firefighting purposes if deemed necessary to protect life and property.
- 5.C | 4.1.1 Facilities may be ponds with dry hydrants, underground storage reservoirs or other methods acceptable to the fire department.
- 5.C | 4.1.2 Hydrants or other provisions for drafting water shall be provided to the specifications of the fire department and the Department of Public Works. A suitable access way to the hydrant or other water source shall be constructed.

5.D **Gas Distribution**

5.D | 1 **General Requirements**

- 5.D | 1.1 All newly constructed natural gas distribution lines for either new gas systems or extensions to existing gas systems, will be designed and constructed in accordance with D.O.T. Title 49, Part 192, "Transportation of Natural and Other Gas By Pipeline: Minimum Federal Safety Standards." All plans must be approved by the Iberville Parish Department of Public Works.
- 5.D | 1.2 The minimum pipe size providing gas service shall be two (2) inches on main lines and three-quarters (3/4) inch on service lines. The design and construction shall allow the system's performance to be consistent with pipeline safety regulations and the gas system's operation and maintenance procedures.
- 5.D | 1.3 Materials and methods used to construct the systems will be of such quality and standards as approved for gas distribution by the Underwriters Laboratories, Inc. and/or the American Pipeline Association.

6 **Drainage, Flood Hazards, and Erosion Control**

6.A **Drainage Requirements**

6.A | 1 **Purpose**

6.A | 1.1 The purpose of this article is to protect and safeguard public health, safety, and welfare by preserving and protecting the parish's surface waters. It is the objective of this section to:

6.A | 1.1.1 Prevent as much as practical any increase in stormwater runoff from any development which may cause flooding, siltation and stream bank erosion;

6.A | 1.1.2 Minimize as much as practical any increase in total annual volume of surface water runoff flowing from any specific site during and following development above that which prevailed before development.

6.A | 1.2 No person shall impede, obstruct, or disrupt the passage or overflow of surface runoff from any gutter, pipe, or drain, or in any manner dam or impound flow without an approved permit.

6.A | 1.3 No person shall perform any construction activity or deepen, widen, fill, reroute or change the location of any existing ditch, stream, drain, or drainage canal, or floodplain without first obtaining written permission from the Department of Public Works. Plans for such deepening, widening, filling, rerouting or changing the location of any existing ditch, stream, drain, drainage canal or floodplain shall be constructed under the supervision of and be approved by the Department of Public Works.

6.A | 1.4 No person shall install pipe, cover or otherwise alter any open ditch or swale ditch built or under construction pursuant to the Drainage Master Plan as approved by the Parish Department of Public Works without first obtaining written permission from the Department. The Department may require in its sole discretion, that proposed plans be submitted, that surface drainage be installed in a manner and to such specifications as the Department deems advisable, and generally, to establish criteria for installation of pipe, covering or alteration as described herein.

6.A | 2 **Findings**

6.A | 2.1 Iberville Parish finds that uncontrolled drainage and runoff associated with land development has a significant impact upon the health, safety and welfare of the community for the following reasons:

- 6.A | 2.1.1 Improper design and construction of drainage facilities can increase velocity of runoff thereby increasing stream bank erosion and sedimentation.
- 6.A | 2.1.2 Construction requiring land clearing and alteration of natural topography tends to increase erosion.
- 6.A | 2.1.3 Siltation of water bodies resulting from increased erosion decreases capacity of the water bodies to hold and transport water, interferes with navigation, and harms flora and fauna.
- 6.A | 2.1.4 Impervious surfaces increase volume and rate of stormwater runoff and allow less water to percolate into soil, thereby decreasing groundwater recharge and stream base flow.
- 6.A | 2.1.5 Improperly managed stormwater runoff can increase incidence of flooding and level of floods that occur, endangering life and property.
- 6.A | 2.1.6 Substantial economic losses can result from these adverse impacts on parish's waters.

6.A | 3 **Applicability**

- 6.A | 3.1 Provisions of this section shall apply to all development within unincorporated areas of Iberville Parish, except as specifically exempted in 6.A | 5.2. Specifically, review and approval under provisions of this section shall be required before:

- 6.A | 3.1.1 Subdivision of land.
- 6.A | 3.1.2 Building, constructing, erecting, expanding or enlarging of any structure.
- 6.A | 3.1.3 Placement or construction of any impervious surface such as asphalt, pavement, blacktop, macadam, concrete, stone, packed earth, gravel or crushed stone.
- 6.A | 3.1.4 Building, altering or modifying a stormwater control measure other than ordinary maintenance, cleaning and/or repair of stormwater control measures.

6.A | 3.2 **Prohibited Conditions.** The following are specifically prohibited:

- 6.A | 3.2.1 A condition, which due to a human disturbance of land, vegetative cover, or soil, results in the erosion of soil into any water body.
- 6.A | 3.2.2 A condition of flooding, erosion, siltation or ponding resulting from failure to maintain previously approved stormwater control measures where such condition is injurious to public health, welfare or safety.

6.A | 4 **State Regulations That May Apply** (not an all-inclusive list)

- 6.A | 4.1 Louisiana has its own legal basis for “No Adverse Impact.” Several provisions in the Civil Code statutes state that one person cannot adversely affect others by changing the course of water:

- 6.A | 4.1.1 Art. 658. Estate through which water runs:

The owner of an estate through which water runs, whether it originates there or passes from lands above, may make use of it while it runs over his lands. He cannot stop it or give it another direction and is bound to return it to its ordinary channel where it leaves his estate. Acts 1977, No. 514, §1.
- 6.A | 4.1.2 LA Revised Statute 38§218(A)

No person diverting or impeding the course of water from a natural drain shall fail to return the water to its natural course before it leaves his estate without any undue retardation of the flow of water outside of his enclosure thereby injuring an adjacent estate. Acts 2010, No. 233, §1; Acts 2012, No. 601, §1, eff. June 7, 2012.
- 6.A | 4.1.3 Art. 667. Limitations on use of property:

Although a proprietor may do with his estate whatever he pleases, still he cannot make any work on it, which may deprive his neighbor of the liberty of enjoying his own, or which may be the cause of any damage to him. However, if the work he makes on his estate deprives his neighbor of enjoyment or causes damage to him, he is answerable for damages only upon a showing that he knew or, in the exercise of reasonable care, should have known that his works would cause damage, that the damage could have been prevented by the exercise of reasonable care, and that he failed to exercise such reasonable care... Acts 1996, 1st Ex. Sess., No. 1, §1, eff. April 16, 1996.
- 6.A | 5 **Drainage Impact Study Requirements**
- 6.A | 5.1 In order to comply with Federal and State regulations for urban storm water and floodplain management, a Drainage Impact Study (DIS) is required by the Planning Commission for all major development and redevelopment projects not specifically exempted in 6.A | 5.2 that propose significant change to existing hydrology and/or hydraulic characteristics and features of the development upstream, onsite, and/or downstream.
- 6.A | 5.2 **Exemptions.** The following development activities shall be exempted from the requirements of preparing a Drainage Impact Study, but must comply with the DIS prepared for the subdivision:

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- 6.A | 5.2.1 Residential lots within subdivisions approved on or before the date this UDC is adopted by the Parish Council.
- 6.A | 5.2.2 All lots in duly authorized subdivisions created with an approved DIS.
- 6.A | 5.2.3 Development of eight (8) or fewer single family residential lots with no dedicated public improvements such as roads, utilities, or drainage.
- 6.A | 5.2.4 Additions or modifications to existing developments which result in no more than a ten (10) percent increase in existing impervious area and which have existing public storm drainage facilities designed to accommodate runoff from the existing site.
- 6.A | 5.3 **Waivers:** Developers may request that the Planning Commission approve a waiver of the Drainage Impact Study. If such a request is granted, the Planning Commission will provide written approval. A copy of the waiver authorization shall be forwarded to the Permit Department, and no detailed Drainage Impact Study shall be required for the development. A waiver must be requested in writing and contain sufficient information regarding the specific details of the proposed development. A waiver shall be considered for approval provided:
- 6.A | 5.3.1 The proposed development results in no increase in the one hundred (100) year pre-development peak discharge at the point(s) of discharge from the development site.
- 6.A | 5.4 **Study Requirements.** Study shall comply with following minimum requirements:
- 6.A | 5.4.1 **Location.** Describe location of subject property; locate by Township and Range; identify adjacent developments, major drainage outfalls, streets, highways, lot and block page number, and provide a vicinity map.
- 6.A | 5.4.2 **Description.** Describe predominant existing land use and future land use in project watershed; describe the proposed development, soil types, vegetative cover, watershed slopes; provide an estimate of percent of impervious area for pre- and post-development conditions; and provide photos of existing channels, ditches, natural drains, and drainage structures.
- 6.A | 5.4.3 **Watershed Map.** Delineate drainage boundaries; indicate acreage; show slope of watershed basins; and, peak 10-year and 100-year runoff rate at entry and exit points of the development. Watershed map *should* indicate location of existing channels, ditches, natural drains, proposed major drainage structures, channel realignments, and cross section locations.
- 6.A | 5.4.4 **Hydrologic Design.**
- 6.A | 5.4.4.1 Drainage Impact Study shall indicate both existing and future condition peak 10-year and 100-year flow rates at development entry and exit points.

6.A | 5.4.4.2 If ponds are used in design for routing of flows, the 10-year storm event shall be used in design. The effects of a 100-year storm on the pond shall be considered. Site improvements shall not increase the 100-year base flood elevation.

6.A | 5.4.5 **Hydraulic Capacities:**

6.A | 5.4.5.1 **Onsite capacity.** Indicate capacity of any existing drainage outfall facility (ditch, canal, culvert, bridge, ponds, etc.) within the proposed development site and required type, size, and capacity of any proposed outfall facilities as defined above.

6.A | 5.4.5.2 **Off-site capacity.** Determine capacity of existing downstream outfall facilities (ditches, canals, culverts, bridges, etc.) that will be utilized to convey flow from downstream limits of proposed development to first public outfall. An inventory of downstream structures including size, type, invert elevation, and cover topping elevation shall be made. Channel cross sections at upstream and downstream limits of proposed development at structure locations and at intermediate canal locations shall be required to adequately define existing channel capacities. Where proposed development is located an extended distance from an indexed stream, study may be terminated at a point where total area drained exceeds the project area by 5 times for single family residential developments and 10 times for all other developments.

6.A | 5.4.5.3 **Special Site Conditions.** Special conditions, which may exist at proposed development site, should be clearly identified including but not limited to such items as:

1. Special Flood Hazard Areas (Firm Zones A and AE)
2. Regulatory Floodway
3. Fill placement location and mitigation requirements
4. Potential wetland sites
5. Churches
6. Schools
7. Cemeteries
8. Landfills and Hazardous Waste Sites
9. Parks

6.A | 5.5 **Conclusions and Recommendations.** Drainage Impact Study should clearly identify results and conclusions of study and provide recommendations of any required action(s) so that surrounding properties experience **no adverse impact.**

6.A | 6 **Stormwater System Design**

6.A | 6.1 General Requirements

6.A | 6.2 Drainage design for onsite drainage improvements must provide adequate capacity for a 10-year storm event. With submittal of any construction plans that includes drainage related work, a ***Drainage Calculations Report (DCR)*** shall be submitted verifying hydraulic routing of the drainage network shown on final construction plans.

6.A | 6.3 Minimum information shown in a Drainage Calculations Report shall include all calculations necessary for design of proposed hydraulic structures. Calculations shall show flow rates and capacities of open ditches, culverts, and/or cross drains.

6.A | 6.4 Minimum design of interior drainage systems shall be based on a ten-year storm frequency. Selection of runoff coefficients shall be based on anticipated future development and standard engineer practice.

6.A | 6.5 Hydrologic design methods shall be as follows:

6.A | 6.5.1 For development less than 300 acres, the Rational Method shall be used.

6.A | 6.5.2 For development between 300 and 2,000 acres, the SCS Method shall be used. The TR-55 method shall be used for Time of Concentration calculations.

6.A | 6.5.3 For development greater than 2,000 acres, the USGS Method shall be used.

6.A | 6.6 Street drainage and grading shall meet the following minimum standards:

6.A | 6.6.1 Preservation of drainage patterns in a drainage basin in which a subdivision is located is required unless otherwise approved by the Planning Commission.

6.A | 6.6.2 10-year Hydraulic Grade Line (HGL) shall be below existing or proposed gutter elevation. Where subsurface drainage systems are designed with an open ditch above, HGL shall be below the lowest top bank of ditch.

6.A | 6.6.3 No alteration of existing drainage channels shall be made without express permission of the Planning Commission and parish drainage officials.

6.A | 6.7 In subdivisions with curb and gutter streets, spacing of curb drainage inlets shall be determined in accordance with requirements of the Louisiana Department of Transportation and Development Hydraulics Manual. Where inlets connect to storm sewers, a catch basin shall be installed with the inlet. Storm drain inlets will be placed so that surface water is not carried across intersections or crosswalks. When curb capacities are exceeded, a basin shall be used to intercept flow at that point. Drainage plans shall show surface drainage patterns for each lot and block, including minimum finish grading required by developer for each lot to facilitate drainage design.

6.A | 6.8 No increase in rate of runoff prior to development will be permitted unless the developer can demonstrate that existing downstream drainage system is

adequate to convey anticipated flow resulting from proposed development. Alternatively, developer may propose to increase the downstream drainage system capacity to handle anticipated flow from property development. Planning Commission will deny such proposals when parish drainage officials object to proposal or potentially adverse impacts of downstream improvements are identified. Absent such approval, runoff from proposed development shall be retained onsite, using storage, swales, ponds, and basins; until stormwater can be released at a rate of flow that does not exceed rate of flow from property that existed prior to development for a 100 year storm event.

6.A | 7 Pond, Lake, and Detention Basin Design

6.A | 7.1 Whenever a pond, lake or detention basin is utilized by the developer the design shall address, at a minimum, the following:

6.A | 7.1.1 Detention basin shall be checked for the ten (10) and one hundred (100) year frequency to assure that adequate capacity is provided in the basin and at the outlet to prevent flooding of upstream and downstream developments as well as structures on the development site. Adequate land must be reserved for maintenance of detention pond.

6.A | 7.1.2 Detention Basins may be wet (lakes or ponds) or dry.

6.A | 7.1.3 Wet detention basins shorelines and control structures shall be privately owned and maintained. The basin must have minimum side slopes of three (3) to one (1) and must have a minimum fifteen (15) feet wide access along the entire perimeter for maintenance. Both the construction plans and final plat for development shall include a note which states that the proposed detention basin, shoreline and control structure shall be “privately owned and maintained”. Storm drainage pipe inverts must be designed to be above the normal water surface elevation of the basin, unless the review engineer approves variations.

6.A | 7.1.4 Dry detention basins shall be privately owned and maintained as part of the development drainage system. The basin must have minimum side slopes of three (3) to one (1) and must have a minimum fifteen (15) feet wide access along the entire perimeter for maintenance. Storm drainage pipe inverts must be designed to be above the normal water surface elevation of the basin, unless the Review Engineer approves variations. The basin bottom shall be designed and compacted to allow for proper maintenance with mowing machines and other equipment.

6.A | 8 Open Ditch, Culvert and Catch Basin Requirements

6.A | 8.1 Roadside open ditches shall be designed with two feet bottom width and 3:1 minimum front slopes and 2:1 minimum back slopes.

- 6.A | 8.2 Earthen outfall drainage ditches shall be designed with 2:1 minimum and 3:1 maximum, sloping earthen banks and earthen bottoms. Drainage ditches shall also be designed with mowable banks not less than 4 feet in width. When it is determined that partial or complete concrete-lining is required, channel shall have side slopes of a grade that is no steeper than 1.5:1 with reinforced concrete slope paving. Bottom paving shall be at least 6 inches thick, sides at least 4 inches thick, and a 4 feet wide maintenance strip with turndown footing shall be provided along on each side.
- 6.A | 8.3 When a proposed open ditch, whether lined or unlined, discharges into a major unlined canal, the developer shall be required to construct a ditch block with top width at least eight 8 feet wide with a metal pipe or concrete culvert outfall. Outfall pipe shall project at least 4 feet into canal beyond side slope, and shall be protected against scour at both ends by constructing concrete paving with minimum width of pipe width plus 4 feet and extending a minimum of 5 feet into the bottom of the canal beyond toe of slope. Concrete paving shall be constructed immediately after pipe or conduit is installed. Stone riprap on geotextile fabric is permitted as an alternate when water levels in canal do not allow concrete paving; when underlying soils are determined to be expansive clays; and, when channel scour will potentially undercut concrete paving on side slopes.
- 6.A | 8.4 All work for culverts or concealed subsurface drainage pipe shall conform to Louisiana Department of Transportation and Development Standards and Specifications or an approved equal. The property owner shall purchase all approved culvert(s), concrete or coated corrugated metal, approved by the Parish, and have the culvert(s) delivered to the site at which the culvert(s) is to be installed.
- 6.A | 8.5 Catch basins shall be cast-in-place concrete, pre-cast concrete, or a combination thereof and be approved by the parish.
- 6.A | 8.6 Brick catch basins are not allowed.
- 6.A | 8.7 Concrete cast-in-place and precast structures shall conform to the minimum materials, detailing and construction requirements of the Louisiana Department of Transportation and Development or an approved equal.
- 6.A | 8.8 After inspection of completed structure, excavated areas which are not occupied by completed structure shall be backfilled in compacted lifts to required elevation with suitable material.
- 6.A | 8.9 Foundry castings shall be designed for intended application and traffic surface loadings; shall be new; shall be true to pattern in form and dimensions; and free from imperfections for the service intended. All covers, gratings, and other casting materials shall seat uniformly and solidly.

6.A | 9 **Drainage Servitude Required**

- 6.A | 9.1 Wherever drainage channels exist or are provided within the subdivision, site, or tract development, a perpetual drainage servitude shall be dedicated to the Parish on either side of such drainage facilities for maintenance and construction. The width of such servitudes shall be not less than fifteen (15) feet or as determined by the Department of Public Works, based upon established criteria within the Master Plan.
- 6.A | 9.2 Lots created along drainage channels shall not encroach on drainage servitudes or rights-of-way and all such servitudes or rights-of-way shall be excluded from lot area. No building or other structure may be placed or built on that portion of property comprising the drainage servitude.
- 6.A | 9.3 The following drainage servitude criteria shall be required for each ditch, canal, storm drainage collection line, and proposed storm sewer not located in road right-of-way or existing drainage servitude:
- 6.A | 9.3.1 Minimum servitude width shall be 15 feet.
- 6.A | 9.3.2 Minimum maintenance servitude width of 8 feet from top of bank to servitude line on one side for all canals with a top width of 15 feet or less.
- 6.A | 9.3.3 Canals with top width greater than 15 feet, but less than 35 feet, shall have a minimum of 10 feet maintenance servitude on each side measured from the top of the bank to servitude line.
- 6.A | 9.3.4 Canals with top width of 35 feet or greater, shall have a minimum maintenance servitude width of 15 feet on both sides measured from the top of the bank to the servitude line.
- 6.A | 10 **Acceptance of Drainage Improvements by Parish.**
- 6.A | 10.1 Prior to Parish Council accepting any off-site drainage improvements into the parishwide public drainage system for perpetual maintenance, the Parish Department of Public Works shall determine that offsite drainage improvements comprises an integral and essential component of drainage system for the entire area.
- 6.A | 10.2 In making the determination as to whether any off-site drainage constitutes an integral and essential part of the drainage system, the Parish may require that the landowner have prepared and submitted to it a "Drainage Impact Study", which study shall be submitted to the Planning Commission and Department of Public Works for review and consideration.
- 6.A | 10.3 After review of the "Drainage Impact Study", a recommendation shall be forwarded by the Planning Commission to the Parish Council for its review and consideration. Upon a finding that offsite drainage constitutes a necessary and integral part of the parishwide drainage system, drainage improvement may be accepted into the parishwide drainage system by the Parish Council for maintenance.

