

Chapter 4

PERMITS AND FINAL PLAT APPROVAL

Section 4.1 General

Each subdivider of land (hereinafter referred to as applicant), developer of apartment, commercial or industrial complexes (hereinafter referred to as applicant) or his representative should confer with the Planning Commission staff before preparing the tentative geometric layout, in order to become thoroughly familiar with subdivision requirements and with the proposals of the official Master Plan affecting the territory in which the proposed subdivision lies. The Director of the Planning Commission shall cause sufficient copies of these regulations to be prepared for distribution to interested parties.

- A. The plans for all projects and developments to be constructed within the Zachary Community School District which require approval of the East Baton Rouge Planning and Zoning Commission must also be submitted to the Zachary Planning and Zoning Commission within five (5) days of submission of the plans to the East Baton Rouge Parish Planning and Zoning Commission. The East Baton Rouge Parish Planning and Zoning Commission may not act upon the proposed project or development until it has either received a recommendation from the Zachary Planning and Zoning Commission, or a period of forty-five (45) days has elapsed since submission to the Zachary Planning and Zoning Commission.”
- B. The plans for all projects and developments to be constructed within the Central Community School System which require approval of the East Baton Rouge Planning and Zoning Commission must also be submitted to the Central Planning and Zoning Commission within five (5) days of submission of the plans to the East Baton Rouge Parish Planning and Zoning Commission. The East Baton Rouge Parish Planning and Zoning Commission may not act upon the proposed project or development until it has either received a recommendation from the Central Planning and Zoning Commission, or a period of forty-five (45) days has elapsed since submission to the Central Planning and Zoning Commission.
- C. The plans for all projects and developments to be constructed within 1000 feet of a Recreation and Park Commission for the Parish of East Baton Rouge (BREC) designated park shall be submitted to the BREC Planning and Engineering Office at least 30 days prior to Planning Commission action.

Section 4.101 Site Plan Review

Whenever a building permit application is submitted for a building designated on an approved Site Plan more than three (3) years after such approval, the applicant shall submit plans to the Planning Commission Staff for review and shall be subject to all current requirements of the Unified Development Code including the Site Plan Review Checklist.

Notwithstanding any other provision of this ordinance, at the Metropolitan Council meeting following the decision of the Planning Commission, any member of the Metropolitan Council may introduce an appeal of the decision of the Planning Commission; failure to appeal will make the Planning Commission decision final. If the Metropolitan Council introduces the appeal of the Site Plan, the item shall be heard at the next regularly scheduled Metropolitan Council Zoning Meeting. Failure to introduce the Site Plan will make the Planning Commission decision final.

An executed and recorded "Private Water Quality Maintenance Covenant" is required for all Stormwater BMPs and/or Stormwater BMP systems on a development site prior to issuance of a certificate of occupancy. This Private Water Quality Maintenance Covenant must reflect the approved Water Quality Impact Study and/or Stormwater Management Plan, and must include Stormwater BMP Scheduled Maintenance Actions as stated in either or both of these approved documents.

The following uses shall be subject to site plan review prior to development:

- A. Whenever development is for a high density use such as multi-family projects of more than seventy-five (75) units, commercial recreation facilities with land area containing more than one-half acre, offices, shops, stores, 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 plans to the Planning Commission staff for review and shall be subject to the Site Plan Review Checklist (attached to A-4 Application for Site Plan) and may be subject to Planning Commission approval. Changes of substantial nature will be determined by changes in drainage impact, water quality impact, sewage treatment, and traffic impact. Whether or not such uses are to be retained by the applicant, sold, leased, or rented, the development shall be subject to the following procedure:
 1. Prior to applying for building permits the proponent of a shopping center, apartment development, or other high density development, as defined above, shall submit a detailed site plan including all information required on the checklist provided by the Planning Commission staff and a written description of the development, with a vicinity map of the location showing roads, canals, schools, etc. in the area for Planning Commission staff approval. Before the Planning Commission staff approves such a request for development, there should be accurate and complete information, including a Preliminary Stormwater Management Plan, Drainage Impact Study and Water Quality Impact Study, submitted by the applicant to the Planning Commission staff in order to insure that the following conditions are met:
 - a. The proposed development meets all of the requirements of the Unified Development Code.
 - b. The proposed development complies with the general public interest and does not create:
 - (1) Undue congestion of streets and traffic access;
 - (2) Overcrowding of land or overburden on public facilities such as transportation, sewage, drainage, schools, parks, and other public facilities; or
 - (3) Pollution of waterbodies or impairment of water quality.
 - c. At least fifteen (15) days prior to approval by the Planning Commission staff, all abutting property owners shall be notified by regular mail of the proposed development and given an opportunity to submit written comments.
 - d. In the event the proponent disagrees with the decision of the Planning Commission staff, he may appeal the decision to the full Planning

Commission for a hearing in accordance with the requirements set forth in Sub-section B of this part.

2. An existing structure(s), which received a building permit prior to April 15, 1998 with an addition that increases the aggregate floor area to greater than thirty thousand (30,000) square feet and is twenty (20) percent or more of the aggregate floor area, shall be subject to site plan review by Planning Commission Staff.
- B. Whenever development is for a high density use such as multi-family projects of more than one hundred (100) units or greater, commercial recreation facility with land area containing more than one acre, offices, shops, stores, or other commercial uses with a building or buildings containing more than fifty thousand (50,000) square feet, or an addition to an existing structure(s) in which the increase in aggregate floor area greater than fifty thousand (50,000) square feet is greater than twenty (20) percent must submit plans to the Planning Commission staff for review and shall be subject to the Site Plan Review Checklist (attached to A-4 Application for Site Plan) and Planning Commission approval. Whether or not such uses are to be retained by the applicant, sold, leased or rented, the development shall be subject to the following procedure:
1. Prior to applying for building permits the proponent of a shopping center, apartment development, or other high density development as defined above shall submit a detailed site plan including all information required on the checklist provided by the Planning and Zoning staff and a written description of the development, with a vicinity map of the location showing roads, canals, schools, etc. in the area for Planning Commission approval. Before the Planning Commission approves such a request for development, there should be accurate and complete information, including a Preliminary Stormwater Management Plan, Drainage Impact Study and Water Quality Impact Study, submitted by the applicant to the Department of Public Works in order to insure that the following conditions are met:
 - a. The proposed development meets all of the requirements of the Unified Development Code.
 - b. The proposed development complies with the general public interest and does not create:
 - (1) Undue congestion of streets and traffic access;
 - (2) Overcrowding of land or overburden on public facilities such as transportation, sewage, drainage, schools, parks, and other public facilities; or
 - (3) Pollution of waterbodies or impairment of water quality.
 - c. At least fifteen (15) days prior to approval by the Planning Commission, all abutting property owners shall be notified of the proposed development by regular mail and given the opportunity to submit written comments. Notice of the submission to the Commission for approval and opportunity for submission of written comments shall also be published in the official Journal of the City of Baton Rouge and Parish of East Baton Rouge via public notice at least fifteen (15) days prior to approval.
 2. An existing structure(s), which received a building permit prior to December 11, 2001 with an addition that increases the aggregate floor area to greater than fifty

thousand (50,000) square feet and is twenty (20) percent or more of the aggregate floor area, shall be subject to site plan review by Planning Commission Staff.

Section 4.102 Subdivision Review and Procedures

These regulations shall officially be known, cited, and referred to as the Subdivision Regulations of the Parish of East Baton Rouge. These regulations are adopted for the purpose of protecting and providing for the public health, safety, and general welfare of the municipality.

- A. Conference with Planning Commission staff. The applicant shall present the appropriate number of prints of the proposal as listed in Appendix L to the staff at a pre-application conference. The staff will inform the applicant of procedures and required items necessary to complete the application package and review Preliminary Plat Checklist items.
- B. Preliminary plan. After a conference with the Planning Commission staff, the applicant shall submit the required application package to the Subdivision Coordinator of the Planning Commission, who will check the preliminary plan for compliance with the geometric standards and the preliminary plan requirements. Before the Planning Commission approves a request to subdivide property, there should be accurate and complete information submitted by the applicant to the Office of the Planning Commission which will assure that the proposed subdivision meets all the requirements of the Unified Development Code.

The Planning Commission staff and the Department of Public Works shall review all major and minor subdivision requests. The Planning Director or his designee shall sign and approve all minor subdivisions with the exception of those with waivers which must be first be approved by the Planning Commission prior to signature.

The Subdivision Review Agencies shall review all major subdivisions and minor subdivisions with waivers.

Following such review, the Subdivision Review Agencies shall make recommendations to the Planning Commission relating to all such requests.

- C. Planning Commission Public Hearing. The City-Parish Planning Commission shall hold a public hearing on all major subdivisions and minor subdivisions with waivers. Following the Subdivision Review Agency review, the subdivision must be considered at the monthly Planning Commission meeting.
 - 1. If the Planning Commission grants preliminary plan approval, the appropriate number of copies will be marked-up with notations, stipulations and/or changes, signed by the Director of the Planning Commission or his designee and distributed as listed in Appendix L. Any conditions or requirements not previously stated will be made known to the applicant at this time.
 - 2. Any changes made by the owner/applicant subsequent to approval of the preliminary plat shall be reviewed by the Planning Director and his staff. If the change suggested by the owner/applicant is determined by the Planning Director and his staff to be of a substantial nature, then approval can only be granted by the Planning Commission and then only after a public hearing is held for that purpose. If the Planning Director and his staff determine that the suggested change is not substantial in nature, then approval will be granted immediately. Examples of substantial changes are as follows:

- a. An increase in the number of lots by more than ten (10) percent of the originally approved plat.
- b. Redesign of the subdivision or any portion thereof which would change the street pattern or overall layout of the previously approved plat.
- c. Relocation or addition of any sewage treatment facility, except as mandated by an agency with the legal authority to govern the change, only after review before the Capital Improvements Committee of the Metropolitan Council.
- d. Change in overall Stormwater Management Plan, including drainage or water quality concepts.

Upon approval by the Planning Commission, the Planning Director or his designee will return to the applicant an approved copy of the preliminary plan.

If the applicant fails to proceed with the steps required in Sections 4.102.D through 4.102.F below within six (6) months from the date of preliminary approval, the Planning Commission reserves the right to cancel its preliminary approval.

The Preliminary Plat approval shall initially be valid for a period of two (2) years from the date of approval. Upon approval of the construction drawings and specifications, the Preliminary Plat approval shall automatically be extended for an additional six (6) months upon written request to the Planning Commission by the applicant. Such written request shall be made thirty (30) days prior to the expiration of the original two (2) years approval period. Unless extended, failure to submit the Final Plat for signature and recording within two (2) years of approval of the Preliminary Plat shall require resubmission of an application, public hearing, and fees for the Preliminary Plat to the Planning Commission for approval. Private streets and sewer improvements for minor subdivisions shall be constructed within two (2) years from approval or as may be extended.

If no street, drainage, or sewer improvements are required for a site or tract development the preliminary plan may be approved as the final plat; otherwise procedure is the same as for a subdivision.

- D. Final plat and construction plans. The applicant or his appropriate licensed design professional of record shall confer with the Department of Public Works and the Parish Health Unit to determine the standards and specifications, which shall govern proposed improvements. After preliminary approval of the geometric layout has been granted by the Planning Commission, the applicant shall submit complete construction plans for the first or initial development of the area given preliminary approval together with a complete and accurate contour map using mean sea level datum to the Department of Public Works for their review and approval. The construction plan shall include the complete design of the sanitary sewerage system, storm drainage system, stormwater best management practices (BMPs) and the street name system, which shall include street names approved by the Planning Commission, for the entire area to be subdivided. It shall be recognized as a principle that the sanitary sewerage and stormwater management facilities cannot be properly designed on a piece-meal basis, and that the entire area shall be studied and worked out as a unit giving due consideration to the problems which may be created by the subdivision of adjacent lands, especially as pertains to stormwater management. The applicant shall do no construction work until his completed construction plans have been approved by the Department of Public Works, and a reasonable time must be allocated for the proper study of the plans submitted. After the construction plans have been approved, the applicant and his engineer shall proceed with the preparation of the final

plat. The applicant shall not sell or lease any lots in the subdivision until the final plat has been approved. Typical sections, as published by the Department of Public Works showing the reservation of spaces for all utilities, shall be included in the subdivision construction plans. Copies of storm sewerage layouts, sanitary sewerage layouts and stormwater BMP layouts shall be submitted by the applicant's appropriate licensed design professional of record to the various utility companies involved prior to approval of the plans by the Department of Public Works.