- 6.A | 10.4 Any drainage ditch or canal proposed to be located in an area designated as jurisdictional wetlands or waters must first obtain and provide copies of all necessary permits from State and Federal regulatory agencies prior to the Parish considering the drainage improvements and servitude for acceptance into the parishwide drainage system.

6.B **Flood Hazards**

6.B | 1 **Statutory Authorization**

- 6.B | 1.1 The Legislature of the State of Louisiana has, in R.S. 38:84 delegated the responsibility of local governmental units to adopt regulations designed to minimize flood losses. Therefore, the Iberville Parish Council as governing body of the unincorporated areas of Iberville Parish, Louisiana, does ordain as follows.

6.B | 2 **Findings of Fact**

- 6.B | 2.1 The flood hazard areas of the unincorporated areas of Iberville Parish are subject to periodic inundation, which results in loss of life and property, health and safety hazards, disruption of commerce and governmental services, and extraordinary public expenditures for flood protection and relief, all of which adversely affect the public health, safety and general welfare.
- 6.B | 2.2 These flood losses are created by the cumulative effect of obstructions in floodplains which cause an increase in flood heights and velocities, and by the occupancy of flood hazard areas by uses vulnerable to floods and hazardous to other lands because they are inadequately elevated, floodproofed or otherwise protected from flood damage.

6.B | 3 **Statement of Purpose**

- 6.B | 3.1 It is the purpose of this chapter to promote the public health, safety and general welfare and to minimize public and private losses due to flood conditions in specific areas by provisions designed to:

- 6.B | 3.1.1 Protect human life and health;
- 6.B | 3.1.2 Minimize expenditure of public money for costly flood control projects;
- 6.B | 3.1.3 Minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;
- 6.B | 3.1.4 Minimize prolonged business interruptions;
- 6.B | 3.1.5 Minimize damage to public facilities and utilities such as water and gas mains, electric, telephone and sewer lines, streets and bridges located in floodplains;
- 6.B | 3.1.6 Help maintain a stable tax base by providing for the sound use and development of flood-prone areas in such a manner as to minimize future flood blight areas; and
- 6.B | 3.1.7 Insure that potential buyers are notified that property is in a flood area.

6.B | 4 **Methods of Reducing Flood Losses**

- 6.B | 4.1 In order to accomplish its purposes, this chapter uses the following methods:
- 6.B | 4.1.1 Restrict or prohibit uses that are dangerous to health, safety or property in times of flood, or cause excessive increases in flood heights or velocities;
- 6.B | 4.1.2 Require that uses vulnerable to floods, including facilities which serve such uses, be protected against flood damage at the time of initial construction;
- 6.B | 4.1.3 Control the alteration of natural floodplains, stream channels, and natural protective barriers, which are involved in the accommodation of floodwaters;
- 6.B | 4.1.4 Control filling, grading, dredging and other development which may increase flood damage;
- 6.B | 4.1.5 Prevent or regulate the construction of flood barriers which will unnaturally divert floodwaters or which may increase flood hazards to other lands.

6.B | 5 **Definitions**

- 6.B | 5.1 Terms Defined. Unless specifically defined below, words or phrases used in this chapter shall be interpreted to give them the meaning they have in common usage and to give this chapter it's most reasonable application.
- 6.B | 5.1.1 *Alluvial fan flooding* means flooding occurring on the surface of an alluvial fan or similar landform which originates at the apex and is characterized by

high-velocity flows; active processes of erosion, sediment transport, and deposition; and unpredictable flow paths.

- 6.B | 5.1.2 *Apex* means a point on an alluvial fan or similar landform below which the flow path of the major stream that formed the fan becomes unpredictable and alluvial fan flooding can occur.
- 6.B | 5.1.3 *Appurtenant structure* means a structure which is on the same parcel of property as the principal structure to be insured and the use of which is incidental to the use of the principal structure.
- 6.B | 5.1.4 *Area of future conditions flood hazard* means the land area that would be inundated by the one (1) percent annual chance (100 year) flood based on future conditions hydrology.
- 6.B | 5.1.5 *Area of shallow flooding* means a designated AO, AH, AR/AO, AR/AH, or VO zone on a community's Flood Insurance Rate Map (FIRM) with a one (1) percent or greater annual chance of flooding to an average depth of one (1) to three (3) feet where a clearly defined channel does not exist, where the path of flooding is unpredictable and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow.
- 6.B | 5.1.6 *Area of special flood hazard* is the land in the floodplain within a community subject to a one (1) percent or greater chance of flooding in any given year. The area may be designated as zone A on the Flood Hazard Boundary Map (FHBM). After detailed rate-making has been completed in preparation for publication of the FIRM, zone A usually is refined into zones A, AO, AH, A1-30, AE, A99, AR, AR/A1-30, AR/AE, AR/AO, AR/AH, AR/A, VO, V1-30, VE or V.
- 6.B | 5.1.7 *Base flood* means the flood having a one (1) percent chance of being equaled or exceeded in any given year.
- 6.B | 5.1.8 *Base flood elevation* means the elevation shown on the Flood Insurance Rate Map (FIRM) and found in the accompanying Flood Insurance Study (FIS) for zones A, AE, AH, A1-A30, AR, V1-V30, or VE that indicates the water surface elevation resulting from the flood that has a one (1) percent chance of equaling or exceeding that level in any given year also called the base flood.
- 6.B | 5.1.9 *Basement* means any area of the building having its floor subgrade (below ground level) on all sides.
- 6.B | 5.1.10 *Breakaway wall* means a wall that is not part of the structural support of the building and is intended through its design and construction to collapse under

specific lateral loading forces, without causing damage to the elevated portion of the building or supporting foundation system.

- 6.B | 5.1.11 *Critical feature* means an integral and readily identifiable part of a flood protection system, without which the flood protection provided by the entire system would be compromised.
- 6.B | 5.1.12 *Development* means any manmade change to improved and unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations or storage of equipment or materials.
- 6.B | 5.1.13 *Elevated building* means, for insurance purposes, a non-basement building, which has its lowest elevated floor, raised above ground level by foundation walls, shear walls, posts, piers, pilings, or columns.
- 6.B | 5.1.14 *Existing construction* means for the purposes of determining rates, structures for which the "start of construction" commenced before the effective date of the FIRM or before January 1, 1975, for FIRMs effective before that date. "Existing construction" may also be referred to as "existing structures."
- 6.B | 5.1.15 *Existing manufactured home park or subdivision* means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed before the effective date of the floodplain management regulations adopted by a community.
- 6.B | 5.1.16 *Expansion* to an existing manufactured home park or subdivision means the preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads).
- 6.B | 5.1.17 *Flood or flooding* means a general and temporary condition of partial or complete inundation of normally dry land areas from:
- 6.B | 5.1.17.1 The overflow of inland or tidal waters.
- 6.B | 5.1.17.2 The unusual and rapid accumulation or runoff of surface waters from any source.
- 6.B | 5.1.18 *Flood Elevation Study* means an examination, evaluation and determination of flood hazards and, if appropriate, corresponding water surface elevations, or an examination, evaluation and determination of mudslide (i.e., mudflow) and/or flood-related erosion hazards.
- 6.B | 5.1.19 *Flood Insurance Rate Map (FIRM)* means an official map of a community, on which the Federal Emergency Management Agency has delineated both

- the special flood hazard areas and the risk premium zones applicable to the community.
- 6.B | 5.1.20 *Flood Insurance Study (FIS)*. See Flood Elevation Study.
- 6.B | 5.1.21 *Floodplain or flood-prone area* means any land area susceptible to being inundated by water from any source. (See definition of flooding).
- 6.B | 5.1.22 *Floodplain management* means the operation of an overall program of corrective and preventive measures for reducing flood damage, including but not limited to, emergency preparedness plans, flood control works and floodplain management regulations.
- 6.B | 5.1.23 *Floodplain management regulations* means zoning ordinances, subdivision regulations, building codes, health regulations, special purpose ordinances (such as a floodplain ordinance, grading ordinance and erosion control ordinance) and other applications of police power. The term describes such state or local regulations, in any combination thereof, which provide standards for the purpose of flood damage prevention and reduction.
- 6.B | 5.1.24 *Flood protection system* means those physical structural works for which funds have been authorized, appropriated, and expended and which have been constructed specifically to modify flooding in order to reduce the extent of the area within a community subject to a "special flood hazard" and the extent of the depths of associated flooding. Such a system typically includes hurricane tidal barriers, dams, reservoirs, levees or dikes. These specialized flood modifying works are those constructed in conformance with sound engineering standards.
- 6.B | 5.1.25 *Floodproofing* means any combination of structural and nonstructural additions, changes, or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures and their contents.
- 6.B | 5.1.26 *Floodway*. See Regulatory floodway.
- 6.B | 5.1.27 Functionally dependent use means a use, which cannot perform its intended purpose unless it is located or carried out in close proximity to water. The term includes only docking facilities, port facilities that are necessary for the loading and unloading of cargo or passengers, and ship building and ship repair facilities, but does not include long-term storage or related manufacturing facilities.
- 6.B | 5.1.28 Highest adjacent grade means the highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure.
- 6.B | 5.1.29 Historic structure means any structure that is:
- 6.B | 5.1.29.1 Listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by

- the Secretary of the Interior as meeting the requirements for individual listing on the National Register;
- 6.B | 5.1.29.2 Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;
- 6.B | 5.1.29.3 Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of Interior; or
- 6.B | 5.1.29.4 Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either:
1. By an approved state program as determined by the Secretary of the Interior or;
 2. Directly by the Secretary of the Interior in states without approved programs.
- 6.B | 5.1.30 *Levee* means a manmade structure, usually an earthen embankment, designed and constructed in accordance with sound engineering practices to contain, control, or divert the flow of water so as to provide protection from temporary flooding.
- 6.B | 5.1.31 *Levee system* means a flood protection system which consists of a levee, or levees, and associated structures, such as closure and drainage devices, which are constructed and operated in accordance with sound engineering practices.
- 6.B | 5.1.32 *Lowest floor* means the lowest floor of the lowest enclosed area (including basement). An unfinished or flood-resistant enclosure, usable solely for parking or vehicles, building access or storage in an area other than a basement area is not considered a building's lowest floor; provided that such enclosure is not built so as to render the structure in violation of the applicable nonelevation design requirement of Section 60.3 of the National Flood Insurance Program Regulations.
- 6.B | 5.1.33 *Manufactured home* means a structure transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when connected to the required utilities. The term "manufactured home" does not include a "recreational vehicle".
- 6.B | 5.1.34 *Manufactured home park* or subdivision means a parcel (or contiguous parcels) of land divided into two (2) or more manufactured home lots for rent or sale.
- 6.B | 5.1.35 *Mean sea level* means, for purposes of the National Flood Insurance Program, the North American Vertical Datum (NAVD) of 1988 or other datum, to

which base flood elevations shown on a community's Flood Insurance Rate Map are referenced.

- 6.B | 5.1.36 *New construction* means, for the purpose of determining insurance rates, structures for which the "start of construction" commenced on or after the effective date of an initial FIRM or after December 31, 1974, whichever is later, and includes any subsequent improvements to such structures. For floodplain management purposes, "new construction" means structures for which the "start of construction" commenced on or after the effective date of a floodplain management regulation adopted by a community and includes any subsequent improvements to such structures.
- 6.B | 5.1.37 *New manufactured home park or subdivision* means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after the effective date of floodplain management regulations adopted by a community.
- 6.B | 5.1.38 *Recreational vehicle* means a vehicle which is: (i) built on a single chassis; (ii) four hundred (400) square feet or less when measured at the largest horizontal projections; (iii) designed to be self-propelled or permanently towable by a light duty truck; and (iv) designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.
- 6.B | 5.1.39 *Regulatory floodway* means the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height.
- 6.B | 5.1.40 *Riverine* means relating to, formed by, or resembling a river (including tributaries), stream, brook, etc.
- 6.B | 5.1.41 *Special flood hazard area*. See Area of special flood hazard.
- 6.B | 5.1.42 *Start of construction* (for other than new construction or substantial improvements under the Coastal Barrier Resources Act (Pub. L. 97-348)), includes substantial improvement and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition placement, or other improvement was within one hundred eighty (180) days of the permit date. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include

excavation for basement, footings, piers or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

- 6.B | 5.1.43 *Structure* means, for floodplain management purposes, a walled and roofed building, including a gas or liquid storage tank, that is principally above ground, as well as a manufactured home.
- 6.B | 5.1.44 *Substantial damage* means damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed fifty (50) percent of the market value of the structure before the damage occurred.
- 6.B | 5.1.45 *Substantial improvement* means any reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds fifty (50) percent of the market value of the structure before "start of construction" of the improvement. This term includes structures which have incurred "substantial damage", regardless of the actual repair work performed. The term does not, however, include either: (1) Any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions; or (2) any alteration of a "historic structure", provided that the alteration will not preclude the structure's continued designation as a "historic structure."
- 6.B | 5.1.46 *Variance* means a grant of relief by a community from the terms of a floodplain management regulation. (For full requirements see Section 60.6 of the National Flood Insurance Program Regulations.)
- 6.B | 5.1.47 *Violation* means the failure of a structure or other development to be fully compliant with the community's floodplain management regulations. A structure or other development without the elevation certificate, other certifications, or other evidence of compliance required in CFR Section 60.3(b)(5), (c)(4), (c)(10), (d)(3), (e)(2), (e)(4), or (e)(5), is presumed to be in violation until such time as that documentation is provided.
- 6.B | 5.1.48 *Water surface elevation* means the height, in relation to the North American Vertical Datum (NAVD) of 1988 (or other datum, where specified), of floods of various magnitudes and frequencies in the floodplains of coastal or riverine areas.

6.B | 6 **Lands to Which This Chapter Applies**

6.B | 6.1 The chapter shall apply to all areas of special flood hazard within the jurisdiction of the unincorporated areas of Iberville Parish, Louisiana.

6.B | 7 **Basis for Establishing the Areas of Special Flood Hazard**

6.B | 7.1 The areas of special flood hazard identified by the Federal Emergency Management Agency in the current scientific and engineering report entitled, "The Flood Insurance Study (FIS) for Iberville Parish, Louisiana and Incorporated Area", dated November 6, 2013, with accompanying Flood Insurance Rate Maps (FIRM), dated November 6, 2013, and any revisions thereto are hereby adopted by reference and declared to be a part of this chapter by reference.

6.B | 8 **Establishment of Development Permit**

6.B | 8.1 A floodplain development permit shall be required to ensure conformance with the provisions of this chapter.

6.B | 9 **Compliance**

6.B | 9.1 No structure or land shall hereafter be located, altered, or have its use changed without full compliance with the terms of this chapter and other applicable regulations.

6.B | 10 **Abrogation and Greater Restrictions**

6.B | 10.1 This chapter is not intended to repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. However, where this chapter and another ordinance, easement, covenant, or deed restriction conflict or overlap, whichever imposes the more stringent restrictions shall prevail.

6.B | 11 **Interpretation**

6.B | 11.1 In the interpretation and application of this chapter, all provisions shall be: (1) considered as minimum requirements; (2) liberally construed in favor of the governing body; and (3) deemed neither to limit nor repeal any other powers granted under state statutes.

6.B | 12 **Warning and Disclaimer or Liability**

6.B | 12.1 The degree of flood protection required by this chapter is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. On rare occasions greater floods can and will occur and flood heights may be increased by manmade or natural causes. This chapter does not imply that land outside the areas of special flood hazards or uses permitted within such areas will be free from flooding or flood damages. This chapter

shall not create liability on the part of the community or any official or employee thereof for any flood damages that result from reliance on this chapter or any administrative decision lawfully made hereunder.

6.B | 13 Designation of the Floodplain Administrator

6.B | 13.1 The building inspector/code enforcement officer is hereby appointed the floodplain administrator to administer and implement the provisions of this chapter and other appropriate sections of 44 CFR (Emergency Management and Assistance National Flood Insurance Program Regulations) pertaining to floodplain management.

6.B | 14 Duties and Responsibilities of the Floodplain Administrator

6.B | 14.1 Duties and responsibilities of the floodplain administrator shall include, but not be limited to, the following:

- 6.B | 14.1.1** Maintain and hold open for public inspection all records pertaining to the provisions of this chapter.
- 6.B | 14.1.2** Review permit application to determine whether to ensure that the proposed building site project, including the placement of manufactured homes, will be reasonably safe from flooding.
- 6.B | 14.1.3** Review, approve or deny all applications for development permits required by adoption of this chapter.
- 6.B | 14.1.4** Review permits for proposed development to assure that all necessary permits have been obtained from those federal, state or local governmental agencies (including Section 404 of the Federal Water Pollution Control Act amendments of 1972, 33 U.S.C. 1334) from which prior approval is required.
- 6.B | 14.1.5** Where interpretation is needed as to the exact location of the boundaries of the areas of special flood hazards (for example, where there appears to be a conflict between a mapped boundary and actual field conditions) the floodplain administrator shall make the necessary interpretation.
- 6.B | 14.1.6** Notify, in riverine situations, adjacent communities and the state coordinating agency which is the department of transportation and development, prior to any alteration or relocation of a watercourse, and submit evidence of such notification to the Federal Emergency Management Agency.
- 6.B | 14.1.7** Assure that the flood-carrying capacity within the altered or relocated portion of any watercourse is maintained.
- 6.B | 14.1.8** When base flood elevation data has not been provided in accordance with 6.B | 7, the floodplain administrator shall obtain, review and reasonably utilize any base flood elevation data and floodway data available from a federal,

state or other source, in order to administer the provisions of 6.B | 17 - 6.B | 22.

6.B | 14.1.9 When a regulatory floodway has not been designated, the floodplain administrator must require that no new construction, substantial improvements, or other development (including fill) shall be permitted within zones A1-30 and AE on the community's FIRM, unless it is demonstrated that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the water surface elevation of the base flood more than one (1) foot at any point within the community.

6.B | 14.1.10 Under the provisions of 44 CFR Chapter 1, Section 65.12, of the National Flood Insurance Program Regulations, a community may approve certain development in zones A1-30, AE, AH, on the community's FIRM which increases the water surface elevation of the base flood by more than one (1) foot, provided that the community first completes all of the provisions required by Section 65.12.