- E. Distribution of final plat and construction plan for checking. When the final plat and construction plans are complete, the applicant shall distribute the appropriate number of prints as listed in Appendix L.
- F. Approval of construction plans. After construction plans have been approved by the Department of Public Works and sewer construction plans have been approved by the Department of Public Health and the Health Unit, the Secretary of the Planning Commission shall be notified of such approval in writing. Final approval of construction plans shall be valid for a period of six (6) months from date of approval. The Department of Public Works shall cancel and revoke approval in writing of all construction plans under which no work is commenced within six (6) months, and new construction plans conforming to the regulations then in effect must be submitted and approved, before construction of any improvements. When construction plans have been approved the applicant shall apply for inclusion in the consolidated garbage district and consolidated road-lighting district.
- G. Construction of improvements. 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.

- 1. The Department of Public Works shall be responsible for the following:
 - a. The Department of Public Works may hire and supervise the work of independent engineering firms and/or testing laboratories for the purpose of independent quality assurance to verify the quality of the work being performed for the applicant's contractor, appropriate licensed design professional of record, and testing laboratory. The fee, or the portion of the fee, for this work shall be paid from the fee schedule established by the Metropolitan Council.
 - b. The Department of Public Works shall check the visual appearance of curbs and medians, street pavements, and sidewalks, and shall reserve the right to perform general inspections of the following:
 - (1) Excavations;
 - (2) Subsurface drainage;

- (3) Inlets, junctions, and manholes;
 - (4) Sanitary sewer collection lines;
 - (5) Sanitary sewer manholes;
 - (6) Public sanitary sewage treatment facilities;
 - (7) Sanitary sewage lift stations/pump stations;
 - (8) Base processing;
 - (9) Sidewalks;
 - (10) Curbs and medians;
 - (11) Roadway pavements;
 - (12) Utilities installation;
 - (13) Manufacture and installation of all drainage and sanitary sewer pipe; and
 - (14) Stormwater best managements practices.
- c. The Department of Public Works shall be in charge of intermediate site inspection and approval of the following:
 - (1) Base and/or Sub-base: Check integrity with applicant's appropriate licensed design professional of record and representative of the testing laboratory by means of proof-rolling.
 - d. The Department of Public Works shall notify the applicant's appropriate licensed design professional of record of any defects in materials or workmanship, failed independent quality assurance tests, any non-compliance with the required DPW standards based on general inspection, or any discrepancy found between field observations and the approved construction plans.
 - e. The Department of Public Works shall conduct the final inspection of all improvements with representatives of the appropriate licensed design professional of record, the contractor, and the testing laboratory.
- 2. The applicant's appropriate licensed design professional of record shall be responsible for the following:
 - a. Provide a sampling plan for project construction and submit to DPW in conjunction with the request for the preconstruction meeting.
 - b. Provide a survey party for the stakeout of lines and grades to complete the work.
 - c. Provide a resident inspector to inspect the laying of the sanitary sewer line and the storm drainage, including the preparation of "as built" wye record.

- d. Inspection of the same items covered under Section 4.102.G.1.b above.
 - e. Request intermediate site inspections by the Department of Public Works.
 - f. Provide a resident inspector to inspect the base processing.
 - g. Provide a resident inspector to inspect the street pavements including asphalt.
 - h. Provide a resident inspector to attend intermediate site inspections when called upon.
 - i. Provide a resident inspector to attend the final inspection.
 - j. All shop drawings of concrete, metal, clay, plastic, or other acceptable pipe shall be stamped as approved prior to delivery to the job site.
 - k. Inspection of “as built” stormwater BMPs to assure compliance with the approved Stormwater Management Plan.
3. The testing laboratory shall be responsible for the following:
- a. The testing laboratory shall test the concrete used in the construction of the street pavements, curbs, and sidewalks.
 - b. Provide a resident inspector to be present at the concrete and/or asphalt plants to inspect preparation of these materials.
 - c. The testing laboratory shall furnish reports to the Department of Public Works, the applicant’s appropriate licensed design professional of record, and the contractor on all items (a) through (e) above, and all items requiring testing in accordance with the sampling plan.

If the above procedure is not followed, the Department of Public Works has the authority to close down the job after written notice to the applicant and the appropriate licensed design professional of record.

- H. Acceptance of improvements. When construction is complete, in accordance with the approved plans and specifications, and complies with the provisions of these regulations, the applicant, through his appropriate licensed design professional of record, shall certify that all work has been completed, shall submit a completed sampling report, and the appropriate licensed design professional of record shall request final inspection so that he may obtain written final approval and acceptance from the Department of Public Works and submit such written approval to the Secretary of the Planning Commission. For a period of twelve (12) months after acceptance of the work the applicant shall keep all filled trenches, pipes, manholes, structures, paved or unpaved surfaces, Stormwater BMPs, etc., constructed by the applicant in good condition, making repairs to such defects in materials or workmanship as may develop or be discovered. If sewage treatment plants and/or pumping stations are constructed, the applicant shall guarantee materials and workmanship of these facilities for a period of twelve (12) months. The applicant shall file with the Department of Public Works a maintenance agreement and surety bond securing to the Metropolitan Council the satisfactory performance of this work for a period of one (1) year from the date of such bond. The amount of the bond shall be ten (10) percent of the cost of the improvements as determined by the Department of Public

Works, and the Parish Attorney shall approve the form of the bond. The bond shall be subject to cancellation only upon the written approval of the Director of Public Works.