6.B | 15 **Permit Procedures**

6.B | 15.1 Application for a floodplain development permit shall be presented to the floodplain administrator on forms furnished by him/her and may include, but not be limited to, plans in duplicate drawn to scale showing the location, dimensions, and elevation of proposed landscape alterations, existing and proposed structures, including the placement of manufactured homes, and the location of the foregoing in relation to areas of special flood hazard. Additionally, the following information is required:

6.B | 15.1.1 Elevation (in relation to mean sea level), of the lowest floor (including basement) of all new and substantially improved structures;

6.B | 15.1.2 Elevation in relation to mean sea level to which any nonresidential structure shall be floodproofed;

6.B | 15.1.3 A certificate from a registered professional engineer or architect that the nonresidential floodproofed structure shall meet the floodproofing criteria of 6.B | 18.1.2;

6.B | 15.1.4 Description of the extent to which any watercourse or natural drainage will be altered or relocated as a result of proposed development;

6.B | 15.1.5 Maintain a record of all such information in accordance with 6.B | 14.1.1;

6.B | 15.2 Approval or denial of a floodplain development permit by the floodplain administrator shall be based on all of the provisions of this chapter and the following relevant factors:

6.B | 15.2.1 The danger to life and property due to flooding or erosion damage;

- 6.B | 15.2.2 The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner;
- 6.B | 15.2.3 The danger that materials may be swept onto other lands to the injury of others;
- 6.B | 15.2.4 The compatibility of the proposed use with existing and anticipated development;
- 6.B | 15.2.5 The safety of access to the property in times of flood for ordinary and emergency vehicles;
- 6.B | 15.2.6 The costs of providing governmental services during and after flood conditions including maintenance and repair of streets and bridges, and public utilities and facilities such as sewer, gas, electrical and water systems;
- 6.B | 15.2.7 The expected heights, velocity, duration, rate of rise and sediment transport of the floodwaters and the effects of wave action, if applicable, expected at the site;
- 6.B | 15.2.8 The necessity to the facility of a waterfront location, where applicable;
- 6.B | 15.2.9 The availability of alternative locations, not subject to flooding or erosion damage, for the proposed use.

6.B | 16 Variance Procedures

- 6.B | 16.1 The appeal board, as established by the community, shall hear and render judgment on requests for variances from the requirements of this chapter.
- 6.B | 16.2 The appeal board shall hear and render judgment on an appeal only when it is alleged there is an error in any requirement, decision, or determination made by the floodplain administrator in the enforcement or administration of this chapter.
- 6.B | 16.3 Any person or persons aggrieved by the decision of the appeal board may appeal such decision in the courts of competent jurisdiction.
- 6.B | 16.4 The floodplain administrator shall maintain a record of all actions involving an appeal and shall report variances to the Federal Emergency Management Agency upon request.
- 6.B | 16.5 Variances may be issued for the reconstruction, rehabilitation or restoration of structures listed on the National Register of Historic Places or the state inventory of historic places, without regard to the procedures set forth in the remainder of this chapter.
- 6.B | 16.6 Variances may be issued for new construction and substantial improvements to be erected on a lot of one-half acre or less in size contiguous to and surrounded by lots with existing structures constructed below the base flood level, providing the relevant factors in 6.B | 15.2 have been fully considered.

As the lot size increases beyond the one-half acre, the technical justification required for issuing the variance increases.

6.B | 16.7 Upon consideration of the factors noted above and the intent of this chapter, the appeal board may attach such conditions to the granting of variances as it deems necessary to further the purpose and objectives of this chapter (6.B | 3).

6.B | 16.8 Variances shall not be issued within any designated floodway if any increase in flood levels during the base flood discharge would result.

6.B | 16.9 Variances may be issued for the repair or rehabilitation of historic structures upon a determination that the proposed repair or rehabilitation will not preclude the structure's continued designation as a historic structure and the variance is the minimum necessary to preserve the historic character and design of the structure.

6.B | 16.10 Prerequisites for granting variances:

6.B | 16.10.1 Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.

6.B | 16.10.2 Variances shall only be issued upon:

6.B | 16.10.2.1 Showing a good and sufficient cause;

6.B | 16.10.2.2 A determination that failure to grant the variance would result in exceptional hardship to the applicant; and

6.B | 16.10.2.3 A determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisances, cause fraud on or victimization of the public, or conflict with existing local laws or ordinances.

6.B | 16.10.3 Any application to which a variance is granted shall be given written notice that the structure will be permitted to be built with the lowest floor elevation below the base flood elevation, and that the cost of flood insurance will be commensurate with the increased risk resulting from the reduced lowest floor elevation.

6.B | 16.10.4 Variances may be issued by a community for new construction and substantial improvements and for other development necessary for the conduct of a functionally dependent use provided that: (i) the criteria outlined in 6.B | 16 are met; and (ii) the structure or other development is protected by methods that minimize flood damages during the base flood and create no additional threats to public safety.

6.B | 17 **General Standards**

6.B | 17.1 In all areas of special flood hazards the following provisions are required for all new construction and substantial improvements:

- 6.B | 17.1.1 All new construction or substantial improvements shall be designed (or modified) and adequately anchored to prevent flotation, collapse or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy;
- 6.B | 17.1.2 All new construction or substantial improvements shall be constructed by methods and practices that minimize flood damage;
- 6.B | 17.1.3 All new construction or substantial improvements shall be constructed with materials resistant to flood damage;
- 6.B | 17.1.4 All new construction or substantial improvements shall be constructed with electrical, heating, ventilation, plumbing, and air conditioning equipment and other service facilities that are designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding;
- 6.B | 17.1.5 All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of floodwaters into the system;
- 6.B | 17.1.6 New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of floodwaters into the system and discharge from the systems into floodwaters; and
- 6.B | 17.1.7 On-site waste disposal systems shall be located to avoid impairment to them or contamination from them during flooding.

6.B | 18 **Specific Standards**

- 6.B | 18.1 In all areas of special flood hazards where base flood elevation data has been provided as set forth in: (i) 6.B | 7; (ii) 6.B | 14.1.8; or (iii) subsection 6.B | 19.3, the following provisions are required:
- 6.B | 18.1.1 *Residential construction.* New construction and substantial improvement of any residential structure shall have the lowest floor (including basement), elevated to or above the base flood elevation. A registered professional engineer, architect, or land surveyor shall submit a certification to the floodplain administrator that the standard of this subsection as proposed in 6.B | 15.1.1, is satisfied.
- 6.B | 18.1.2 *Nonresidential construction.* New construction and substantial improvements of any commercial, industrial or other nonresidential structure shall either have the lowest floor (including basement) elevated to or above the base flood level or together with attendant utility and sanitary facilities, be designed so that below the base flood level the structure is watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy. A registered professional engineer or architect shall develop and/or review structural design, specifications, and plans for the construction, and shall certify that the design and methods of construction are

in accordance with accepted standards of practice as outlined in this subsection. A record of such certification which includes the specific elevation (in relation to mean sea level) to which such structures are floodproofed shall be maintained by the floodplain administrator.

6.B | 18.1.3 *Enclosures.* New construction and substantial improvements, with fully enclosed areas below the lowest floor that are usable solely for parking of vehicles, building access or storage in an area other than a basement and which are subject to flooding shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. Designs for meeting this requirement must either be certified by a registered professional engineer or architect or meet or exceed the following minimum criteria:

6.B | 18.1.3.1 A minimum of two openings on separate walls having a total net area of not less than one (1) square inch for every square foot of enclosed area subject to flooding shall be provided.

6.B | 18.1.3.2 The bottom of all openings shall be no higher than one (1) foot above grade.

6.B | 18.1.3.3 Openings may be equipped with screens, louvers, valves, or other coverings or devices provided that they permit the automatic entry and exit of floodwaters.

6.B | 18.1.4 *Manufactured homes:*

6.B | 18.1.4.1 Require that all manufactured homes to be placed within zone A on a community's FHBM or FIRM shall be installed using methods and practices which minimize flood damage. For the purposes of this requirement, manufactured homes must be elevated and anchored to resist flotation, collapse, or lateral movement. Methods of anchoring may include, but are not limited to, use of over-the-top or frame ties to ground anchors. This requirement is in addition to applicable state and local anchoring requirements for resisting wind forces.

6.B | 18.1.4.2 Require that manufactured homes that are placed or substantially improved within zones A1-30, AH, and AE on the community's FIRM on sites: (i) outside of a manufactured home park or subdivision; (ii) in a new manufactured home park or subdivision; (iii) in an expansion to an existing manufactured home park or subdivision; or (iv) in an existing manufactured home park or subdivision on which a manufactured home has incurred "substantial damage" as a result of a flood, be elevated on a permanent foundation such that the bottom of the longitudinal structural I-beam of the manufactured home is elevated to or above the base flood elevation and be securely anchored to an adequately anchored foundation system to resist flotation, collapse, and lateral movement.

6.B | 18.1.4.3 Require that manufactured homes be placed or substantially improved on sites in an existing manufactured home park or subdivision with zones

A1-30, AH and AE on the community's FIRM that are not subject to the provisions of 6.B | 18.1.4.2 of this section be elevated so that either:

1. The bottom of the longitudinal structural I-beam of the manufactured home is at or above the base flood elevation; or
2. The manufactured home chassis is supported by reinforced piers or other foundation elements of at least equivalent strength that are no less than thirty-six (36) inches in height above grade and be securely anchored to an adequately anchored foundation system to resist flotation, collapse, and lateral movement.

6.B | 18.1.5 *Recreational vehicles.* Require that recreational vehicles placed on sites within zones A1-30, AH, and AE on the community's FIRM either: (i) be on the site for fewer than one hundred eighty (180) consecutive days; or (ii) be fully licensed and ready for highway use; or (iii) meet the permit requirements of 6.B | 15.1, and the elevation and anchoring requirements for "manufactured homes" in 6.B | 18.1.4. A recreational vehicle is ready for highway use if it is on its wheels or jacking system, is attached to the site only by quick-disconnect type utilities and security devices, and has no permanently attached additions.

6.B | 19 **Standards for Subdivision Proposals**

6.B | 19.1 All subdivision proposals including the placement of manufactured home parks and subdivisions shall be consistent with sections 6.B | 2 - 6.B | 4 of this chapter.

6.B | 19.2 All proposals for the development of subdivisions including the placement of manufactured home parks and subdivisions shall meet floodplain development permit requirements of 6.B | 8; 6.B | 15; and the provisions of 6.B | 17 - 6.B | 22.

6.B | 19.3 Base flood elevation data shall be generated for subdivision proposals and other proposed development including the placement of manufactured home parks and subdivisions which is greater than fifty (50) lots or five (5) acres, whichever is lesser, if not otherwise provided pursuant to 6.B | 7- 6.B | 14.1.8.

6.B | 19.4 All subdivision proposals including the placement of manufactured home parks and subdivisions shall have adequate drainage provided to reduce exposure to flood hazards.

6.B | 19.5 All subdivision proposals including the placement of manufactured home parks and subdivisions shall have public utilities and facilities such as sewer, gas, electrical and water systems located and constructed to minimize or eliminate flood damage.

6.B | 20 **Standards for Areas of Shallow Flooding (AO/AH zones)**

- 6.B | 20.1 Located within the areas of special flood hazard established in 6.B | 7, are areas designated as shallow flooding. These areas have special flood hazards associated with flood depths of one (1) to three (3) feet where a clearly defined channel does not exist, where the path of flooding is unpredictable, and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow; therefore, the following provisions apply:
- 6.B | 20.1.1 All new construction and substantial improvements of residential structures have the lowest floor (including basement) elevated to or above the base flood elevation or the highest adjacent grade at least as high as the depth number specified in feet on the community's FIRM (at least two (2) feet if no depth number is specified); or
- 6.B | 20.1.2 All new construction and substantial improvements of nonresidential structures:
- 6.B | 20.1.2.1 Have the lowest floor (including basement) elevated to or above the base flood elevation or the highest adjacent grade at least as high as the depth number specified in feet on the community's FIRM (at least two (2) feet if no depth number is specified); or
- 6.B | 20.1.2.2 Together with attendant utility and sanitary facilities be designed so that below the base specified flood depth in an AO zone, or below the base flood elevation in an AH zone, level the structure is watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads of effects of buoyancy.
- 6.B | 20.1.3 A registered professional engineer or architect shall submit a certification to the floodplain administrator that the standards of this section, as proposed in 6.B | 15 are satisfied.
- 6.B | 20.1.4 Require within zones AH or AO adequate drainage paths around structures on slopes, to guide floodwaters around and away from proposed structures.
- 6.B | 21 **Severability**
- 6.B | 21.1 If any section, clause, sentence, or phrase of this chapter is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this chapter.
- 6.B | 22 **Penalties for Noncompliance**
- 6.B | 22.1 No structure or land shall hereafter be constructed, located, extended, converted, or altered without full compliance with the terms of this chapter and other applicable regulations. Violation of the provisions of this chapter by failure to comply with any of its requirements (including violations of conditions and safeguards established in connection with conditions) shall constitute a misdemeanor. Any person who violates this chapter or fails to

comply with any of its requirements shall upon conviction thereof be fined not more than five hundred dollars (\$500.00) or imprisoned for not more than six (6) months, or both, for each violation. Each day the violation continues shall be deemed a new violation. In addition, the violator shall pay all costs and expenses involved in the case. Nothing herein contained shall prevent the Iberville Parish Council from taking such other lawful action as is necessary to prevent or remedy any violation.

6.C **Erosion Control**

6.C | 1 **Introduction, Purpose and Intent**

6.C | 1.1 This section is intended to prevent the discharge of contaminated stormwater runoff from industrial, commercial, residential, and construction sites into the municipal separate storm sewer system (MS4) and natural waters of Iberville Parish. The requirements set forth herein are intended to achieve the goals stated in the Iberville Parish Stormwater Management Plan and Iberville Parish municipal separate storm sewer system (MS4) permit issued by the LA Department of Environmental Quality.

6.C | 1.2 During the construction process, soil is highly vulnerable to erosion by wind and water. Eroded soil endangers water resources by reducing water quality and causing the siltation of aquatic habitat for fish and other desirable species. Eroded soil also necessitates repair of sewers and ditches and the dredging of lakes. Clearing and grading during construction can also cause the loss of native vegetation necessary for terrestrial and aquatic habitat.

6.C | 1.3 Post-construction, new developments have a tendency to increase impervious land surfaces due to the addition of hard surface roads, sidewalks and foundations, which may lead to increased volume and levels of pollutants in stormwater discharges.

6.C | 1.4 The purpose of this chapter is to protect, maintain and enhance the public health, safety, environment and general welfare by establishing minimum requirements and procedures to control the adverse effects of increased stormwater runoff and nonpoint source pollution associated with new development and redevelopment during construction and post-construction.

6.C | 1.5 Additionally, it has been determined that proper management of construction stormwater runoff and post-development stormwater runoff will minimize damage to public and private property and infrastructure, safeguard the public health, safety, environment and general welfare of the public, and protect water and aquatic resources. This chapter seeks to meet that purpose through the following objectives:

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- 6.C | 1.5.1 Establish decision-making processes surrounding land development activities that protect the integrity of the watershed and preserve the health of water resources;
- 6.C | 1.5.2 Require that new development and redevelopment maintain the pre-development hydrologic response in their post-development state as nearly as practicable in order to reduce flooding, stream bank erosion, nonpoint source pollution and increases in stream temperature, and maintain the integrity of stream channels and aquatic habitats;
- 6.C | 1.5.3 Establish minimum construction and post-construction stormwater management standards and design criteria for the regulation and control of stormwater runoff quantity and quality;
- 6.C | 1.5.4 Establish design and application criteria for the construction and use of structural stormwater control facilities that can be used to meet the minimum construction and post-construction stormwater management standards;
- 6.C | 1.5.5 Encourage the use of nonstructural stormwater management and stormwater better site design practices, such as the preservation of green space and other conservation areas, to the maximum extent practicable;
- 6.C | 1.5.6 Establish provisions for the long-term responsibility for and maintenance of structural stormwater control facilities and nonstructural stormwater management practices to ensure that they continue to function as designed, are maintained, and pose no threat to public safety; and
- 6.C | 1.5.7 Establish administrative procedures for the submission, review, approval and disapproval of stormwater management plans, and for the inspection of approved active projects, and long-term follow up. Stormwater management and pollution prevention measures that are designed, constructed and maintained in accordance with published federal or state technical stormwater pollution prevention design and best management practices shall be presumed to meet technical standards of this section.

6.C | 2 **Applicability**

- 6.C | 2.1 This chapter shall be applicable to all land development, including, but not limited to, site plan applications, subdivision applications, and grading applications, unless exempt pursuant to subsection 6.C | 3 below. These standards apply to any new development or redevelopment site that meets one (1) or more of the following criteria:

- 6.C | 2.1.1 New development that involves the creation of one (1) acre or more of impervious cover, or that involves other land development soil disturbance activities of one (1) acre or more;
- 6.C | 2.1.2 Redevelopment that includes the creation, addition or replacement of one (1) acre or more of impervious cover, or that involves other land development soil disturbance activity of one (1) acre or more;
- 6.C | 2.1.3 Any new development or redevelopment, regardless of size, that is defined by Iberville Parish to be a hotspot land use; or
- 6.C | 2.1.4 Land development activities that are smaller than the minimum applicability criteria set forth in items 6.C | 2.1.1 and 6.C | 2.1.2 above if such activities are part of a larger common plan of development, even though multiple, separate and distinct land development activities may take place at different times on different schedules.

6.C | 3 **Exempt Activities**

6.C | 3.1 Following activities are exempt from permits required under 6.C:

- 6.C | 3.1.1 Any silvicultural or agricultural activity that is consistent with a soil conservation plan approved by Soil and Water Conservation District. Specifically 40 CFR 122.27 provides an exemption for nonpoint source silvicultural activities, including harvesting operations, even if the nonpoint runoff results in a point source discharge. This exemption from the NPDES storm water permitting requirements, however, does not preclude the need to obtain other permits which may be necessary such as, for example, a permit under section 404 of the Clean Water Act. Additionally, any such discharge that causes or contributes to a violation of a water quality standard is a violation of State law.
- 6.C | 3.1.2 Additions or modifications to existing single family structures.
- 6.C | 3.1.3 Any agricultural, timber or mining activity water quality, stormwater pollution prevention and/or erosion control plan approved by a state or federal agency with delegated regulatory authority.
- 6.C | 3.1.4 Customary use and operation of a cemetery.
- 6.C | 3.1.5 Landscaping, gardening and horticultural activities in conjunction with a lawfully existing use or structure.
- 6.C | 3.1.6 Construction of an approved wastewater treatment system and construction of a dock, boathouse and/or mooring.
- 6.C | 3.1.7 Installation of a fence, sign, utility pole or other kinds of posts or poles.
- 6.C | 3.1.8 Emergency activity immediately necessary to protect life, property or environmental quality.