- I. Approval of final plat. Upon acceptance of improvements the Subdivision Coordinator of the Planning Commission and the Department of Public Works shall check the final plat for conformity with the preliminary plans and for compliance with Section 4.6. The final plat shall not be approved until compliance with all stipulations of the Planning Commission and the Department of Public Works. The Planning Director or his designee shall then indicate such approval by his or her signature on the plat.
- J. Filing and distribution of final plat. The applicant shall furnish the Director of the Planning Commission with the appropriate number of prints and a current digital CAD format by email within two (2) days of approval to be distributed as listed in Appendix L.
- K. Exceptions. The following exceptions to certain provisions of this section are permissible:
 - 1. Bond in lieu of immediate construction. In lieu of immediate construction of improvements as required in subsection (G) above, the applicant may file with the Planning Commission an agreement and bond securing to the Metropolitan Council the actual satisfactory construction of proposed improvements within a period of not more than two (2) years from the date of such agreement and bond. The Director of the Department of Public Works shall approve the amount of the bond, and the Parish Attorney shall approve the form of the bond. The bond may be canceled only upon written approval of the Director of the Department of Public Works.
 - 2. Subdivision of portion of a tract. The owner or applicant shall prepare a preliminary plan for the entire tract and then may submit a final plat for only a portion of the tract. No construction shall be started until construction plans for the entire area covered by the final plat have been approved. Improvements must be installed for all of that area for which a final plat is submitted and the owner may sell, lease, or offer for sale or lease only those lots in the improved portion of the property.

In such cases of partial development of a subdivision, the street system, drainage system, trunk sewers, and sewage treatment plants shall be designed and built in such a manner as to be easily expanded or extended to serve the entire area.

Section 4.103 Requirements for Improvements, Reservations, and Design

- A. General Improvements.
 - 1. Conformance to Applicable Rules and Regulations. In addition to the requirements established in these regulations, all subdivision plats shall comply with the following laws, rules, and regulations:
 - a. All applicable statutory provisions.
 - b. The East Baton Rouge Parish zoning, regulation and all other applicable laws of the Parish of East Baton Rouge.
 - c. The Master Plan and Capital Improvements Program of the Parish of East Baton Rouge, including all streets, drainage systems, and parks shown on the Comprehensive Land Use Plan and Major Street Plan as adopted.

- d. The special requirements of these regulations and any rules of the Parish Health Unit, Louisiana Department of Environmental Quality or United States Environmental Protection Agency.
- e. The rules of the State Department of Transportation and Development if the subdivision or any lot contained therein abuts a state highway or connecting street.
- f. Final Plat approval may be withheld if a subdivision is not in conformity with the above laws, regulations, guidelines, and stipulations set forth by the Planning Commission and the Department of Public Works.

2. Adequate Public Facilities

No preliminary plat shall be approved unless the Department of Public Works determines that public facilities will be adequate to support and service the area of the proposed subdivision. Public facilities and services to be examined for adequacy will include roads and public transportation facilities, sewerage and water service, schools, police stations, fire houses, and health clinics.

- a. The applicant for a preliminary plat must, at the request of the Planning Commission, submit sufficient information and data on the proposed subdivision to demonstrate the expected impact on and use of public facilities and services by possible uses of said subdivision.
- b. Master Plan Consistency Required. Proposed public improvements shall conform to and be properly related to the Master Plan and all applicable capital improvement plans.
- c. Water. All habitable buildings and buildable lots shall be connected to a public water system capable of supplying water for health and emergency purposes, including adequate fire protection and shall comply with requirements of Chapter 14 of the Unified Development Code.
- d. Sanitary Sewer. All habitable buildings and buildable lots shall be served by an approved means of wastewater collection and treatment as required by Chapter 14 of the Unified Development Code.
- e. Stormwater Management. Drainage improvements shall accommodate potential runoff from the entire upstream drainage area and shall be designed to prevent increases in downstream flooding. Drainage improvements shall reduce pollutant load leaving the site as stated in Section 15.16 UDC and as required by the Louisiana Department of Environmental Quality and the United States Environmental Protection Agency. The Department of Public Works requires the use of stormwater best management practices and may require the use of control methods such as retention or detention, and/or the construction of offsite drainage improvements to mitigate the impacts of the proposed developments. Retention and Detention Areas as well as overall Site Drainage must be designed as natural or man-made features which enhance a particular property and increase its desirability to a community or its marketability to the public*. The applicant shall meet the requirements of Chapter 15 of this Unified Development Code. *Required on all properties over one (1) acre unless waived by the Planning Director.

- f. Roads. Proposed roads shall provide a safe, convenient, and functional system for vehicular, pedestrian, and may provide bicycle circulation; shall be properly related to the Major Street plan and standard street sections in Appendix J; and shall be appropriate for the particular traffic characteristics of each proposed development and shall meet the requirements of Chapter 13 of the Unified Development Code.

3. Character of the Land and Development

Land that the Planning Commission finds to be unsuitable for subdivision or development due to flooding, improper drainage, adverse earth formations or topography, utility easements, or other features that will reasonably be harmful to the safety, health, and general welfare of the present or future inhabitants of the subdivision and/or its surrounding areas, shall not be subdivided or developed unless adequate methods are formulated by the applicant and approved by the Planning Commission, upon recommendation of the Department of Public Works, to solve the problems created by the unsuitable land conditions.

The applicant or tract applicant or his representative shall confer with the Planning Commission staff regarding the type and character of development that will be permitted in the subdivision and discuss with the Planning Commission staff. To the extent as required by the Unified Development Code, deed restrictions or covenants shall be submitted to provide for the proper protection and maintenance of the development. Such deed restrictions or covenants shall not contain reversionary clauses wherein any lot shall return to the applicant because of a violation thereon of the terms of the restrictions or covenants. The Parish of East Baton Rouge does not enforce private deed restrictions. A copy of such restrictions shall accompany the plat for final approval.

4. Lot Improvements

- a. Lot Arrangement. The 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 the Unified Development Code zoning ordinance and health regulations of East Baton Rouge Parish.
- b. Lot Dimensions. Lot dimensions shall comply with the minimum standards of the zoning regulations and comply with Appendix F of the Unified Development Code and the yard regulations of Chapter 11.
- c. Lot Zoning. All property currently zoned C1 (Light Commercial), LC1 (Light Commercial One), LC2 (Light Commercial Two), LC3 (Light Commercial Three), HC1 (Heavy Commercial One), HC2 (Heavy Commercial Two), and C2 (Heavy Commercial) shall be rezoned to the most restrictive residential zoning classification that accommodates the proposed lot sizes indicated on the submitted subdivision plat. An application to rezone the subject property and a preliminary plat application may be done simultaneously.
- d. Lot Orientation. The lot line common to the street or servitude of access right-of-way shall be the front line or frontage. Lots may be rear loaded and front common green open space. The lot width (frontage) of any or portion of a lot having frontage on a cul-de-sac or flares at right angle street corners may be measured at the building line. All side lines of lots shall be at right angles to straight street lines or radial to curved street

lines, unless, a variation to this rule will give a better street and lot plan. Corner lots shall have extra width of a least twenty (20) percent to permit establishment of greater building lines on the side of the lots adjoining the side street. Lots on major street intersections and at all acute angle intersections, which in the opinion of the Planning Commission are likely to be dangerous to the traffic movement, shall have a radius of twenty (20) feet at the street corner. Where grade separation structures are proposed at the intersection of major streets, the lots, and improvements in the subdivision shall be arranged so as to make adequate provision for such structures.