- 6.C | 3.1.9 Routine maintenance activities that disturb less than one (1) acre of land, which are performed to maintain the original grade, hydraulic capacity and purpose of a facility or site. This shall include the ordinary maintenance, cleaning and/or repair of stormwater control measures.

6.C | 4 **Administration**

- 6.C | 4.1 The Parish of Iberville shall administer, implement, and enforce the provisions of this chapter. Any powers granted or duties imposed upon Iberville Parish may be delegated in writing by the Parish Director of Drainage to persons or entities acting in the beneficial interest of or in the employ of the agency.

6.C | 5 **Compatibility with other regulations**

- 6.C | 5.1 This chapter is not intended to modify or repeal any other ordinance, rule, regulation or other provision of law. The requirements of this chapter are in addition to the requirements of any other ordinance, rule, regulation or other provision of law, and where any provision of this chapter imposes restrictions different from those imposed by any other ordinance, rule, regulation or other provision of law, whichever provision is more restrictive or imposes higher protective standards for human health or the environment shall control.

6.C | 5.2 **Other Regulations That May Apply** (not an all inclusive list).

- 6.C | 5.2.1 LAC 33:III.1305—If you cause earth material to become deposited on paved streets either by trucking, earth moving equipment, erosion by water, or other means, you shall promptly remove the earth material.
- 6.C | 5.2.2 LAC 33:III.1109—You cannot burn waste building materials, 2x4s, etc. They must be disposed of as a solid waste. Burning of trees, brush, etc. that were cut on site is permitted only under certain conditions.
- 6.C | 5.2.3 LAC 33:I.Chapter 8—In an expedited penalty agreement, a maximum of \$500.00 per occurrence up to \$3,000.00 can be assessed for the failure to prepare and/or implement any portion of a Stormwater Pollution Prevention Plan (SWPPP).

6.C | 6 **Severability**

- 6.C | 6.1 The provisions of this chapter are hereby declared to be severable. If any provision, clause, sentence, or paragraph of this chapter or the application thereof to any person, establishment, or circumstances shall be held invalid, such invalidity shall not affect the other provisions or application of this chapter.

6.C | 7 **Ultimate responsibility**

- 6.C | 7.1 The standards set forth herein and promulgated pursuant to this chapter are minimum standards; therefore, this chapter does not intend nor imply that compliance by any person will ensure that there will be no contamination, pollution, nor unauthorized discharge of pollutants.
- 6.C | 8 **Permit requirements.**
- 6.C | 8.1 The Louisiana Pollutant Discharge Elimination System (LPDES) Storm Water program requires operators of construction sites one acre or larger (including smaller sites that are part of a larger common plan of development) to obtain authorization to discharge storm water under an LPDES construction storm water permit.
- 6.C | 8.2 **Construction Activities equal to or greater than 5 acres- LAR100000** No person shall be granted a building permit or construction plan approval for land-disturbing activity that would require the uncovering of five (5) acres or more without an approved LPDES Louisiana Department of Environmental Quality Water permit and Stormwater Pollution Prevention Plan (SWPPP). LA DEQ approved copies of these documents shall be submitted to the Parish before approval of any building permit.
- 6.C | 8.3 **Small Construction Activities equal to or greater than 1 acre and less than 5 acres- LAR200000.** No person shall be granted a building permit or construction plan approval for land-disturbing activity that would require the uncovering of one (1) acre to (5) acres without a Stormwater Pollution Prevention Plan (SWPPP). Copies of this document shall be submitted to the Parish before approval of any building permit.
- 6.C | 8.3.1 **Automatic Coverage** - All dischargers who meet the LAR 200000, Part I.A applicability requirements of the General Statewide permit are authorized to discharge storm water from construction activities under the terms and conditions of the General Statewide permit. Written notification of intent (NOI) to be covered under this general permit is not required, and there are no permit fees associated with general permit coverage.
- 6.C | 8.3.2 **Storm Water Pollution Prevention Plan (SWPPP)** - A SWPPP must be developed for each construction project or site covered by this general permit and implemented upon commencement of construction activities. Once the plan is in place, you are required to update and change the plan as the situation changes. Part III of the general permit describes the contents and requirements of the plan. One of the requirements is posting a notice near the main entrance of the construction site with the location of the SWPPP if the site is inactive or does not have an on-site location to store the plan. If posting this information near a main entrance is infeasible due to safety concerns, the notice shall be posted in a local public building.
- 6.C | 8.4 An LPDES permit is not required for the following activities:

- 6.C | 8.4.1 Any emergency activity that is immediately necessary for the protection of life, property, or natural resources.
- 6.C | 8.4.2 The clearing of land solely for agricultural purposes. Projects on cultivated croplands are not regulated, as these are already disturbed areas.
- 6.C | 8.4.3 Repaving of roads and reworking of utility lines or pipelines unless one (1) or more acres of underlying and/or surrounding soil are cleared, graded or excavated as part of the operation.
- 6.C | 8.5 Each permit application shall bear the name(s) and address(es) of the owner or developer of the site, contractor, and of any consulting firm retained by the applicant together with the name of the applicant's principal contact.
- 6.C | 8.6 Each application shall include a statement that any land clearing, construction, or development involving the movement of earth shall be in accordance with the erosion and sediment control plan or SWPPP and that a certified contractor shall be on site on all days when construction or grading activity takes place.

6.C | 9 **Review and proposal**

- 6.C | 9.1 Iberville Parish will review each LDPES permit and SWPPP to determine its conformance with the provisions of this regulation. Within thirty (30) days after receiving an application, the Parish shall, in writing:
- 6.C | 9.1.1 Approve the permit application;
- 6.C | 9.1.2 Approve the permit application subject to such reasonable conditions as may be necessary to secure substantially the objectives of this regulation, and issue the permit subject to these conditions; or
- 6.C | 9.1.3 Disapprove the permit application, indicating the reason(s) and procedure for submitting a revised application and/or submission.
- 6.C | 9.2 Failure of Iberville Parish to act on an original or revised application within thirty (30) days of receipt shall authorize the applicant to proceed in accordance with the plans as filed unless such time is extended by agreement between the applicant and Iberville Parish. Pending preparation and approval of a revised plan, development activities shall be allowed to proceed in accordance with conditions established by Iberville Parish.

6.C | 10 **Erosion and sediment control plan**

- 6.C | 10.1 At least one (1) stormwater pollution prevention plan (SWPPP) shall be developed for each construction project or site covered by an LPDES permit. Each SWPPP shall include a description of appropriate control measures (i.e., BMPs) that will be implemented as part of the construction activity to control pollutants in stormwater discharges. An erosion and sediment control plan is the minimum requirement of a SWPPP.

- 6.C | 10.2 The erosion and sediment control plan shall include the following:
- 6.C | 10.2.1 Short- and long-term goals and criteria:
- 6.C | 10.2.1.1 The construction phase erosion and sediment controls should be designed to retain sediment on-site to the maximum extent practicable.
- 6.C | 10.2.1.2 All control measures must be properly selected, installed, and maintained in accordance with the manufacturers specifications and good engineering practices. If periodic inspections or other information indicates a control has been used inappropriately, or incorrectly, the permittee must replace or modify the control for site situations.
- 6.C | 10.2.1.3 If sediments escape the construction site, off-site accumulations of sediment must be removed at a frequency sufficient to minimize off-site impacts (e.g., fugitive sediment in street could be washed into storm sewers by the next rain and/or pose a safety hazard to users of public streets).
- 6.C | 10.2.1.4 Sediment must be removed from sediment traps or sedimentation ponds when design capacity has been reduced by fifty (50) percent.
- 6.C | 10.2.1.5 Litter, construction debris, and construction chemicals exposed to stormwater shall be prevented from becoming a pollutant source for stormwater discharges (e.g., screening outfalls, picked up daily, etc.).
- 6.C | 10.2.1.6 Off-site material storage areas (also including overburden and stockpiles of dirt, borrow areas, etc.) used solely by the permitted project are considered a part of the project and shall be addressed in the stormwater pollution prevention plan.
- 6.C | 10.2.2 Stabilization practices. The erosion and sediment control plan must include a description of interim and permanent stabilization practices for the site, including a site-specific scheduling of the implementation of the practices. Site plans should ensure that existing vegetation is preserved where attainable and that disturbed portions of the site are stabilized. Stabilization practices may include, but are not limited to: establishment of temporary vegetation, establishment of permanent vegetation, mulching, geotextiles, sod stabilization, vegetative buffer strips, protection of trees, preservation of mature vegetation, and other appropriate measures. Use of impervious surfaces for stabilization should be avoided. The following records shall be maintained and attached to the erosion and sediment control plan: the dates when major grading activities occur; the dates when construction activities temporarily or permanently cease on a portion of the site; and the dates when stabilization measures are initiated. Except as provided in subsections 6.C | 10.2.2.1, 6.C | 10.2.2.2, and 6.C | 10.2.2.3 below, stabilization measures shall be initiated as soon as practicable in portions of the site where construction activities have temporarily or permanently ceased, but in no case more than

fourteen (14) days after the construction activity in that portion of the site has temporarily or permanently ceased.

- 6.C | 10.2.2.1 Where the initiation of stabilization measures by the fourteenth day after construction activity temporarily or permanently ceases, is precluded by snow cover or frozen ground conditions, stabilization measures shall be initiated as soon as practicable.
- 6.C | 10.2.2.2 Where construction activity on a portion of the site is temporarily ceased, and earth disturbing activities will be resumed within twenty-one (21) days, temporary stabilization measures do not have to be initiated on that portion of site.
- 6.C | 10.2.2.3 In areas experiencing droughts where the initiation of stabilization measures by the fourteenth day after construction activity has temporarily or permanently ceased is precluded by seasonal arid conditions, stabilization measures shall be initiated as soon as practicable.
- 6.C | 10.2.3 Structural practices. The SWPPP must include a description of structural practices to divert flows from exposed soils, store flows or otherwise limit runoff and the discharge of pollutants from exposed areas of the site to the degree attainable. Such practices may include but are not limited to: silt fences, earth dikes, drainage swales, sediment traps, check dams, subsurface drains, pipe slope drains, level spreaders, storm drain inlet protection, rock outlet protection, reinforced soil retaining systems, gabions, and temporary or permanent sediment basins. Placement of structural practices in floodplains should be avoided to the degree attainable. The installation of these devices may be subject to Section 404 of the CWA.
- 6.C | 10.2.4 Modifications to the plan shall be processed and approved or disapproved in the same manner as 6.C | 9 of this regulation, may be authorized by Iberville Parish by written authorization to the permittee, and shall include:
- 6.C | 10.2.4.1 Major amendments of the erosion and sediment control plan submitted to Iberville Parish.

6.C | 11 **Design requirements**

- 6.C | 11.1 Grading, erosion control practices, sediment control practices, and waterway crossings shall meet the design criteria set forth in applicable portions of this code and shall be adequate to prevent transportation of sediment from the site to the satisfaction of Iberville Parish. Cut and fill slopes shall be no greater than 3:1, except as approved by Iberville Parish to meet other community or environmental objectives.
- 6.C | 11.2 Clearing and grading of natural resources, such as forests and wetlands, shall not be permitted, except when in compliance with all other chapters of this chapter. Clearing techniques that retain natural vegetation and drainage

patterns, as described in Iberville Parish reference manual, shall be used to the satisfaction of Iberville Parish.

- 6.C | 11.3 Clearing, except that necessary to establish sediment control devices, shall not begin until all sediment control devices have been installed and have been stabilized.
- 6.C | 11.4 Phasing shall be required on all sites disturbing greater than thirty (30) acres, with the size of each phase to be established at plan review and as approved by Iberville Parish.
- 6.C | 11.5 Erosion control requirements shall include the following:
- 6.C | 11.5.1 Soil stabilization shall be completed within five (5) days of clearing or inactivity in construction.
- 6.C | 11.5.2 If seeding or another vegetative erosion control method is used, it shall become established within two (2) weeks or Iberville Parish may require the site to be reseeded or a nonvegetative option employed.
- 6.C | 11.5.3 Special techniques that meet the design criteria outlined in Iberville Parish reference manual on steep slopes or in drainage ways shall be used to ensure stabilization.
- 6.C | 11.5.4 Soil stockpiles must be stabilized or covered at the end of each workday.
- 6.C | 11.5.5 The entire site must be stabilized, using a heavy mulch layer or another method that does not require germination to control erosion, at the close of the construction season.
- 6.C | 11.5.6 Techniques shall be employed to prevent the blowing of dust or sediment from the site.
- 6.C | 11.5.7 Techniques that divert upland runoff past disturbed slopes shall be employed.
- 6.C | 11.6 Sediment controls requirements shall include the following:
- 6.C | 11.6.1 Settling basins, sediment traps, or tanks and perimeter controls.
- 6.C | 11.6.2 Settling basins that are designed in a manner that allows adaptation to provide long term stormwater management, if required by Iberville Parish.
- 6.C | 11.6.3 Protection for adjacent properties by the use of a vegetated buffer strip in combination with perimeter controls.
- 6.C | 11.7 Waterway and watercourse protection requirements shall include:

- 6.C | 11.7.1 A temporary stream crossing installed and approved by controlling agency responsible for maintenance of the watercourse if a wet watercourse will be crossed regularly during construction.
- 6.C | 11.7.2 Stabilization of the watercourse channel before, during, and after any in-channel work.
- 6.C | 11.7.3 All on-site stormwater conveyance channels shall be designed according to the criteria outlined in this code.
- 6.C | 11.7.4 Stabilization adequate to prevent erosion located at the outlets of all pipes and paved channels.
- 6.C | 11.8 Construction site access requirements shall include:
- 6.C | 11.8.1 A temporary access road provided at all sites.
- 6.C | 11.8.2 Other measures required by Iberville Parish in order to ensure that sediment is not tracked onto public streets by construction vehicles or washed into storm drains.
- 6.C | 12 **Inspection.**
- 6.C | 12.1 Iberville Parish or designated agent shall make inspections as hereinafter required and either shall approve that portion of the work completed or shall notify the permittee wherein the work fails to comply with the erosion and sediment control plan as approved. Plans for grading, stripping, excavating, and filling work bearing the stamp of approval of Iberville Parish shall be maintained at the site during the progress of the work. To obtain inspections, the permittee shall notify Iberville Parish at least two (2) working days before the following
- 6.C | 12.1.1 Start of construction.
- 6.C | 12.1.2 Installation of sediment and erosion measures.
- 6.C | 12.1.3 Completion of site clearing.
- 6.C | 12.1.4 Completion of rough grading.
- 6.C | 12.1.5 Completion of final grading.
- 6.C | 12.1.6 Close of the construction season.
- 6.C | 12.1.7 Completion of final landscaping.
- 6.C | 12.2 The permittee or his/her agent shall make regular inspections of all control measures in accordance with the inspection schedule outlined on the approved erosion and sediment control plan(s). The purpose of such inspections will be to determine the overall effectiveness of the control plan and the need for additional control measures. All inspections shall be documented in written form and submitted to Iberville Parish at the time interval specified in the approved permit.

- 6.C | 12.3 Iberville Parish or its designated agent shall enter the property of the applicant as deemed necessary to make regular inspections to ensure the validity of the reports filed.

6.C | 13 **Enforcement**

- 6.C | 13.1 Stop-work order; revocation of permit. In the event that any person holding a site development permit pursuant to this chapter violates the terms of the permit or implements site development in such a manner as to materially adversely affect the health, welfare, or safety of persons residing or working in the neighborhood or development site so as to be materially detrimental to the public welfare or injurious to property or improvements in the neighborhood, Iberville Parish may suspend or revoke the site development permit.

- 6.C | 13.2 Violation and penalties. No person shall construct, enlarge, alter, repair, or maintain any grading, excavation, or fill, or cause the same to be done, contrary to or in violation of any terms of this chapter. Any person violating any of the provisions of this chapter shall be deemed guilty of a misdemeanor and each day during which any violation of any of the provisions of this chapter is committed, continued, or permitted, shall constitute a separate offense. Upon conviction of any such violation, such person, partnership, or corporation shall be punished by a fine of not more than five hundred dollars (\$500.00) per day and/or thirty (30) days in jail for each offense plus any penalties levied by either/or LADEQ or USEPA. In addition to any other penalty authorized by this section, any person, partnership, or corporation convicted of violating any of the provisions of this chapter shall be required to bear the expense of such restoration.

6.D **Wetlands**

6.D | 1 **Purpose**

- 6.D | 1.1 It is the purpose of this section to preserve, protect and conserve freshwater wetlands and benefits they provide, to prevent any despoliation and destruction of freshwater wetlands and to regulate development of such wetlands in order to secure natural benefits of freshwater wetlands, consistent with the general welfare and beneficial economic, social and agricultural development of the parish.

- 6.D | 1.2 In accordance with the Clean Water Act any person, firm, or agency (including Federal, state, and local government agencies) planning to work in navigable waters of the United States, or discharge (dump, place, deposit) dredged or fill material in waters of the United States, including wetlands, must first obtain a permit from the Corps of Engineers. Permits, licenses,

variances, or similar authorization may also be required by other Federal, state and local statutes.

6.D | 2 Review Standards

6.D | 2.1 No approval shall be granted for development within a wetland or which impacts jurisdictional waters or other waters of the United States as designated by the United States Army Corps of Engineers unless applicant demonstrates that:

6.D | 2.1.1 When a site contains Wetlands or Jurisdictional waters or other waters of the U.S. submit one (1) copy of the United States Army Corps of Engineers Preliminary Jurisdictional Determination documentation including any required Federal or State Permits. These documents must be provided before any permits will be issued.

7 **Specific Uses**

7.A **Communication Facilities**

7.A | 1 **General**

7.A | 1.1 A communication tower and/or antenna may be permitted upon determination that all of the following applicable conditions are met:

7.A | 2 **Consistency with Federal Law**

7.A | 2.1 The proposed communications tower, antenna or accessory structure will be placed in a reasonable available location which will minimize the visual impact on the surrounding area and allow the facility to function in accordance with minimum standards imposed by applicable communications regulations and applicant's technical design requirements. Applicant must show that all applicable health, nuisance, noise, fire, building and safety code requirements will be met.

7.A | 3 **Location**

7.A | 3.1 Prior to consideration of approval for location on private property, applicant must show that available publically owned sites and available privately owned sites occupied by a compatible use, are unsuitable for operation of a facility under the applicable communications regulations and applicant's technical design requirements.

7.A | 4 **New Towers**

7.A | 4.1 Applicants must show that the proposed wireless transmission and relay equipment and antenna cannot be accommodated and function as required by applicable regulations and applicant's technical design requirements without unreasonable modifications on any existing structure or communications tower, reasonably available to the applicant within the area that the new site will serve. A permit for a proposed communications tower or antenna located within 1,000 feet of an existing tower or permitted communications tower site shall not be issued unless that the applicant certifies that the existing tower does not meet applicant's structural specifications and that applicant's technical design requirements, or that a collocation agreement cannot be obtained.

7.A | 5 **Certification**

7.A | 5.1 Applicant must show by a certificate from a registered engineer that the proposed facility will contain only equipment meeting FCC rules, and must file with the Parish President a written indemnification of the Parish and proof of liability insurance or financial ability to respond to claims up to \$3,000,000.00 in the aggregate which may arise from the operation of the facility during its life, at no cost to the Parish, in a form approved by the Iberville Parish Council Attorney.

7.A | 5.2 Wireless transmission and relay equipment located in or on existing structures are exempt from the following setback requirement, however a permit for construction shall be required and obtained from the Parish Buildings Inspector's Office prior to any installation.

7.A | 5.2.1 Transmission towers permitted under the provisions of this section shall provide access to the permitted facilities to Parish agencies at no cost. Access for the placement of public communication equipment by Parish agencies shall be based on a first come, first served basis and on the structural capacity of the facility.

7.A | 6 **Site Plan Required**

7.A | 6.1 A plan drawn to scale showing property boundaries, tower location, tower height, guy wires and anchors, existing structures, parking, fences, landscaping, and names of adjacent land owners and land use. A site plan is not required if antenna is to be mounted on an approved existing structure. However, a survey from a licensed land surveyor or civil engineer indicating the distance from any existing residential land uses on adjacent property to the wireless facility is required.

7.A | 6.1.1 The proposed site, width and depth, shall be of sufficient size so as to contain the tower, guy wires, braces, etc. and any equipment buildings. The plan shall also indicate the "fall zone" and any residential units located within this zone. Any site with a residential unit located within the fall zone will not be approved for construction, however, placement on an existing structure may be permitted.

7.A | 6.1.2 All sites with the exception of those placed on or in an existing structure shall have a minimum setback of one (1) times the height of the proposed tower or antenna from any public highway, road, street, or public conveyance.

7.A | 6.1.3 Existing on-site trees and shrubs shall be preserved to the maximum extent practical.

7.A | 6.1.4 Walls or fences at least eight (8) feet in height shall be used to secure the site and provide a barrier. Such walls or fences shall be used in combination with landscaping to provide security or increase the buffer to other land uses. The entire facility must be aesthetically and architecturally compatible with its

environment. Metal buildings will not be allowed as accessory buildings on sites which are adjacent to existing residential areas.

- 7.A | 6.1.5 All land development regulations, visibility fencing, screening, landscaping, parking, access, lot size, exterior illumination, signage, storage, and all other general zoning and planning regulations except setback and height, shall apply.

7.A | 7 **Specifications**

- 7.A | 7.1 A copy of the typical specifications for the proposed structure and antenna, including description of design characteristics and material(s), including a certificate from a licensed structural engineer showing the tower antenna capacity by type and number, and a certification that the tower is designed to withstand winds in accordance with ANSI/EIA/TIA 222, latest revision, standards. In the event that the antenna is to be located on an approved existing structure, there must be a certificate from a licensed structural engineer that the approved existing antenna shall have the design and capacity to support all proposed antenna and facilities and to withstand winds in accordance with the above referenced standards.

- 7.A | 7.2 **Tower Inventory Map:** A current map, or update of an existing map on file with the Iberville Parish Council, showing the location of the applicant's antenna, existing towers, and proposed towers serving any property within Iberville Parish.

7.A | 8 **Documentation**

- 7.A | 8.1 Written authorization from the site owner for the application.
- 7.A | 8.2 Identification of the owners of all antenna and equipment to be located on the site.
- 7.A | 8.3 Evidence that a valid FCC license for the proposed activity has been issued.
- 7.A | 8.4 Certification by the applicants of the proposed activities in compliance with Federal Aviation Administration Requirements as well.
- 7.A | 8.5 A written agreement to remove the tower and/or antenna within ninety (90) days after cessation of use for a period of ninety (90) consecutive days. Determination of the date of abandonment shall be made by the Iberville Parish Council who shall have the right to request documentation and/or affidavits from the communications tower owner/operator regarding the issue of tower usage. Upon such abandonment, the owner/operator of the tower shall have an additional ninety (90) days within which to: (1) reactivate the use of the tower or transfer the tower to another owner/operator who makes actual use of the tower, or (2) dismantle and remove the tower and associated facilities to grade, including site clean up, restoration or remediation. At the earlier of ninety-one (91) days from the date of abandonment without

reactivation or upon completion of dismantling and removal, all permits issued for the Communications Towers and Wireless Facilities shall expire and a penalty in the amount of \$250.00 per day shall be imposed upon the record owner of the tower until the date of removal.

7.B Mobile Home Park

7.B | 1 Purpose

7.B | 1.1 The purpose of this section is to support provision of affordable housing while protecting the health, safety and welfare of residents. The planning Commission shall use the following standards when permitting mobile home park facilities in Iberville Parish.

7.B | 1.2 Such developments shall be permitted in keeping with the general intent and purpose of this part for use as a manufactured home park, but shall not be approved or permitted where they would be in competition with subdivisions designed and approved under the standard provisions of these regulations.

7.B | 2 General Provisions

7.B | 2.1 Whenever a parcel of land is to be subdivided into lots for manufactured homes, the Planning Commission may approve a subdivision under the following conditions:

7.B | 2.1.1 The intent of the subdivider is to rent or lease the individual lots and the sale of said lots are prohibited from being sold without an approved resubdivision and consolidation then meeting the minimum size lot as required under these regulations. It shall be required that such prohibition of sale is noted on the approved plat.

7.B | 2.1.2 Unless a manufactured home is located on an approved manufactured home space, it shall be unlawful to allow any manufactured home to be occupied within the manufactured home park.

7.B | 2.1.3 Sewerage, water supply, and drainage shall be approved by the Parish Sanitarian, Office of Public Health, and the Iberville Parish Department of Public Works and a utility servitude of fifteen (15) feet is provided for each lot. Sewerage treatment and disposal shall consist of either a public or private community sewerage treatment plant or other methods approved by the Parish Sanitarian.

7.B | 2.1.4 Lot size may be reduced to six thousand (6000) thousand square feet minimum area having a minimum frontage of not less than fifty (50) feet. The manufactured home park shall not have a gross density exceeding seven (7) units per acre. No manufactured home park shall be established or developed on a tract of land comprising less than two (2) superficial acres, excluding

servitudes of record, proposed streets, and a community sewer treatment facility site.

7.B | 3 Lot, Street, and Driveway Requirements

- 7.B | 3.1 All lots shall front on a public street or a park street and lots of double frontage should not be platted, except that where desired along a major street, lots may face on an interior street and back onto such thoroughfare.
- 7.B | 3.2 Side lines of lots should be at approximate right angles to straight streets and on radial lines on curved streets.
- 7.B | 3.3 Standard setback requirements shall apply to all lots approved in the manufactured home park as they do to all other subdivisions.
- 7.B | 3.4 Accessory buildings shall not be any closer than three (3) feet from a manufactured home or five (5) feet from a manufactured home lot line. Fences shall not be located closer than five (5) feet to any mobile home or accessory building structure.
- 7.B | 3.5 Streets shall consist of one and one-half (1 ½) inches of asphaltic concrete with an eight (8) inch soil cement base with at least twenty (20) feet of width on a roadbed at least twenty-four (24) feet in width and shall be graded to the full width of fifty (50) feet right-of-way.
- 7.B | 3.6 Vehicular streets shall be clearly named and identified and all lots shall bear a number clearly visible from the street.
- 7.B | 3.7 The design of the manufactured home park shall include two automobile parking spaces per manufactured home lot as off-street parking. An adequate parking space surface of gravel, shell, or limestone shall be required, or these spaces may be hard surfaced at the owner's option.

7.C Recreational Vehicle Park

7.C | 1 General

- 7.C | 1.1 Applicability. Whenever a parcel of land is to be subdivided into lots for a recreational vehicle/travel trailer park or campground, the Planning Commission may approve a subdivision under the following conditions:
- 7.C | 1.1.1 Such developments shall be permitted in keeping with the general intent and purpose of this part for use as a recreational vehicle park, but shall not be approved or permitted where they would be in competition with subdivisions designed and approved under the standard provisions of these regulations.
- 7.C | 1.1.2 The intent of the subdivider is to rent or lease the individual lots and the sale of said lots are prohibited from being sold without an approved resubdivision and consolidation then meeting the minimum size lot as required under these

regulations. It shall be required that such prohibition of sale is noted on the approved plat.

7.C | 1.1.3 Sewerage, water supply, and drainage shall be approved by the Parish Sanitarian, Office of Public Health, and the Iberville Parish Department of Public Works and a utility servitude of fifteen (15) feet is provided for each lot. Sewerage treatment and disposal shall consist of either a public or private community sewerage treatment plant, a septic tank with filter field and collection line, or a mechanical treatment system or other methods approved by the Parish Sanitarian.

7.C | 1.1.4 Sanitary toilet, bathing, and laundry service buildings shall be provided in accordance with the Sanitary Code and approved by the Parish Sanitarian.

7.C | 1.1.5 No recreational vehicle park shall be established or developed on a tract of land comprising less than two (2) superficial acres, excluding servitudes of record, proposed streets, and a community sewer treatment facility site.

7.C | 1.2 No persons or group of persons other than the owner or operator thereof shall permanently occupy any of the spaces in a recreational vehicle park, campground, or camping site for family or group residential use. Length of temporary occupancy of all campground, camping site or recreational vehicle lots or spaces shall be regulated as follows:

7.C | 1.2.1 Persons occupying vehicles with total hook-up capacity, including sewer, water and electricity, shall not occupy any lot or space in a recreational vehicle park for a period exceeding six (6) months in any twelve (12) month period, nor shall the cumulative occupancy by such persons of different lots or spaces anywhere in the development exceed six (6) months or one hundred eighty (180) days in any twelve (12) month period.

7.C | 1.2.2 Persons occupying tents or vehicles with less than total hook-up capacity shall not occupy any lot or space in a recreational vehicle park for a period exceeding thirty (30) days in any twelve (12) month period, nor shall the cumulative occupancy by such persons of different lots or spaces anywhere in the development exceed a total of thirty (30) days in any twelve (12) month period.

7.C | 1.3 It shall be unlawful to allow any mobile or manufactured home to occupy any lot(s) in a recreational vehicle park development.

7.C | 1.4 Solid waste disposal. A central collection point or disposal system shall be established and maintained by the owner of the development.

7.C | 2 **Lot, Street, and Driveway Requirements**

7.C | 2.1 Lot size may be reduced to fifty (50) foot minimum frontage and four thousand (4000) square feet minimum area. The recreational vehicle park shall not have a gross density exceeding ten (10) units per acre. Standard

setback requirements shall apply to all lots approved in the recreational vehicle park subdivision as they do to all other subdivisions.

- 7.C | 2.2 All lots shall front on a public street or a park street and lots of double frontage should not be platted, except that where desired along a major street, lots may face on an interior street and back onto such thoroughfare.
- 7.C | 2.3 Side lines of lots should be at approximate right angles to straight streets and on radial lines on curved streets.
- 7.C | 2.4 Standard setback requirements shall apply to all lots approved in the recreational vehicle park as they do to all other subdivisions.
- 7.C | 2.5 Streets shall consist of one and one-half (1 ½) inches of asphaltic concrete with an eight (8) inch soil cement base with at least twenty (20) feet of width on a roadbed at least twenty-four (24) feet in width and shall be graded to the full width of fifty (50) feet right-of-way.
- 7.C | 2.6 The design of the recreational vehicle park shall include two automobile parking spaces per lot as off-street parking. An adequate parking space surface of gravel, shell, or limestone shall be required, or these spaces may be hard surfaced at the owner's option.
- 7.C | 2.7 There shall be a minimum of one off-street parking space for visitors per ten RV lots within the park.
- 7.C | 2.8 At least one recreation area shall be provided within the park, such area to be designed and improved to serve the recreational needs of the park occupants and to contain not less than 100 square feet per RV lot within the park

8 Subdivision

8.A General Provisions

8.A | 1 Authority

8.A | 1.1 In accordance with the provisions of R.S. 33:101 et seq., and particularly R.S. 33:112, and in order to promote the health, safety, convenience, morals and general welfare of the community, to provide for the proper arrangement, width, naming of streets in relation to other existing or planned streets and to the Master Plan, and to provide for the adequate and convenient open spaces for traffic, vehicular parking, utilities, access of fire-fighting apparatus, recreation, light and air for the avoidance of congestion of population, the following regulations are adopted by the Iberville Parish Planning Commission and the Iberville Parish Council.

8.A | 2 Purpose

8.A | 2.1 It is the purpose of this chapter to ensure that subdivisions shall be compatible with the character and quality of life enjoyed in the parish and the ability of government to provide community services to accommodate growth, taking into consideration factors such as settlement and density patterns, planned growth rates, and the equitable sharing of revenues and costs associated with future growth. This chapter establishes standards for the review subdivisions to achieve the following objectives:

8.A | 2.1.1 Encourage orderly, beneficial development of the parish in accordance with the master land use plan.

8.A | 2.1.2 Provide that land proposed for subdivision shall be of such character that it can be used safely for building purposes without danger to public health, or peril from fire, flood or other natural hazard.

8.A | 2.1.3 Ensure that proper provisions shall be made for drainage, water supply, sewerage and other needed improvements.

8.A | 2.1.4 Maintain harmony with development patterns and open space characteristics of adjacent properties in which they are located.

8.A | 2.1.5 Ensure that proposed roads shall be of such width, grade and location as to accommodate the prospective traffic and to facilitate fire protection and other services that need to be provided.

8.A | 2.1.6 Provide for conservation of natural and cultural resources.

8.A | 2.1.7 Provide for appropriate recreation opportunities and open space.

8.A | 3 **Applicability**

8.A | 3.1 Planning Commission shall review any subdivision of land not specifically exempted by 2.C | 3.4 in accordance with standards set forth in this chapter and all other applicable provisions of this code.

8.A | 4 **General Standards**

8.A | 4.1 **Character and Capacity of the Land.** All land to be subdivided shall be, in the judgment of the Planning Commission, of such a character that it can be used for intended purpose(s), as stated in the application, without danger to public health or safety, and without adverse impacts to the environment, neighboring properties, or the character of the area.

8.A | 4.2 **Compatibility with Existing Settlement Patterns.** Subdivisions shall be designed and laid out to achieve the purpose and desired settlement pattern of the area in which they are located. To the extent feasible, new subdivisions of land shall:

8.A | 4.2.1 Maintain, improve and extend desired settlement patterns, including lot area and configuration, road layout, and building locations, for the neighborhood or sector in which they are located;

8.A | 4.2.2 Maintain contiguous tracts of open land with adjoining parcels; and

8.A | 4.2.3 Connect to, and extend where appropriate, existing road, path, utility and open space corridors.

8.A | 4.3 **Protection of Natural and Cultural Features.** Subdivision boundaries, lot layouts, the location of roads, driveways and infrastructure, and building envelopes shall be located and configured to avoid impacts to natural resources and cultural resources as identified in the master land use plan, by state or federal agencies, and/or in any field evaluations undertaken by qualified professionals.

8.A | 4.3.1 **Design Process.** All subdivisions shall be prepared with a process that first identifies natural and cultural resources and then lays out the subdivision to preserve the identified resources to the greatest extent feasible.

8.A | 4.3.2 **Field Evaluations.** The Planning Commission may require a developer to conduct independent evaluations and mapping where the Planning Commission finds there are likely important natural or cultural resources that would be affected by a development that need to be delineated and evaluated to properly include these in the design of a development.

8.A | 4.3.3 **Resource Fragmentation.** Lot lines, infrastructure and road, driveway and utility corridors shall be located to avoid and minimize the partitioning, fragmentation, or destruction of resource features and the character of the area. Design and layout of the development shall complement adjacent public lands, conservation servitudes, and private deed restricted areas.

8.A | 4.3.4 **Existing Site Features.** Where sites include features such as existing roads, tree lines, mature specimen trees, fence lines, trails or paths, streams and wildlife travel corridors, the design shall work around, conserve or utilize those as appropriate to minimize new impacts and preserve desirable elements.

8.A | 4.3.5 **Infrastructure.** Roads, driveways and utility corridors shall be laid out to minimize impact and shall be shared where practical.

8.A | 4.3.6 **Multiple Resources.** Recognizing that the subdivision process will often require consideration of multiple resources and site constraints, the Planning Commission shall work with applicants to balance development and resource protection on a site-specific basis.

8.A | 5 **Block Design**

8.A | 5.1 **Contiguous Lots Required.** Lots shall be arranged in a contiguous pattern within blocks or abutting a road. Any new lots subdivided from a parcel that has been previously subdivided shall adjoin existing lots.

8.A | 5.2 **Length.** Within subdivision developments, no subdivision shall create a block with a length greater than 2,000 feet.

8.A | 5.3 **Width.** Unless otherwise approved by the Planning Commission a blocks interior to a subdivision shall have sufficient depth to provide for two tiers of lots. One tier of required block width is permitted in blocks adjacent to public roads, railroads or waterways.

8.A | 6 **Lot Layout and Configuration**

8.A | 6.1 **General.** Lot layout shall be appropriate for intended use. Size, width, depth, shape and orientation of lots shall comply with standards set forth in 3.A | 4 of this code. Lot arrangement shall be such that there will be no foreseeable difficulties, for reasons of topography or other conditions, in securing building permits to build on all lots in compliance with this code and the Sanitary Code of the State of Louisiana, and in providing driveway access to buildings on lots from an approved street. No lot shall be laid out so as to create a land locked arrangement.

8.A | 6.2 **Frontage.** All lots shall front on a public or private road and shall have a minimum frontage width as specified in the applicable standards set forth in 3.A | 4 of this code. Through lots shall not be created unless warranted by site specific conditions of topography, or the location of natural feature (e.g. streams, shorelines) or existing roads.

8.A | 6.3 **Side Lot Lines.** Side lot lines shall be generally at right angles to straight roads, or radial to curved roads. Lots on major street intersections and at all acute angle intersections shall have a chamfer of 20 feet at the corner lot line.