- e. Site or tract developments, as defined above, are subject to lot development standards.
- f. On lots or tracts with access to the Wastewater Suburban Transportation Network as determined by the Department of Public Works, the minimum width of lots and minimum area shall conform to the Unified Development Code.
- g. On lots or tracts without access to the Wastewater Suburban Transportation Network as determined by the Department of Public Works, the minimum lot width area and/or depth shall be as follows:
 - (1) Subdivisions having five (5) lots or less shall have lots containing twenty-two thousand five hundred (22,500) square feet or more and with a width (frontage) of at least one hundred (100) feet may have effluent from an approved private sewage disposal (treatment) system draining to open effluent ditches, provided such open effluent ditches are predominant in the area and are at least twenty-four (24) inches deeper than the grade at the building site. Sufficient grade elevations, to adequately determine meeting of this requirement and statement by the appropriate licensed design professional of record certifying that open effluent ditches are predominant in the area, are required on the plat and shall be approved by the Health Unit along with a vicinity map at a scale of five hundred (500) feet to the inch showing the subject property and any existing buildings, streets and drainage ways within at least one thousand (1,000) feet in all directions from the subject property.
 - (2) Subdivisions having between six (6) and fifty (50) lots shall have lots with a minimum of two hundred fifty (250) feet of width and minimum depth of three hundred (300) feet may have effluent from an approved private sewage disposal (treatment) system draining to open drainage ways, provided such open drainage ways are at least twenty-four (24) inches deeper than the grade at the building site. Sufficient grade elevations to adequately determine meeting of this requirement shall be shown on the plat and shall be approved by the Health Unit along with a vicinity map at a scale of five hundred (500) feet to the inch showing the subject property and any existing buildings, streets, and drainage ways within at least one thousand (1,000) feet in all directions from the subject property. None of these lots may be further subdivided unless treatment and disposal are provided for all lots.

(3) All other subdivisions shall have lots meeting the width and area requirements of the Unified Development Code and shall have community sanitary sewage treatment facilities.

h. Flag lots shall meet the following standards:

(1) The narrow strip of land (Pole) of the lot shall be a minimum of twenty (20) feet wide throughout its length.

(2) The lot area must meet the minimum lot area requirements of the underlying zoning, which will not include the area of the Pole.

(3) Flag Lots must provide for sewer, utility, drainage and access as per UDC and DPW specifications. Such provisions may be made either through the "Pole" portion of the lot or through private agreement between affected parties. All private agreements pertaining to sewer, utility, drainage and access shall be made a part of the Final Plat and filed in the public records.

(4) For determination of setbacks, the part of the flag area facing the street or means of access shall be the front yard.

(5) The minimum lot width as required by the underlying zoning district shall be provided at the front lot line for a depth of at least the required front setback of that underlying zoning district (Base Area).

(6) The "remainder" lot or lots shall meet all applicable lot requirements of the underlying zoning district.

(7) A sign with the address of the development shall be posted within the Base area. This sign must meet the requirements of the Unified Development Code.

5. Access to Lots

Driveways or curb-cuts shall be approved by the Planning Commission staff and Department of Public Works in proposed subdivision by the following criteria:

a. On single family residential lots having a frontage of eighty (80) feet or less, only one (1) combined entrance-exit shall be permitted. On commercial lots having a frontage of one hundred (100) feet or less, only one (1) combined entrance-exit shall be permitted. On lots having a frontage in excess of eighty (80) feet but less than two hundred (200) feet, there shall be no more than two (2) combined entrance-exits. On property having frontage on City-Parish maintained streets and roadways in excess of two hundred (200) feet, additional drives may be permitted but only when traffic generated by the use warrants the additional drives and the design has been approved by the City-Parish Department of Public Works.

b. Shared access is encouraged whenever possible.

- c. Access to residential lots with frontage on two or more roadways shall be limited to one (1) access from the lower functional roadway.
 - d. Access to nonresidential lots with frontage on two or more roadways shall be limited to one access point per roadway.
6. Blocks
- a. Unless required by topography or at the discretion of the Planning Director, no block shall be longer than one thousand five hundred (1,500) feet between intersecting street centerlines. For blocks over seven hundred fifty (750) feet in length the Planning Commission shall require signs and crosswalks in accordance with the Manual on Uniform Traffic Control Devices or other approved traffic calming devices near the center of the block with a minimum width of ten (10) feet.
 - b. Where it is desired to subdivide a tract of land which because of its size or location does not permit an alignment directly related to a normal street arrangement, there may be established one or more "places." Such a "place" may be in the form of a court, streets with a cul-de-sac, or other arrangement provided, however, that proper access shall be given to all lots from a dedicated street or court. A turning circle, a "T-turnaround", or a "L-Turnaround" as described in Section 13.2.D, shall be required at the end of dead-end streets which provide access to subdivided lots when the dead-end streets exceed two hundred fifty (250) feet or the width of two (2) abutting lots whichever is less.
 - c. Development of sites or tracts is subject to the block length standards and alignment of streets or drives in relation to adjacent streets.
7. Roads
- a. General Requirements
 - (1) Frontage on Improved Roads. No subdivision shall be approved unless the area to be subdivided shall have frontage on and an existing, proposed street or approved private street.
 - (2) No lots may be subdivided on private streets or roads or on unimproved right-of-way unless such roads are first improved to Unified Development Code standards in Chapter 13.
 - (3) Profiles of all streets and ditches shall be submitted with construction plans. Where open ditches are used for drainage, a plat showing location, size, and grade of all pipe to be used under driveways shall also be furnished.
 - b. Location of new streets in relation to existing and proposed streets
 - (1) The arrangement of new streets in new subdivisions and in new site or tract developments shall make provision for the continuation of the principal existing streets in adjoining areas in so far as it may be deemed necessary by the Planning Commission for public requirements. Streets shall be extended to the boundary of the subdivision to provide access to undeveloped areas for

future use and public safety. The street and alley arrangements must also be such as to cause no hardship to owners of adjoining property. In general, provisions should be made to connect, where applicable, to through streets at intervals of approximately one-half (½) mile or less. In cases where the subdivision includes or adjoins an existing street of less width than the minimum widths established, herein, and the Department of Public Works determines that the subdivision creates a need for additional setbacks, the Planning Commission may require the dedication of sufficient setback width to conform to the standards set forth in Section 13.