- 8.A | 6.4 **Irregular Lots.** Lots with irregular shapes (e.g., curves, jogs, dog-legs) shall not be created unless warranted by site-specific conditions of topography, or the location of natural feature (e.g. streams, shorelines) or existing roads.
- 8.A | 6.5 **Footprint Lots.** Irrespective of minimum lot size, frontage, setback and similar requirements of 3.A | 4 of this code, the Planning Commission may approve footprint lots associated with attached or multi-unit structures, structures in condominium ownership, or similar alternative ownership or structure types.
- 8.A | 6.6 **Setbacks.** Setbacks from roads, property lines and water bodies as specified in applicable standards set forth in 3.A | 4 of this code shall be shown on all plats. A developer may impose greater setbacks through restrictive covenants, but the parish shall only enforce the setbacks required by 3.A | 4. Lots with frontage on more than one road shall have sufficient width to permit a road or front setback from each road.
- 8.A | 6.7 **Building Envelopes.** All lots created after the effective date of this code shall have designated building envelopes, which shall not include wetlands, streams or drainage ways, steep slopes or other unbuildable land. Building envelopes shall be designated to identify and limit the location of principal and accessory structures, parking areas, and associated site development (excluding roads and utilities) on one or more portions of a lot. The size and shape of building envelopes shall at minimum be determined by setback requirements, unless otherwise specified in this code or established by the Planning Commission.
- 8.A | 7 **Phased Development**
- 8.A | 7.1 Whenever a proposal is submitted for subdivision of a minor portion of a parcel or a phased subdivision, Planning Commission may require submission of a master plan for entire parcel that at a minimum identifies:
- 8.A | 7.1.1 Conservation areas and other common land and open space;
- 8.A | 7.1.2 Proposed development areas;
- 8.A | 7.1.3 General location of proposed infrastructure, including road, utility and green space corridors; and
- 8.A | 7.1.4 An estimate of type, density and timing of future development.
- 8.A | 8 **Servitudes**
- 8.A | 8.1 **Utility Servitudes.** A minimum servitude shall be required for utilities to provide service within the subdivision with a width of 15 feet or 7.5 feet at common lot lines for poles, wires, conduits, storm and sanitary sewer, gas, water, or other utility lines on front, rear, and/or side lot lines unless certified by utility company this to be impractical. Wherever possible, servitudes shall be continuous from block to block and shall present as few irregularities as

possible. Such servitudes shall be cleared and graded as necessary to facilitate installation of utilities.

8.A | 8.2 **Bicycle and Pedestrian Servitudes.** The Planning Commission may require a pedestrian and/or bike path servitude, not less than 10 feet wide, in addition to any road, to provide safe circulation, or access to schools, recreation areas and other community facilities.

8.A | 8.3 **Drainage Servitudes.** Where a subdivision is traversed by a watercourse, drainage channel, or stream there shall be provided a drainage servitude conforming substantially to lines of such water course, and any further width required for perpetual maintenance or temporary construction, if such watercourse will be part of the subdivision's stormwater system. Where drainage features are provided, drainage servitudes shall be provided to construct and maintain same in accordance with provisions of 6.A | 9.

8.A | 8.4 **Access Servitudes.** Where a subdivision abuts lands that otherwise would be landlocked or prevented from having access to a public road, or where Planning Commission finds it desirable to allow for future orderly growth and development of the parish, Planning Commission may require that provision of one or more servitudes not less than 50 feet wide be provided to allow future road connection(s).

8.A | 8.5 **Buffer Servitudes.** When so required by the Planning Commission, a landscaped and or fenced buffer servitude not less than 15 feet wide, across which there shall be no right of access, may be required along the line of lots between the subdivision and any adjoining incompatible use.

8.A | 8.6 **Dedication of Servitudes.** The parish may, but is not required to, accept servitudes for public use to any land or improvement.

8.A | 9 **Monuments**

8.A | 9.1 The tract boundary lines, individual lot lines and right-of-way lines for all roads shall be monumented in accordance with state boundary laws and surveying regulations.

8.A | 9.2 Planning Commission requires that all monuments be in place and capable of verification before the final plat is signed.

8.A | 9.3 All surveying for perimeter, street center line, property line, and control monumentation of a subdivision shall be performed with precision specified for that class of survey in accordance with minimum standards for practice of land surveying as promulgated by the State Board of Registration for Professional Engineers and Land Surveyors.

8.A | 9.4 Permanent control monuments of materials approved by the Parish Department of Public Works shall be placed at all of the following locations and shown on the final plat:

Chapter 8.B

- 8.A | 9.4.1 At the corners, control points, and angle points around the perimeter on boundaries of the subdivision at intervals or locations designated by the Department of Public Works, but spaced no further than 600 feet apart.
- 8.A | 9.4.2 At all points where the perimeter or boundary of the subdivision intersects street right-of-way lines.
- 8.A | 9.4.3 At all street corners formed by the intersection of street right-of-way lines. On curved street corners, monuments shall be placed on the right-of-way line at each end of the curve.
- 8.A | 9.4.4 On all property lines at the point of curvature and the point of tangency of all horizontal curves.

8.A | 10 Required Improvement Bonds

- 8.A | 10.1 In any subdivision where public improvements are required, the developer shall either:
 - 8.A | 10.1.1 Provide in an amount set by Planning Commission and filed with Parish Clerk, a certified check, letter of credit, performance bond or other acceptable security to cover full cost of the required improvements. Any such security shall be satisfactory to Parish Council and parish attorney as to form, sufficiency, and manner of execution and surety. A period of 1 year or such other period as Planning Commission may determine appropriate, not to exceed 3 years, shall be set forth in terms of the security deposit within which time required improvements must be completed; or
 - 8.A | 10.1.2 Complete all required improvements to satisfaction of Planning Commission and file with Planning Commission a letter and required drawings signifying the satisfactory completion of all such required improvements. For any required improvements not so completed and approved, developer shall file with Parish Clerk an acceptable security deposit covering the costs of such improvements not approved, in accordance with requirements of the Paragraph above.
- 8.A | 10.2 If developer elects to provide a certified check, letter of credit, performance bond or other acceptable security for all required improvements, such security deposit shall not be released until all required improvements and any as-built drawings required are approved. If, however, developer completes all required improvements, then any required as-built drawings shall be submitted and approved by Planning Commission prior to signature of the final plat.

8.B Owners Associations

8.B | 1 General

- 8.B | 1.1 Any subdivision that involves common ownership of improvements (e.g. roads, infrastructure, recreational facilities, open space, etc.) shall be required

to form an owners association, which shall be established in the covenants, conditions and restrictions (CCRs) adopted as a condition of approval.

8.B | 1.2 Association shall be formed and operated in accordance with the following provisions:

8.B | 1.2.1 Developer shall provide a description of the association, including its bylaws and methods for operating and maintaining improvement(s).

8.B | 1.2.2 Association shall be organized and operated by the developer before sale of any lots or units within development.

8.B | 1.2.3 Membership in the association shall be mandatory for all purchasers and their successors. Conditions and timing of transferring control of the association from developer to owners shall be identified.

8.B | 1.2.4 Association shall be responsible for maintenance of insurance and taxes on undivided improvement(s), enforceable by liens placed by the parish on the association. Association shall be authorized under its bylaws to place liens on property of owners who fall delinquent in payment of such dues or assessments

8.B | 1.2.5 A proposed operations budget and plan for long-term capital repair and replacement of improvement(s) shall be submitted with the plan or final plat. Members of the association shall share the costs of maintaining and developing such undivided improvement(s). Shares shall be defined within the association bylaws. Operations and budget plan shall provide for construction of any undivided improvements relating to the subdivision within 3 years following recording of the plat.

8.B | 1.2.6 In the event of a proposed transfer, within the methods here permitted, of undivided improvements by the association, notice of such action shall be given to all property owners within the development.

8.B | 1.2.7 Association shall have or hire staff to administer common facilities and properly and continually maintain undivided improvements.

8.B | 1.2.8 Failure to adequately maintain improvements in reasonable order and condition constitutes a violation of this code. Should the parish be required to take any action to maintain or repair private improvements in order to protect public health and safety or protect environmental quality, cost of such maintenance shall be the responsibility of the association, which shall be required by the CCRs to levy an assessment to be charged to all owners.

8.C Revocations

8.C | 1 Revocation Process Initiation

- 8.C | 1.1 Any person desiring to have a public street, alley, right-of-way, or servitude revoked or relocated shall first apply to Planning Commission for revocation or relocation.
- 8.C | 1.1.1 At time of filing application with Planning Commission, applicant shall submit to Planning Commission a plat showing existing street, alley, right-of-way, or servitude, and the proposed relocation, if necessary, together with a written request giving the reasons supporting such revocation or relocation.
- 8.C | 1.1.2 All legal instruments, ordinances, etc., necessary to complete the revocation or relocation must be approved by the Parish Attorney, and applicant shall supply such other information as may be deemed necessary by the Parish Attorney or the Planning Commission.
- 8.C | 1.2 **Planning Commission Review.** Planning Commission shall investigate the propriety and feasibility of revocation or relocation and submit its recommendation thereon to the Parish Council within 60 days after application is submitted.
- 8.C | 1.2.1 Provided that, in those instances where revocation or relocation will not have any effect on any abutting property involved, no hearing before Planning Commission shall be required, but a recommendation shall be made to Parish Council by Planning Commission and Department of Public Works, after conduct of such investigation they deem necessary and appropriate.
- 8.C | 1.3 **Parish Council Approval.** After receipt of recommendation from Planning Commission, the Parish Council may, if it so desires, introduce an ordinance revoking or relocating street, alley, right-of-way or servitude, which ordinance shall lay over until next regular meeting of the Parish Council for a public hearing called and advertised therefore, as in the case of other ordinances requiring a public hearing. Parish Council may then adopt or reject the ordinance as it sees fit.
- 8.C | 1.4 **Clear Title Disclaimer.** This chapter does not give any person the right to have a street, alley, right-of-way, or servitude revoked or relocated. Parish Council does not warrant clear and merchantable title to any property over which street, alley, right-of-way, or servitude to be revoked or relocated lies.

8.D **Zero Lot Line Lots**

8.D | 1 **General Provisions**

- 8.D | 1.1 Planning Commission may approve Zero Lot Line Lots as part or all of a Planned Development.
- 8.D | 1.2 Any exterior wall erected on zero lot line shall be constructed without any openings and the design must include required fire-resistance-rated wall assemblies. If a group of three or more attached dwelling units is to be constructed, plans shall be submitted to the Office of State Fire Marshal and

shall be reviewed as an Apartment Occupancy, as per the NFPA 101 Life Safety Code.

- 8.D | 1.3 The minimum lot width shall be 30 feet and the minimum lot area 4,500 square feet. If the Zero Lot Line Lots comprise the entirety of a Planned Development, a minimum of 25 lots shall be developed.
- 8.D | 1.4 Minimum lot setbacks shall be as follows:
- 8.D | 1.4.1 **Front Yard.** 10 feet to a house, and 20 feet to a garage.
- 8.D | 1.4.2 **Side Yard.** 10 feet (one side only) to any structure.
- 8.D | 1.4.3 **Rear Yard.** 15 feet to the lot line.
- 8.D | 1.4.4 **Rear Yard Access.** To accommodate rear lot access for property construction, maintenance and servicing; common access servitude at least 15 feet in width shall be provided along rear property line, unless rear property line abuts a street right-of-way.
- 8.D | 1.5 Restrictions shall be submitted prior to final subdivision approval and made part of the plat.

8.E **Townhouse Lots**

8.E | 1 **General Provisions**

- 8.E | 1.1 The Planning Commission may approve Townhouse Lots as part or all of a Planned Development.
- 8.E | 1.2 Single-family attached dwellings on individual lots for sale may be served by servitudes of access and providing common open spaces in lieu of typical single-family yards.
- 8.E | 1.3 Not more than 6 contiguous townhouses shall be built in a row with the same or approximately the same front building line, and not more than 12 townhouses shall be contiguous.
- 8.E | 1.4 No portion of a townhouse or accessory structure in or related to one group of contiguous townhouses shall be closer than 20 feet to any portion of a townhouse or accessory structure related to another group, or to any building outside the townhouse area, nor shall any structure be less than 20 feet from a public street.
- 8.E | 1.4.1 There shall be a 25 foot yard along sides and rear of each townhouse site. Each townhouse shall have its own lot yard space of at least 400 square feet, reasonably secluded from view from streets or from neighboring property. Such yard shall not be used for off-street parking or for an accessory building.
- 8.E | 1.4.2 Insofar as practicable, off-street parking facilities shall be grouped in bays, either adjacent to streets or in the interior of blocks. Practicable methods of drainage shall be assured by the developer in connection with common

parking facilities, and all such facilities shall provide at least two spaces per unit on the lot plus one visitor parking space per each two units, which may be provided in separate areas.

- 8.E | 1.4.3 Lots may front on driveways with access to a public street by means of a private servitude of access, provided driveways do not extend more than 300 feet from a public street and provide adequate turning and maneuvering area. Interior access drives shall meet the minimum standard for public streets.
- 8.E | 1.4.4 To accommodate rear lot access for property construction, maintenance and servicing; common access servitude at least 15 feet in width shall be provided along rear property line, unless rear property line abuts a street right-of-way.
- 8.E | 1.4.5 The design must include required fire-resistance-rated wall assemblies. If a group of three or more attached dwelling units is to be constructed, plans shall be submitted to the Office of State Fire Marshal and shall be reviewed as an Apartment Occupancy, as per the NFPA 101 Life Safety Code.

8.F **Subdivision of Residential Property for Family Member(s)**

8.F | 1 **General Provisions**

- 8.F | 1.1 An additional seven (7) lots - a maximum of 12 lots -may be created for purposes to transfer/convey to immediate family members exclusively for the family member's residential purposes, limited to the below:
- 8.F | 1.1.1 Total additional lots (lot #6 up to lot #12) allowed shall be limited to the actual number of owner's immediate family each of which respective family member's intent is to convey and/or occupy for exclusive residential purposes and shall NOT be allowed to further subdivide such lot(s) unless resubmitted to Parish for review and all Parish standards are brought to full compliance. For purpose of this section, a person's immediate family members shall only mean the children, parents, grandparents, great-grandparents, grandchildren, great-grandchildren, stepchildren, brother, sister, spouse, the parents of his or her spouse, and the spouses of his or her children, of the property owner or owners.
- 8.F | 1.1.2 The total number of lots created for each phase of subdivision (or re-subdivision) of a specific parcel of land shall be considered cumulative, whether owned by same or different landowner(s) now or in future. Lot totals of each phase of subdivisions (or re-subdivisions) of a specific parcel or parcels shall be added to subsequent surveys (that were approved after Feb. 2007) to determine total lot numbers of a subdivision for the purpose of this exception and the total number of lots (sum of existing lots and proposed lots) shall be declared and listed on the proposed survey map. O/D/S (owner, developer, subdivider) is further required to list all reference maps with filed

location which are dated after Feb. 2007 and include subdivisions or re-subdivisions of the original and all subsequent parcel(s) of the subject lands contained in the proposed survey map.

8.F | 1.1.3 Separated large notes in bold all caps print, sized 16 point or larger, and as approved by Parish Engineer (samples shown below) shall be placed on the plat stating the following:

8.F | 1.1.3.1 **NOTICE – LOTS CREATED IN THIS SURVEY SHALL BE IN COMPLIANCE WITH IBERVILLE PARISH COUNCIL’S COMMUNITY SEWER ORDINANCE # 255-07. (SEE UNIFIED DEVELOPMENT CODE SECTION 5.B | 2) ANY/ALL LANDOWNER(S) OF PARCEL(S) SHOWN/CREATED IN THIS SURVEY MAY BE SUBJECT TO BEING REQUIRED TO INSTALL AN APPROVED METHOD OF COMMUNITY SEWERAGE AT THIS TIME OR FUTURE IF/WHEN THE ORIGINAL PARCEL SHOWN IN THIS SURVEY IS SUBDIVIDED INTO MORE THAN THE MAXIMUM NUMBER OF LOTS ALLOWED BY THE UNIFIED DEVELOPMENT CODE.**

8.F | 1.1.3.2 **REFERENCE MAP(S) SHOWING TOTAL LOT COUNTS – THE FOLLOWING REFERENCE MAP(S) SHOW THE TOTAL NUMBER OF LOTS WHICH HAVE BEEN CREATED FROM THE ORIGINAL PARCEL NAMED “LOT 1 OF TRACT X”, AND DATED “MONTH, DAY, YEAR”, LOCATED: “C.B. AND ENTRY”. FOLLOWING APPROVAL OF THIS MAP, ___ # ___ LOTS HAVE BEEN CREATED FROM THE ABOVE NAMED PARCEL SINCE MONTH, DATE, YEAR. (SURVEYOR TO LIST ANY AND ALL SUBSEQUENT MAPS HERE)**

8.F | 1.1.4 If any proposed lot is not adjacent to an existing public roadway or does not have a minimum of eighty (80’) continuous lineal feet adjacent to an existing public road frontage, all lots proposed that are not adjacent to an existing public road shall have a minimum of twenty-five (25’) feet private family road servitude of access (as specified in 4.A | 3 herein), a separate minimum fifteen (15’) feet wide all purpose utility servitude for purposes of public and/or private utilities, and adequate drainage provisions with servitudes (as specified in 8.A | 8 herein).

8.F | 1.1.5 All roads used to access created lots shall be constructed in accordance with these regulations, whether public or private. All proposed roads shown on the approved survey map for this family re-subdivision shall be constructed complete and be approved by the Parish prior to sale/transfer of any and all lots adjacent to a private family road. Upon completion of the family road construction, O/D/S shall submit an as-built final plat map signed by a Louisiana licensed surveyor and a large note in bold all caps print, sized 16

point or larger, and as approved by Parish Engineer (sample shown below) shall be placed on the final plat stating the following:

8.F | 1.1.5.1 **BUYER BEWARE – THE STREETS, ROADS, SERVITUDES, AND RIGHTS OF WAY IN THIS SUBDIVISION ARE CONSIDERED PRIVATE AND WILL NOT BE MAINTAINED BY THE IBERVILLE PARISH COUNCIL OR ANY OTHER PUBLIC BODY.**

8.F | 1.1.6 The O/D/S that constructs a private family road shall be required to obtain a signed affidavit from all buyers located on the existing private road acknowledging it is a private road and not maintained by the Parish and that it is the intent of both the buyer and the seller for buyer to convey and/or occupy the lot exclusively for his or her residential purposes. A copy of the signed affidavit must be sent to the Parish prior to sale/transfer of any and all lots.

9 Definitions

9.A Terms

9.A | 1 Interpretation

- 9.A | 1.1 When used in this code, the words ‘shall’, ‘must’ and ‘will’ are mandatory; the words ‘may’, ‘should’ and ‘can’ are advisory or permissive.
- 9.A | 1.2 The word ‘lot’ includes the word ‘plot’ or ‘parcel’.
- 9.A | 1.3 The words ‘occupied’ or ‘used’ shall be considered as though followed by the words ‘or intended, arranged or designed to be used or occupied’.
- 9.A | 1.4 Words used in the present tense include the future. The plural usage includes the singular.
- 9.A | 1.5 If not specifically defined in this article or elsewhere in this code, all words used in this code shall be interpreted to have their usual and customary meanings.

9.A | 2 A

- 9.A | 2.1 **ACCESSORY STRUCTURE OR USE.** A structure or use that is subordinate in size or purpose to the principal structure or use of the same lot and serving a purpose customarily incidental to the use of the principal building or use of land.
- 9.A | 2.2 **AFFORDABLE HOUSING.** Housing units deemed to be affordable in accordance with federal housing standards for low- to mod-income persons.
- 9.A | 2.3 **AGRICULTURE.** The management and use of land for one or more of the following income-producing activities: the growing of farm or truck garden crops, orchard crops, dairying, pasturage, horticulture, floriculture, viticulture, animal husbandry, and/or production of maple syrup and sugar. The term agriculture encompasses all accessory uses and structures customarily incidental to agricultural activities.
- 9.A | 2.4 **ALLEY.** A dedicated right-of-way not less than 20 feet in width to provide secondary access to the back or side of properties.
- 9.A | 2.5 **ALTERATION.** Includes any of the following as applied to a structure:
- 9.A | 2.5.1 An enlargement by increasing in height or area.
- 9.A | 2.5.2 Moving from one location or position to another.
- 9.A | 2.5.3 Any change, addition or removal of structural parts, exterior walls, windows or doors.

- 9.A | 2.6 **APPLICANT.** A property owner or any person or entity acting as a lawful agent for the owner in an application for a development proposal, permit, or approval.
- 9.A | 3 **B**
- 9.A | 3.1 **BASEMENT.** That portion of a building below the first or ground-floor level and having less than 4 feet of clearance from its ceiling to the average finished grade of the building perimeter. A basement shall not be considered a story for the purposes of determining building height as measured in stories.
- 9.A | 3.2 **BLOCK.** A tract of land bounded by streets, or by a combination of streets and public parks, cemeteries, railroad rights-of-way, shorelines of waterways, or boundary lines of municipalities.
- 9.A | 3.3 **BOAT AND RECREATIONAL VEHICLE (RV) STORAGE.** See definition of STORAGE, BOAT/RV.
- 9.A | 3.4 **BOATHOUSE.** A single-story shoreline structure with direct access to a body of navigable water that:
- 9.A | 3.4.1 Is used solely for the storage of watercraft and associated equipment;
- 9.A | 3.4.2 Does not contain bathroom facilities, sanitary plumbing or sanitary drains of any kind;
- 9.A | 3.4.3 Does not contain kitchen facilities of any kind;
- 9.A | 3.4.4 Does not contain a heating system of any kind; and
- 9.A | 3.4.5 Does not contain beds or sleeping quarters of any kind.
- 9.A | 3.5 **BOUNDARY ADJUSTMENT.** The adjustment of a lot line by the relocation of a common boundary where an additional lot is not created and where an existing lot is not reduced below the minimum dimensional requirements established in this code.
- 9.A | 3.6 **BOND.** Any form of surety bond in an amount and form satisfactory to the Parish Council. All bonds shall be approved by the Parish Council whenever a bond is required by these regulations.
- 9.A | 3.7 **BUFFER.** A strip of land between one use or property and another designed to separate uses or property and mitigate impacts from one use or property on another. A buffer may include vegetation, fencing or walls, earthen berms and/or other such features that will serve to screen one use or property from another.
- 9.A | 3.8 **BUILDING.** A portable or fixed structure having a roof supported by columns or walls for the shelter, support, or enclosure of people, animals, or property. When separated by division walls from the ground up without openings, each portion of such structure shall be deemed a separate building, except that a

two-family dwelling shall be considered one building. Buildings shall be classified as follows:

- 9.A | 3.8.1 **BUILDING, ACCESSORY.** See definition of ACCESSORY STRUCTURE OR USE.
- 9.A | 3.8.2 **BUILDING, PRINCIPAL.** A building in which the primary use of the lot on which the building is located is conducted.
- 9.A | 3.9 **BUILDING CODE.** The Louisiana Uniform Building Code as may be amended from time-to-time, and any successor regulations, laws or codes.
- 9.A | 3.10 **BUILDING ENVELOPE.** That area on a lot that encompasses all development including, but not limited to, excavation, fill, grading, storage, demolition, structures, decks, roof overhangs, porches, patios and terraces, pools, any areas of disturbance, access ways, and parking. Approved plantings of landscape materials on natural grade, approved underground or overhead infrastructure, and approved walkways, driveways and roads may occur outside of a building envelope.
- 9.A | 3.11 **BUILDING FOOTPRINT.** The total floor area of the largest story of a building as measured from the exterior surface of the exterior walls of all enclosed space, including attached accessory buildings and additions, but excluding porches, decks and patios.
- 9.A | 3.12 **BUILDING FRONTLINE.** A line formed by the exterior front wall of a building from which the setback for any accessory buildings may be measured.
- 9.A | 4 **C**
- 9.A | 4.1 **CAMP.** A building for use as a temporary residence or shelter not more than four (4) consecutive days per week; not approved for continuous occupancy.
- 9.A | 4.2 **CAMPGROUND.** A site in common ownership offering short-term or seasonal lodging to the general public or members in tents, recreational vehicles, or camps or cottages, whether these exist on the site and are rented out to lodgers, or are brought onto the site by the lodgers. May include personal service, recreation, and food preparation and dining facilities available for use primarily by lodgers.
- 9.A | 4.3 **CAR WASH.** A facility designed for the washing and cleaning of motor vehicles, recreational vehicles and similar light equipment.
- 9.A | 4.4 **CEMETERY.** A place used for interment of human or animal remains or cremated remains, including a burial park for earth interments a mausoleum for vault or crypt interments and/or a columbarium for cinerary interments.
- 9.A | 4.5 **CHANGE IN USE.** A change of use of a structure or of land shall be deemed to occur when the pre-existing use and the proposed use are listed as different uses such as Residential, Commercial, or Industrial.

- 9.A | 4.6 **CHARACTER OF THE AREA, NEIGHBORHOOD or DISTRICT.** The image and perception of an area, neighborhood or district as defined by such factors as its built environment, land uses, transportation network, landscaping, natural features and open space elements, type of housing, architectural style, infrastructure, and the type and quality of public facilities and services. Standards that require uses to be in keeping with the character of the area, neighborhood or district shall consider generation of noise, dust, and traffic, among other features and also the location, size, and design of structures as compared to what is typical in or planned for such an area, neighborhood or district.
- 9.A | 4.7 **CHIMNEY.** A vertical shaft of reinforced concrete, masonry, or other approved material enclosing one or more flues, for the purpose of removing the products of combustion from solid, liquid, or gaseous fuel from a structure. This definition specifically excludes outdoor wood boilers.
- 9.A | 4.8 **COLLECTOR ROADS.** A road intended to move traffic from local roads to secondary arterial roads. A collector road serves a neighborhood or large subdivision and should be designed so that no residential properties face onto it.
- 9.A | 4.9 **COMMERCIAL USE.** Income-producing activity involving the sale, rental or distribution of goods, services or commodities, either retail or wholesale, or the provision of recreation facilities or activities for a fee.
- 9.A | 4.10 **COMMON AREA.** Any portion of a development that is not part of a lot or tract and is designated for the common usage of the development. These areas include Green Open Spaces and may include such other uses as parking lots and pedestrian walkways. Maintenance of such areas is not the responsibility of the Parish and shall be set forth by the Development Association in the form of Restrictive Covenants, which shall guarantee the maintenance of these areas.
- 9.A | 4.11 **COMMON OWNERSHIP.** Ownership or control by any person(s) and includes affiliations of individuals or entities, or both, that are formed in order to derive profit, consideration or any other beneficial interest.
- 9.A | 4.12 **COMMUNICATIONS ANTENNA.** An exterior apparatus designed for telephonic, radio, data, internet, television or other communications through the sending or receiving of electromagnetic waves, including equipment used to provide personal wireless services. This definition specifically excludes towers or other structures upon which antennas may be mounted. Also see 7.A.
- 9.A | 4.13 **COMMUNICATIONS TOWER.** Any ground-mounted pole, spire, structure, or combination thereof, including supporting lines, cables, wires, braces, masts, intended primarily for mounting a communications antenna above ground. Also see 7.A.

- 9.A | 4.14 **COMPATIBILITY.** The characteristics of different uses or activities or designs that allow them to be located near or adjacent to each other in harmony. Some elements affecting compatibility include the following: height, scale, mass and bulk of structures, pedestrian or vehicular traffic, circulation, access and parking impacts, landscaping, lighting, noise, odor and architecture. Compatibility does not mean “the same as.” Rather, compatibility refers to the sensitivity of development proposals in maintaining or enhancing character of the neighborhood or district.
- 9.A | 4.15 **CONCEPTUAL MASTER PLAN.** A generalized plan indicating the boundaries of a parcel(s) under common ownership, and identifying the location and density of proposed land use, open space areas, and road alignment.
- 9.A | 4.16 **CONSERVATION SERVITUDE.** See definition of SERVITUDE, CONSERVATION.
- 9.A | 4.17 **CONSTRUCTION PLAN.** The maps of drawings accompanying a subdivision plat and showing the specific location and design of improvements to be installed in the subdivision in accordance with the requirements of the Planning Commission as a condition of the approval of the plat.
- 9.A | 4.18 **CONTIGUOUS.** Lots are contiguous when at least one boundary line of one lot touches a boundary line or lines of another lot.
- 9.A | 4.19 **CRITICAL WILDLIFE HABITAT.** See definition of WILDLIFE HABITAT, CRITICAL.
- 9.A | 4.20 **CUL-DE-SAC.** A local street with only one outlet that terminates in a vehicular turnaround and having an appropriate terminal for the safe and convenient reversal of traffic movement.
- 9.A | 4.21 **CULTURAL RESOURCE.** A site or structure that is part of the community’s heritage or that typifies a particular stage of human activity in the community. Cultural resources include archeological sites, historic buildings and sites, and undisturbed natural sites that have historic or prehistoric associations.
- 9.A | 5 **D**
- 9.A | 5.1 **DECK.** A roofless outdoor platform that is elevated above grade level intended for indoor-outdoor living and recreation.
- 9.A | 5.2 **DEED RESTRICTION.** A restriction on the use of a parcel that is set forth in the deed and recorded in the land records. It runs with the land and is binding on subsequent owners unless specifically specified otherwise. Private deed restrictions and covenants more restrictive of the use or development of land than the provisions of this code shall not be enforced by the parish.

- 9.A | 5.3 **DEMOLITION.** Any dismantling, intentional destruction, or removal of public or private structures, sites, surfaces, utilities, or other improvements.
- 9.A | 5.4 **DEVELOPMENT.** Any construction or other activity that materially changes the use or appearance of land or a structure, or the intensity of the use of land or a structure. Development shall not include any ordinary repairs or maintenance of, or interior alterations to, existing structures or uses.
- 9.A | 5.5 **DOCK.** A shoreline structure, other than a boathouse, whether affixed or floating, placed in or upon a water body that provides a berth for watercraft and/or a means of pedestrian access to and from the shoreline. This definition shall include piers, wharves, crib docks, stake docks, berths, moorings, slips, floating docks and all such similar structures.
- 9.A | 5.6 **DRIVEWAY.** A minor private way providing vehicular access between a road and the parking space or garage of private or public property.
- 9.A | 5.7 **DWELLING, MULTI-FAMILY.** A building, or portion thereof, designed exclusively for occupancy by three or more households living independently of each other in individual dwelling units; or a portion of a mixed-use building designed for use as one or more rental dwellings.
- 9.A | 5.8 **DWELLING, SINGLE-FAMILY.** A building, or portion thereof, designed exclusively for occupancy by one household living independently in an individual dwelling unit.
- 9.A | 6 **E**
- 9.A | 6.1 **EASEMENT.** See definition of **SERVITUDE**.
- 9.A | 6.2 **EASEMENT, CONSERVATION.** See definition of **SERVITUDE, CONSERVATION**.
- 9.A | 6.3 **EXACTIONS.** Requirement of development to dedicate or pay for all or a portion of land or costs of public facilities as a condition of development approval.
- 9.A | 7 **F**
- 9.A | 7.1 **FARM.** A parcel of land that is primarily devoted to agriculture, upon which may be located farm structures, farm stands, farm enterprises and/or dwellings occupied by people engaged in farming.
- 9.A | 7.2 **FARM STRUCTURE.** Structure, building or other improvement located on a farm and used for housing livestock, storing animal feed or waste, storing equipment or machinery, raising horticultural or agronomic plants, or carrying out other practices associated with agriculture. This definition specifically excludes dwellings.

- 9.A | 7.3 **FEMA TEMPORARY HOUSING UNIT.** A post-disaster transportable emergency living unit designed and constructed to standards determined and specified by the Federal Emergency Management Agency of the U.S. Department of Homeland Security (FEMA), to meet immediate short-term emergency housing needs for persons rendered homeless in consequence of a declared disaster. Such units are neither designed nor constructed to meet minimum standards for a primary or permanent residential structure as set out in the Louisiana State Uniform Construction Code, or minimum housing and construction standards as determined by the U.S. Department of Housing and Urban Development (HUD).
- 9.A | 7.4 **FENCE.** A structure, solid or otherwise, which forms a physical barrier and which is erected to enclose, delineate, divide, screen or separate areas.
- 9.A | 7.5 **FINISHED GRADE.** The average level of the finished surface of a structure.
- 9.A | 7.6 **FLOOD PLAIN or FLOOD ZONE.** Land area susceptible to being inundated by water from any source, specifically including any area so identified by the Federal Emergency Management Agency. Also see 6.B.
- 9.A | 7.7 **FOOTPRINT.** See definition of **BUILDING FOOTPRINT**.
- 9.A | 7.8 **FRONTAGE.** That side of a lot abutting on a street or way and ordinarily regarded as the front of the lot; but it shall not be considered as the ordinary side of a corner lot.
- 9.A | 8 **G**
- 9.A | 8.1 **GARAGE.** A structure, or part thereof, used or designed to be used for the parking and storage of vehicles.
- 9.A | 8.2 **GRADE LEVEL.** The average level of the finished or natural surface of the ground area adjacent to the exterior walls of a building.
- 9.A | 9 **H**
- 9.A | 9.1 **HEIGHT.** The vertical distance of a structure. Where height limitations are expressed in feet, height shall be measured from the lowest finished grade at the base of the structure to the highest point of the structure.
- 9.A | 9.2 **HIGHWAY.** See definition of **ROAD, PUBLIC**.
- 9.A | 9.3 **HIGHWAY, LIMITED ACCESS.** A freeway or expressway providing a traffic way for through traffic, in respect to which owners or occupants of abutting property on lands and other persons have no legal right to access to or from the same, except at such points and in such manner as *may* be determined by the public authority having jurisdiction over the traffic way.
- 9.A | 9.4 **HISTORIC STRUCTURE.** Any structure that is individually listed or listed as a contributing structure in a listed historic district in the National Register of

Historic Places or that has been determined by the State Historic Preservation Officer to be eligible for listing in the national register.

- 9.A | 9.5 **HOUSEHOLD.** A group of individuals not necessarily related by blood, marriage, adoption or guardianship living together in a dwelling unit as a single, independent housekeeping unit. This definition specifically excludes individuals residing in a community house, boarding house, dormitory, nursing home or similar group living facility.
- 9.A | 10 **I**
- 9.A | 10.1 **IMPACT FEE.** A fee imposed on new development by the local government pursuant to this article in order to mitigate the impacts on community facilities created by the demand for capital improvements by the new development. Impact fees do not include the dedication of rights-of-way or easements for such facilities, or the construction of such improvements.
- 9.A | 10.2 **IMPERVIOUS SURFACE.** Any area constructed of materials that prevent, impede, or slow the infiltration or absorption of stormwater directly into the ground at the rate of absorption of vegetation-bearing soils, including but not limited to building roofs, porches, decks and patios, parking lots and driveways, compacted gravel surfaces, sidewalks and swimming pools.
- 9.A | 10.3 **INDIVIDUAL SEWERAGE DISPOSAL SYSTEM.** A septic tank, mechanical treatment system, or any other approved sewage treatment device.
- 9.A | 10.4 **INDUSTRIAL USE.** Any manufacturing, production, processing or assembly of goods or materials. This definition includes any on-site waste disposal area directly associated with an industrial use.
- 9.A | 10.5 **INFRASTRUCTURE.** Facilities and services needed to sustain industry, residential, commercial, and all other land-use activities, including water, sewer lines, and other utilities, roads, communications, and public facilities such as fire stations, parks, schools, etc.
- 9.A | 10.6 **INTENSITY.** Relative measure of development impact as defined by characteristics such as the number of dwelling units per acre, amount of traffic generated and amount of lot coverage.
- 9.A | 11 **J**
- 9.A | 12 **K**
- 9.A | 13 **L**
- 9.A | 13.1 **LAND USE ACTIVITY.** See definition of DEVELOPMENT.

- 9.A | 13.2 **LANDSCAPING.** The bringing of the soil surface to a smooth finished grade, installing sufficient trees, shrubs, ground cover, and grass to soften building lines, provide shade, and generally produce a pleasing visual effect of the premises.
- 9.A | 13.3 **LEVEE.** A man-made structure, usually an earthen embankment, designed and constructed in accordance with sound engineering practices to contain, control, or divert the flow of water so as to provide protection from temporary flooding.
- 9.A | 13.4 **LOCAL ROAD.** A road whose sole function is to provide access to abutting properties and to other roads from individual properties and to provide right-of-way beneath it for sewer, water, and storm drainage pipes.
- 9.A | 13.5 **LOT.** A parcel of real property intended as a single building site for the transfer of ownership or for development, with a separate and distinct number or designation shown on a recorded plat, record of survey, parcel map, subdivision map, or a parcel legally created or established meeting the minimum requirements of these regulations. Every lot must front upon a public street or provide for dedicated private access, either of which shall meet the minimum requirements of these regulations.
- 9.A | 13.6 **LOT, CORNER.** A lot abutting two or more intersecting roads.
- 9.A | 13.7 **LOT COVERAGE.** The area of a lot developed with impervious surfaces.
- 9.A | 13.8 **LOT DEPTH.** The average horizontal distance between the front lot line and the rear lot line.
- 9.A | 13.9 **LOT FRONTAGE.** The straight-line distance between the intersection of the side lot lines and the edge of the road right-of-way. If a lot has frontage on from than one road, frontage on one road only shall be used to satisfy the minimum lot frontage.
- 9.A | 13.10 **LOT, INTERIOR.** A lot with no frontage on a public road or private road.
- 9.A | 13.11 **LOT OF RECORD.** A lawfully existing lot at the time of adoption of this code duly filed and recorded in the Iberville Clerk of Court's Office as either an individual parcel of land or as a lot in an approved and/or filed subdivision, or shown as a distinct lot on the Parish Tax Assessor's maps.
- 9.A | 13.12 **LOT WIDTH.** The average horizontal distance between the side lot lines.
- 9.A | 14 **M**
- 9.A | 14.1 **MAINTENANCE.** An activity that restores the character, scope, size, or design of a serviceable area, structure, or land use to its previously existing, authorized, and undamaged condition.