- (2) Rectilinear street layouts are generally preferred with occasional diagonal elements to enhance visual interest although curvilinear layouts shall be acceptable when designed to interconnect and to produce terminal vistas of protected open space or prominent structures.
- (3) Streets shall be interconnected as far as practicable and they may also be supplemented with back lanes or alleys.
- (4) Streets shall be located and oriented to take advantage of views of open space and common areas.

8. Utilities

Certain locations within the street right-of-way and servitudes shall be designated for the construction of subsurface drainage, sanitary sewers, and public facilities to minimize conflicts and facilitate the construction, maintenance, and operation of these various facilities in accordance with typical sections as published by the Department of Public Works showing space allocations for utilities in new subdivision development.

Section 4.104 Buffer Yards

All proposed major subdivisions that are developed in the Rural and/or Residential Estate Agriculture Zoning Districts that abut a major arterial street shall provide along such arterial either:

- A. An opaque fence at least six (6) feet in height parallel to the arterial street. Such fence shall be at least ten (10) feet from the arterial street right of way. Between the fence and the arterial street right of way there shall be a landscape buffer in which for every one hundred (100) linear feet there are planted at least four (4) Class A Trees. Two (2) Class B Trees may be substituted for each required Class A Trees, provided that at least fifty (50) percent of the required trees are Class A Trees. All required trees shall have at least a two (2) inch caliper measured six (6) inches from the ground. Existing trees in the requisite locations can qualify for the required trees.
- B. A twenty (20) foot wide landscape buffer parallel to the arterial street. For every one hundred (100) feet of the landscape buffer, there shall be planted at least four (4) Class A Trees. Two (2) Class B Trees may be substituted for each required Class A Tree, provided that at least a two (2) inch caliper measured six (6) inches from the ground. Existing trees in the requisite locations not removed in connection with construction can qualify for the required trees.

The requirements of this Section 4.104 shall be installed by the applicant prior to filing of the Final Plat, although they may be bonded and subsequently installed in accordance with the provisions of Section 4.102.K of the Unified Development Code. Prior to the filing of the Final Plat the applicant shall provide a certification from a landscape architect that the plantings have been installed in compliance with this section.

Section 4.2 Major Subdivision Plans and Plats

All plans and plats for Major Subdivisions shall comply with the requirements of the laws of the state governing surveying, platting, and subdivision of land, and to the Unified Development Code as contained herein and all other applicable ordinances of the City-Parish and all amendments thereto.

Section 4.3 Preliminary Plats

Preliminary plat. The purpose of the preliminary plat is to show graphically all facts needed to enable the Planning Commission, the Department of Public Works, and other City-Parish agencies, including the Parish School Board, Recreation and Park Commission, and the Parish Health Unit, to determine whether the proposed layout of the land in question meets the requirements of these regulations. The Department of Public Works also utilizes the preliminary plat to assign municipal address block ranges and address numbers to new streets and properties. Changes may be necessary in the preliminary plat before it can be tentatively approved. Approval of a preliminary plat is a tentative approval only and does not constitute the approval of a Final Plat. The preliminary plat shall be drawn to a scale of one (1) inch equals one hundred (100) feet or less. If the subdivision contains more than one hundred sixty (160) acres, the preliminary plat may be drawn to a scale of one (1) inch equals two hundred (200) feet.

Purpose:

Composition of the preliminary plat. The following items normally will be required to be shown on the preliminary plat:

- A. Title. The title under which the proposed subdivision is to be recorded; the location of the property to be recorded; the location of the property to be subdivided; the name of the owner or owners and/or the applicant; and the name of the appropriate licensed design professional of record, if any, who is platting the tract. The Title should read: "Preliminary Plat of," "Subdivision Name," "the legal description and township and range."
- B. Boundary Lines and Existing Improvements.
 1. Boundaries of the subdivision location; width and names of streets adjoining the subdivision; section and township lines; indication of incorporated areas, sewer districts, zoning district classification and boundaries, school districts and other legally established districts; all watercourses, drainage ways, stormwater best management practices, and other features within the area to be subdivided as well as the same facts regarding adjacent property.
 2. All property affected must be platted; i.e., when a lot is removed from a property, both the lot and the remainder must be designated as lots and dimensions given.
 3. All dimensions, bearings, and corner markers must be shown on the plat
- C. When subdividing lots of record, lots must be redesignated. For example, if Lot one (1) was divided into lots, the resulting new lots would become 1-A and 1-B.

- D. **Abutting Property.** The names of all abutting subdivisions, and the names and recorded owners of abutting tracts of unsubdivided land.
- E. **Features of Proposed Subdivision.**
1. The proposed location, names, and width of streets layout and approximate dimensions of lots; any other necessary descriptions of lots, servitudes and easements; and applicant's front building lines with setbacks. The lots shall not encroach on any rights-of-way and all rights-of-way shall be excluded from lot area.
 2. Existing buildings must be shown and municipal address if any.
 3. Existing ditches, drains or canals must be shown. Check with the engineering division of the Department of Public Works for right-of-way requirements.
- F. **Sewers, Water Lines, and Stormwater Management.**
1. Existing drainage ways, stormwater best management practices, sanitary and storm sewers, water mains, culverts, and other underground structures within the tract or immediately adjacent; statement of proposed plans for stormwater management and sewage disposal, including location of proposed culverts and bridges and contours from USGS Quadrangle Maps or better.
 2. All minor subdivisions will show existing sewer lines and wyes. If the lot is to be subdivided and has only one (1) existing sewer wye, then an additional wye must be installed to serve the additional lot. If no wye exists, then two (2) wyes must be installed to serve both lots. The cost of the installation must be borne by the property owner or applicant.
 3. If the property is outside the wastewater suburban transportation network and has no connection to sanitary sewer line, the sewer note is required with a place for the owner to sign.
 4. If the property is located outside the wastewater suburban transportation network and no sanitary sewer facilities are available, no more than fifty (50) lots may be approved. This requires that the Chief Sanitarian of the Parish Health Unit certification on the plat that he is approving the proposed method of disposal for fifty (50) or less lots. If the applicant desires to develop more than fifty (50) lots, he must provide community sanitary sewage treatment facilities.
 5. If the property is located within the wastewater suburban transportation network, the applicant must provide connection to the sanitary sewer facilities at his expense. If he desires to obtain approval prior to construction of such connection, he may deposit with the Planning Commission a cashier's check or certified check in the amount of construction as set by the Department of Public Works accompanied by a special form letter. After the construction is completed and the Department of Public Works has notified the Planning Commission that they have accepted the installation for maintenance, the office of the Planning Commission will notify the Finance Director that he may refund the applicant's deposit.
- G. **Public Utilities.** The location of all existing and proposed servitudes and existing and proposed public utilities including storm and sanitary sewers, water, gas and power lines.
- H. **Streets.**