- 9.A | 14.2 MAJOR STREET. A street which serves or is intended to serve as a major way and is shown on a major street plan adopted by the Planning Commission, or a revision thereof.
- 9.A | 14.3 MAJOR STREET PLAN. A plan delineating a system of streets adopted by the Planning Commission and includes all subsequent revisions or extensions.
- 9.A | 14.4 MANUFACTURED HOME. A structure transportable in one (1) or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when connected to the required utilities. Also see 7.B.
- 9.A | 14.5 MANUFACTURED HOME PARK OR SUBDIVISION. A subdivision (see SUBDIVISION) which is primarily used by manufactured homes or which is designed as such. Also see 7.B.
- 9.A | 14.6 MASTER PLAN/OFFICIAL MAP. A theoretical plan governing the physical development of Iberville Parish composed of all land development regulations including land use, subdivision regulations, roadways, public facilities, and public improvements.
- 9.A | 14.7 MEAN HIGH WATER MARK. The average annual high water level of a lake, pond, river, stream, creek or other body of water as established by a determination by a licensed surveyor.
- 9.A | 14.8 MIXED USE. The development of a lot or building with 2 or more different allowed uses such as, but not limited to, residential, office, retail, public, or entertainment, in a compact form.
- 9.A | 14.9 MOBILE HOME. A structure, transportable, in one (1) or more sections, on its own chassis, that is eight (8) body feet or more in width and thirty-two (32) feet or more in length and which is built on a permanent chassis and designed to be used either temporarily or permanently as a dwelling with or without a permanent foundations, when connected to the required utilities, and includes plumbing, heating, air conditioning and electrical systems contained therein; and which is displaying a plate, affixed by the manufacturer to certify that it has been constructed in full compliance with standards defined and monitored by the U.S. Department of Housing and Urban Development (HUD). Vacation trailers, travel trailers, pickup campers, tent trailers, bus campers, and FEMA temporary housing units are not included in this definition since they may not lawfully be used as a permanent dwelling, except as a temporary measure in consequence of a declared emergency, and are therefore classified as recreational vehicles. Modular homes conform to building code requirements and shall not be considered mobile homes.
See also definition of MANUFACTURED HOME. Also see 7.B.
- 9.A | 14.10 MOBILE HOME PARK. See definition of MANUFACTURED HOME PARK OR SUBDIVISION. Also see 7.B.

9.A | 14.11 **MOBILE HOME SITE.** An area of land within a mobile home park designated for the placement of a single mobile home and the exclusive use of its occupants.

9.A | 14.12 **MODULAR HOUSING.** A factory-built, single-family dwelling, which is manufactured or constructed under authority of 42 USC Section 5403, Federal Manufactured Home Construction and Safety Standards, and is to be used as a place for human habitation, but which is not constructed with a permanent hitch or other device allowing it to be moved other than for the purpose of moving to a permanent site and which does not have permanently attached to its body or frame any wheels or axles.

9.A | 15 **N**

9.A | 15.1 **NATURAL RESOURCE.** Existing natural elements relating to land, water, air, plant and animal life, including but not limited to soils, geology, topography, surface and subsurface waters, wetlands, vegetation, and wildlife habitat.

9.A | 15.2 **NOISE.** Any sound that is undesirable because it interferes with speech and hearing, or is intense enough to damage hearing, or is otherwise annoying.

9.A | 15.3 **NONCONFORMING LOTS.** Lots that do not conform to the provisions of this code covering dimensional requirements, but that were in conformance with all applicable laws, bylaws, ordinances, and regulations prior to the enactment of this code.

9.A | 15.4 **NONCONFORMING STRUCTURE.** A structure or part of a structure that does not conform to this code, but that was in conformance with all applicable laws, bylaws, ordinances, and regulations prior to the enactment of this code.

9.A | 15.5 **NONCONFORMING USE.** Use of land that does not conform to this code, but did conform to all applicable laws, bylaws, ordinances, and regulations prior to the enactment of this code.

9.A | 15.6 **NONCONFORMITY.** A nonconforming use, structure or lot.

9.A | 15.7 **NUISANCE.** Anything offensive or obnoxious to the health and welfare of the inhabitants of the community; or any act or thing repugnant to, or creating a hazard to, or having a detrimental effect on the property of another person or to the community.

9.A | 16 **O**

9.A | 16.1 **OFFICIAL MAP.** A legally adopted map that conclusively shows the location and width of proposed roads, public facilities and public areas and drainage rights-of-way.

9.A | 16.2 **OPEN SPACE.** Land retained as working farm or forest land, as active or passive recreation areas, or in an essentially undeveloped state for resource

protection. Designation of land as open space shall not imply public or common ownership or access.

9.A | 16.3 **ORDINANCE.** Any legislative action, however denominated, of a local government which has the force of law, including any amendment or repeal of any ordinance.

9.A | 16.4 **OWNER.** An individual, firm, association, organization, partnership, trust, company, corporation, or any other legal entity who owns or holds title to real property.

9.A | 17 **P**

9.A | 17.1 **PARCEL.** A lot established by plat, subdivision, or as otherwise permitted by law, to be separately owned, used, developed, or built upon.

9.A | 17.2 **PARKING LOT OR STRUCTURE.** An open area, other than the traveled portions of a road, or a multi-level structure to be used for the storage, for limited periods of time, of operable passenger automobiles and commercial vehicles, and available to the public, whether for compensation or as an accommodation to clients or customers.

9.A | 17.3 **PARKING SPACE.** A space for the parking of a motor vehicle.

9.A | 17.4 **PLANNED DEVELOPMENT.** A contiguous area of land defined by a property boundary or boundaries, planned and developed as an integral unit in a single development operation or a programmed series of development operations and according to an approved development plan. Property subdivisions may be included as a component of a planned development. Property does not have to remain within the ownership of the developer and lots may be sold within same as approved by the Planning Commission.

9.A | 17.5 **PLOT.** A portion of a subdivision or other parcel of land intended as a unit for the purpose, whether immediate or future, of transfer of ownership, or possession, or a for building development.

9.A | 17.6 **POLLUTION.** The presence in the outdoor atmosphere, ground, or water of any substances, contaminants, noise, light, or human-made or human-induced alteration of the chemical, physical, biological, or radiological integrity of air, land or water, in quantities or at level that are or *may* be potentially harmful or injurious to human health or welfare, animal, or plant life, or property, or unreasonably interfere with the enjoyment of life or property.

9.A | 17.7 **PRELIMINARY PLAT.** The preliminary drawing or drawings, described in these regulations, indicating the proposed manner or layout of the subdivision to be submitted to the Planning Commission for approval.

9.A | 17.8 **PRIMARY ARTERIAL.** A road intended to move through traffic to and from centers, colleges and/or universities, military installations, major industrial areas, and similar traffic generators within the governmental unit; and/or as a

route for traffic between communities or large areas and/or which carries high volumes of traffic.

9.A | 17.9 PUBLIC HEARING: An adjudicatory proceeding held by the Planning Commission preceded by published notice and actual notice to certain persons and at which certain persons, including the applicant, *may* call witnesses and introduce evidence for the purpose of demonstrating that the plat approval should or should not be granted. Witnesses shall be sworn and subject to cross-examination. The rules of civil procedure binding on the courts shall not, however bind the Planning Commission.

9.A | 18 R

9.A | 18.1 RECOUPMENT. The imposition of an impact fee to reimburse the local government for capital improvements previously oversized to serve new development.

9.A | 18.2 RECREATION. A use whose main purpose is to provide participants with an amusement, entertainment or fitness activity.

9.A | 18.3 RECREATIONAL VEHICLE. A travel trailer, motor home, truck camper, or camping trailer that is built on a single chassis, permanently designed or used as temporary living quarters for recreational, camping, travel, or seasonal use, is either self-propelled or mounted on, drawn by, or towable by another vehicle, is transient, is 400 square feet or less when measured at the largest horizontal projection, and is not immobilized or permanently fixed to a lot.

9.A | 18.4 RESUBDIVISION. The rearrangement of lots of record, either the consolidation of smaller lots into larger lots or the reduction of larger lots into smaller lots provided such rearrangement meet the minimum lot size as required by the current Sanitary Code of the State of Louisiana.

9.A | 18.5 RIGHT-OF-WAY. A strip of land acquired by reservation, dedication, prescription or condemnation and intended to be occupied by a road, trail, water line, sanitary sewer, power line and/or other public utilities or facilities.

9.A | 18.6 ROAD. That portion of a right-of-way available for vehicular travel, including on-street parking lanes. Roads shall be classified as follows:

9.A | 18.6.1 ROAD, PRIVATE. A road not owned or maintained by the state or parish.

9.A | 18.6.2 ROAD, PUBLIC. A road owned or maintained by the state or parish.

9.A | 18.7 ROAD, CLASSIFICATION. For the purpose of providing for the development of the streets, highways, roads, and rights-of-ways in the Parish, and for their future improvement, reconstruction, realignment, and necessary widening, including provisions for curbs and sidewalks, each existing street, highway, road, and right-of-way and those located on approved and filed plats. The classification of each street, highway, road, and right-of-way is based upon its location in the Parish and its presents an estimated future

volume of traffic and its relative importance and function as specified in the Master Plan or the Major Street Plan.

9.A | 18.8 ROAD FRONTAGE. See definition of LOT FRONTAGE.

9.A | 19 S

9.A | 19.1 SANITARIAN. The duly authorized representative of the State Health Officer assigned by the Louisiana Department of Health and Hospitals, Office of Public Health (OPH) to serve as Chief Sanitarian of the Parish of Iberville.

9.A | 19.2 SANITARY SEWERAGE SYSTEM. Any and all of the components, including piping, plumbing, and treatment facilities designed for the collection and/or treatment and/or disposal of sewerage.

9.A | 19.3 SCREENING. A method of visually shielding or obscuring an abutting or nearby use or structure from another by fencing, walls, berms or densely planted vegetation.

9.A | 19.4 SECONDARY ARTERIAL. A road intended to collect and distribute traffic in a manner similar to a primary arterial, except that these roads service minor traffic-generating areas such as community commercial areas, primary and secondary educational facilities, hospitals, major recreation areas, churches, and offices and are designated to carry traffic from collector streets to the system of primary arterial roads.

9.A | 19.5 SERVITUDE (See also EASEMENT). A legal interest in land, generally established in a deed or on a recorded plat, granted by the owner to another person, which allows that person(s) the use of all or a portion of the owner's land, generally for a stated purpose including but not limited to access or placement of utilities.

9.A | 19.6 SERVITUDE (See also EASEMENT), CONSERVATION. A legal agreement restricting development on land for the purposes of:

9.A | 19.6.1 Retaining or protecting the natural, scenic, or open space values of real property;

9.A | 19.6.2 Assuring its availability for agriculture, forest use, recreation, or open space use; or

9.A | 19.6.3 Maintaining or improving environmental quality.

9.A | 19.7 SETBACK. The required distance between a lot line, road centerline or other specified feature and the nearest point of any structure as established in 3.A | 3 of this code. Setbacks shall be classified as follows:

9.A | 19.7.1 SETBACK, FRONT or ROAD. The required distance between the edge of the road right-of-way and the nearest point of any structure. If the edge of the right-of-way is unknown, the front setback shall be measured from the

- centerline of the road by adding 25 feet to the setback distances specified in 3.A | 3 of this code.
- 9.A | 19.7.2 SETBACK, PROPERTY LINE. The required distance between the rear lot line and the nearest point of any structure.
- 9.A | 19.7.3 SETBACK, REAR. The required distance between the rear lot line and the nearest point of any structure.
- 9.A | 19.7.4 SETBACK, SIDE. The required distance between the side lot line and the nearest point of any structure.
- 9.A | 19.8 SHORELINE. The point at which land and the waters of a body of water meet, at the mean high water mark.
- 9.A | 19.9 SIGN. Any device (including but not limited to letters, words, numerals, figures, emblems, pictures, or any part or combination) used for visual communication intended to attract the attention of the public and that is visible from the public right-of-way or other properties. The term sign shall not include any flag, badge, or insignia or any governmental unit, nor shall it include any item of merchandise normally displayed within a show window of a business. Signs shall be classified as follows:
- 9.A | 19.10 SITE PLAN. An illustration of a proposed development proposal drawn to sufficient accuracy and detail to be used for the purpose of discussion and review under this code.
- 9.A | 19.11 SLOPE, PERCENT. The ratio of vertical rise or fall to horizontal distance of terrain (rise divided by run).
- 9.A | 19.12 SLOPE, MODERATE. Slopes with an average grade, as measured over any 50 foot section, of at least 15% but less than 25%.
- 9.A | 19.13 SLOPE, STEEP. Land where agricultural activity or development is either not recommended or described as poorly suited due to slope steepness and the site's soil characteristics as mapped and described in the most recently completed county soil surveys or other similar technical reports. At a minimum, steep slopes shall be interpreted to include any grade that averages a slope of 25% or more over any 50 foot section.
- 9.A | 19.14 STORMWATER. The flow of water which results from precipitation and which occurs immediately following rainfall or a snow melt.
- 9.A | 19.15 STREAM. Those areas where surface waters produce a defined channel or bed. A defined channel or bed is an area that demonstrates clear evidence of the passage of water and includes but is not limited to bedrock, channels, gravel beds, sand and silt beds and defined-channel swales. The channel or bed need not contain water all year. This definition is not meant to include artificially created irrigation ditches, canals, storm or surface water run-off devices, or other entirely artificial water courses unless they are created for the purposes of stream mitigation.

- 9.A | 19.16 STREAM, INTERMITTENT OR PERENNIAL. A stream that may not contain water year-round.
- 9.A | 19.17 STREAM, MAPPED. A stream that is shown on USGS quadrangle maps.
- 9.A | 19.18 STREET. See definition of ROAD.
- 9.A | 19.19 STRUCTURE. An assembly of materials for occupancy, use and/or the shelter of people, animals or property including but not limited to a building or mobile home.
- 9.A | 19.20 SUBDIVISION. Any division of land into multiple lots, parcels or sites, whether adjoining or not, for the purpose of sale, lease, license or any form of separate ownership or occupancy (including any grading, road construction, installation of utilities or other improvements or any other development preparatory or incidental to any such division. Subdivision shall include the re-division, in whole or part, of any plat, filed or unfiled, after the adoption of this code. For the purposes of administering this code, a subdivision of land shall also be deemed to have taken place when a lot is divided by a public road.
- 9.A | 19.21 SUBSTANTIALLY COMPLETED. A building, structure or infrastructure that is sufficiently constructed so that it can be used for its intended purpose with no further construction.
- 9.A | 20 **T**
- 9.A | 20.1 TOWN HOUSES. Two or more attached living units with common or party side walls between units, designated so that each unit may be sold independently as a lot with its own yards and parking spaces.
- 9.A | 20.2 TRACT. The term is used interchangeably with the term "lot," particularly in the context or subdivision, where "tract" is subdivided into several lots, parcels, sites, units, plots, etc.
- 9.A | 21 **U**
- 9.A | 21.1 USE. Any purpose for which a lot, building, or other structure or an area of land may be designated, arranged, intended, maintained, or occupied; or any activity, occupation, business, or operation carried on or intended to be carried on in a building or other structure or on an area of land.
- 9.A | 21.2 USE, ACCESSORY. See definition of ACCESSORY STRUCTURE OR USE.
- 9.A | 21.3 USE, PRINCIPAL. The primary or predominant use of a lot, building, or other structure or an area of land. The principal use of any lot with an inhabited single family dwelling or two-family dwelling shall be deemed residential.

9.A | 22 **V**

9.A | 22.1 **VARIANCE.** A relaxation of the requirements of the Unified Development Code where such a variance will not be contrary to the public interest and where, owing to conditions peculiar to the property and not the result of the actions of the applicant, a literal enforcement of the regulations would result in unnecessary undue hardship upon the applicant.

9.A | 22.2 **VESTED RIGHTS.** Right to initiate or continue the establishment of a use which will be contrary to a restriction or regulation coming into effect when the project associated with the use is completed.

9.A | 22.3 **VISUAL IMPACT.** A modification or change that could be incompatible with the scale, form, texture, or color of the existing natural or built environment.

9.A | 23 **W**

9.A | 23.1 **WAIVER:** A grant of relief to a property owner from the requirements of the Unified Development Code.

9.A | 23.2 **WETLAND.** Wetlands are areas that are periodically or permanently inundated by surface or ground water and support vegetation adapted for life in saturated soil. Wetlands include swamps, marshes, bogs and similar areas. As a significant natural resource, wetlands serve important functions relating to fish and wildlife. Any person, firm, or agency (including Federal, state, and local government agencies) planning to work in navigable waters of the United States, or discharge (dump, place, deposit) dredged or fill material in waters of the United States, including wetlands, must first obtain a permit from the Corps of Engineers.

9.A | 23.3 **WILDLIFE HABITAT, CRITICAL.** An area that because of climate, soils, vegetation, relationship to water and other physical properties has been identified as of critical importance to the survival of one or more wildlife species at any period in its life including breeding and migratory periods within the parish. Critical wildlife habitat may be identified in the parish master land use plan, by the state or federal government, or by qualified natural resource professionals based on either remote sensing data or on-site field investigation.

9.A | 24 **Y**

9.A | 24.1 **YARD.** An open space at grade between a building and the adjoining lot lines, unoccupied and unobstructed by any portion of a structure, except for projections in accordance with 3.A, from the ground upward. Yard width or depth is the shortest horizontal distance from a lot line to the main building.

9.A | 24.1.1 Front yard is the area from one side lot line to the other side lot line and between the required front building line or main building and the street right-of-way line.

9.A | 24.1.2 Rear yard is the area from one side lot line to the other side lot line and from the main building to the rear lot line. The rear yard is always on the opposite end of the lot from the front yard.

9.A | 24.1.3 Side yard is the area from the front yard line to the rear yard line, and from the main building to a side lot line.

9.A | 25 **Z**

9.A | 25.1 ZERO LOT LINE. Single-family, detached housing which has only 1 side yard. The Zero lot Line must be designated on the approved subdivision plat and the exterior wall constructed on the zero lot line shall be a 1-hour fire UL rated wall with no openings. A 5 foot private maintenance easement shall be provided on the lot adjacent to the Zero Lot Line for maintenance of the zero lot line walls, and this shall be noted upon the approved subdivision plat.

Appendix A - Street Cross Sections

A-1 Local Open Ditch Street Section

A-2 Local Neighborhood Street Section

A-3 Collector Two Lane Street Section

A-4 Minor Arterial Street Section

A-5 Major Arterial Street Section

Appendix B – Application Fee Schedule

Application Fee Schedule	
C-1 APPLICATION FOR BUILDING PERMIT	
Manufactured Homes	\$20
Relocate Rentals	\$20
New Residential Construction	\$125/\$100,000 Construction Cost
Commercial Construction	\$.00125 (x) Construction Value*
C-2 PRE-APPLICATION CONFERENCE REQUEST	
	No Charge
C-3 APPLICATION FOR SITE PLAN REVIEW	
	\$250*
C-4 APPLICATION FOR SUBDIVISION	
Preliminary Subdivision Plat	\$75 Plus \$10 Per Lot*
Revision, Approved Plat	\$150 Plus \$ 5 Per Lot*
Final Subdivision Plat Approval	\$150 Plus \$10 Per Lot*
Resubdivision Approval	\$150 Plus \$ 5 Per Lot*
C-5 APPLICATION FOR A SPECIAL USE PERMIT	
Request Right-Of-Way or Servitude Revocation	\$200
Request Waiver	\$75
Request Variance	\$75
Request Street Name Change	\$75
Request Conditional Use Approval	\$75

*Additional review fees may apply in accordance with 2.A | 2.

Appendix C – Land Development Application Guide

Appendix D - SWPPP Template

Appendix E – Amendments to the UDC

Section Number	Ordinance Number	Date Adopted	Amendment Description
X	XXX-XX	(mm/dd/yyyy)	