1. Statement of proposed street improvements. In order for the Planning Commission and the Department of Public Works to determine whether proposed subdivision streets would be subject to flooding to a depth of more than one foot, and whether developments of a subdivision shall be permitted, the inundation level of record, the one hundred (100) year flood level and the design water surface shall be shown on the preliminary and final plat, meeting the applicable requirements of the specified ordinances as they relate to drainage matters. All existing streets' names and right-of-way widths must be shown.
 2. No lots may be subdivided on private streets or roads or on unimproved right-of-way unless such roads are first improved to Unified Development Code standards.
- I. Special Use Areas. Location and size of proposed parks, playgrounds, church or school sites, or other special uses of land.
 - J. North Point, Scale, and Date.
 - K. Vicinity Map. A key or vicinity map with a North arrow at two thousand (2,000) foot scale for subdivisions of more than twenty (20) lots, or at five hundred (500) foot scale for subdivisions of less than twenty (20) lots, showing existing streets, roads, drainage ways within at least one thousand (1,000) feet from the boundaries of the property being subdivided.
 - L. Flood Elevation Data. The preliminary plat showing the subdivision of property shall include the record inundation, the FEMA flood zone(s) and the FIRM Base Flood Elevation(s), all of which shall be provided by the engineering division of the Department of Public Works. Where the area subdivided lies at or below the record inundation level, or the FIRM Base Flood Elevation, whichever is greater, that area shall be shaded with approved drafting type shading. Shading by pencil is not acceptable. The foregoing information shall also be set forth in a separate box in the general notes.
 - M. All public servitudes and all private servitudes intended for public use must be dedicated by the owner. This requires dedication notes and a place for owner's signature. This excludes the dedication of major street right-of-way as indicated on the Major Street Plan; however, a major street building setback will be required.
 - N. The following shall be submitted with the preliminary plat:
 1. Stormwater Management Plan.
 - a. A Preliminary Stormwater Management Plan shall be submitted in accordance with Ordinance #14261. See Section 15.13.
 2. Drainage Impact Study.
 - a. A Drainage Impact Study shall be submitted in accordance with Ordinance #9836. See Section 15.15.
 3. Water Quality Impact Study.
 - a. A Water Quality Impact Study shall be submitted in accordance with Ordinance #14261. See Section 15.17.

Section 4.4 Minor Subdivisions

A. Minor subdivisions must meet the requirements of Section 4.3, and are bound by the requirements of section 4.6. The composition of the Subdivision of Property Map shall be as follows:

1. All information contained in Section 4.6.A, numbers 1 – 18, and 4.6.B and 4.6.C.
2. Recommendation for approval and signature of the Director of Public Works is required when new public servitudes are being dedicated.
3. Title. The title under which the proposed subdivision is to be recorded; the location of the property to be recorded; the name of the owner(s) and/or the applicant; and the name of the appropriate licensed design professional of record who is platting the tract. The title should read:

“MAP SHOWING THE SUBDIVISION OF (LOT/TRACT #) INTO (NEW LOT/TRACT #) OF THE (SUBDIVISION NAME OF RECORD) LOCATED IN (TOWNSHIP, SECTION, RANGE), LAND DISTRICT, EAST BATON ROUGE PARISH FOR (OWNER) BY (APPROPRIATE LICENSED DESIGN PROFESSIONAL).”

4. Method of sewerage disposal:
 - a. If the property is within five hundred (500) feet of an existing public sewage system, each new lot must tie in to the public sewer system. In accordance with Section 14.3.A.
 - b. If the property is greater than five hundred (500) feet from an existing public sewer system (outside the Wastewater Suburban Transportation Network), approved individual private treatment plants may be allowed in accordance with Section 14.3.B.
 - (1) The use of an approved individual private treatment plant requires the approval of the Parish Health Unit, and the Chief Sanitarian of the Parish Health Unit shall sign the map.
 - (2) Each new lot must have a minimum of one hundred (100) feet of frontage on a public right-of-way or private street.
 - (3) Ditches are required to convey the sewer effluent to a public drainage servitude or right-of-way.
 - (4) A note shall be added to the map which states:

“APPROVED PRIVATE SEWAGE TREATMENT PLANTS ARE IN USE. MINIMUM SLAB ELEVATIONS ARE REQUIRED TO BE 24 INCHES ABOVE THE SEWER EFFLUENT DITCH INVERT.”
 - c. If the property is to be developed under an approved Site Plan, the property may be subdivided without the installation of sewer facilities. The Site Plan must be approved prior to approval of the Minor Subdivision, and the following conditions shall be met:

- (1) Asterisks must be added to each lot/tract designation.
- (2) Each lot must be labeled as “Not a Building Site.”
- (3) A note shall be added to the plat which states:

“NO BUILDING PERMITS SHALL BE ISSUED FOR THESE LOTS UNTIL THE FOLLOWING REQUIREMENTS HAVE BEEN COMPLETED: (1) SANITARY SEWER PLANS SHALL BE DESIGNED BY A QUALIFIED REGISTERED PROFESSIONAL; (2) PLANS SHALL BE REVIEWED AND APPROVED BY THE DEPARTMENT OF PUBLIC WORKS; (3) THE REQUIRED SANITARY SEWER IMPROVEMENTS SHALL BE CONSTRUCTED BY THE OWNER/CONTRACTOR; (4) THE DEPARTMENT OF PUBLIC WORKS SHALL INSPECT AND APPROVE THE SANITARY SEWER IMPROVEMENTS; (5) A REVISION TO THIS PLAT REMOVING THIS STIPULATION SHALL BE SUBMITTED TO THE PLANNING COMMISSION AND THE DEPARTMENT OF PUBLIC WORKS FOR APPROVAL; AND (6) THE REVISED PLAT SHALL BE RECORDED IN THE CLERK OF COURT CONVEYANCE RECORDS AND THE REQUIRED CERTIFIED COPIES SUBMITTED TO THE PLANNING COMMISSION.”

- (4) The note shall have asterisks (to reference the double asterisks on the lot/tract designation).
- d. The improvements may also be bonded in lieu of immediate construction per Section 4.102.K.1. Lots/Tracts shall be noted on the plat as “Not a Building Site” and no building permits will be issued until the sewer has been installed and inspected/accepted by The Department of Public Works.
5. Access. All newly created lots shall have a dedicated means of access by either public right-of-way or private servitude.
 - a. Statement of proposed street improvements. In order for the Planning Commission and the Department of Public Works to determine whether proposed subdivision streets would be subject to flooding to a depth of more than one (1) foot, and whether development of a subdivision shall be permitted, the inundation level of record, the one hundred (100) year flood level and the design water surface shall be shown on the Subdivision of Property Map, meeting the applicable requirements of the specified ordinances as they relate to drainage matters. All existing streets’ names and right-of-way widths must be shown.
 - b. No lots may be subdivided on private streets or roads or on unimproved right-of-way unless such roads are first improved to Unified Development Code standards.
 - c. A cross section of the proposed servitude shall be provided on the map.

- d. All private servitudes shall be inspected by the Department of Public Works prior to approval & signature of the minor subdivision map.
- B. A Preliminary Stormwater Management Plan shall be submitted in accordance with Ordinance #14261. See Section 15.13 UDC.

Section 4.5 Construction Plan

- A. All designs shall be made in accordance with design standards of the Department of Public Works and a copy of complete design data shall be submitted for permanent record. This submittal shall include a CAD (or its electronic equivalent) file of the sewer and drainage layouts for the update of the City-Parish GIS Database and the records of the East Baton Rouge Sewerage Commission (EBROSCO).
- B. The basic requirements of plans for street and drainage improvements are as follows:
 - 1. Contour map of the area comprising the subdivision and sufficient additional area to include all watersheds, which might be a factor in the design of the storm sewer system;
 - 2. Layout plans of storm sewer system and/or ditch drainage system including culvert locations;
 - 3. Layout plan of sanitary sewer system if it is to be built;
 - 4. Plan and profile of all streets, including the following:
 - a. Profile along the centerline and each property line;
 - b. Proposed curb grade;
 - c. Grade of storm sewers and/or ditch drainage system with hydraulic grade lines;
 - d. Grade of sanitary sewers;
 - e. Design details of streets, sewerage improvements and stormwater best management practices.
 - f. All streets and private streets shall be named from the list approved by the Office of the Planning Commission.
- C. A Final Stormwater Management Plan shall be submitted in accordance with Ordinance #14261. See Section 15.13 UDC.

Section 4.6 Final Plats

The final plat shall be the size listed in Appendix L. Where the subdivision area is of unusual size or shape, the Planning Commission may permit a variation in the scale or size of the final plat. If more than two (2) sheets are required an index of the same dimensions shall be filed showing the entire subdivision on one (1) sheet. A CAD (or its electronic equivalent) file of the plat and any revisions thereto shall also be submitted to the Planning Commission.

Prior to final plat approval, all property currently zoned C1 (Light Commercial), LC1 (light Commercial One), LC2 (Light Commercial Two), LC3 (Light Commercial Three), HC1 (Heavy

Commercial One), HC2 (Heavy Commercial Two), and C2 (Heavy Commercial) shall be rezoned to the most restrictive residential zoning classification that accommodates the proposed lot sizes indicated on the submitted subdivision plat. An application to rezone the subject property and a preliminary plat application may be done simultaneously.

- A. All information required in Section 4.3 for the preliminary plat and, in addition, specific information listed below shall be required on the final plat:
1. Name of subdivision;
 2. Name, address, and signature of the applicant;
 3. North point, scale, and date;
 4. The outer boundary lines with accurate distances, angles, or true bearings if available, the exact location and width of all recorded streets and ways intersecting the boundaries of the tract being divided;
 5. Distances and angles, or true bearings if available, to the established street lines or official monuments, which shall be accurately described on the plat; municipal, range, township, parish and section lines accurately tied to the lines of the subdivision by distances and angles, or true bearings, if available;
 6. Streets, alleys, ways and private streets, together with their widths and names from the list approved by the Office of the Planning Commission;
 7. All curve data, the lengths of all arcs, radii, internal angles, points of curvature, and lengths and bearings of tangents;
 8. All dimensions, both linear and angular, necessary for determining the exact boundary of all lots in the subdivision; all angles must either be given directly or indicated by the bearings shown; where any lot line is curved, the significant elements of the curve, such as the arc length and the subtending central angle, bearing and dimensions of side lot lines and where a curve is involved an indication if it is a radial line and any and all mathematical information and data necessary to locate all interior and exterior boundary lines of any lot;
 9. Every plat shall show a note giving reference to the basis of the bearing, i.e., "Bearings shown refer to true 'North' or "Bearings shown refer to Grid North as established for the Louisiana Plane Coordinate System by the U.S.C. & G.S." or "Bearings shown refer to assumed North based on a bearing of S 10°30' 10" W used for the center line of State Highway 100," or "Bearings shown refer to the map (or deed) call N 30°E for the easterly line of the Smith Tract," etc. In all cases the bearings used shall be referenced to some well-established line;
 10. All block indications, if any, lot numbers; number or letter shall designate all individual areas, and lots in new subdivisions shall be numbered consecutively. No tract or portion of land shall be indicated as "Reserved";
 11. Benchmarks: The accurate location, material type and description of all permanent vertical control monuments (benchmarks) shall be designated by a permanent vertical control monuments based on datum established by the engineering division of the Department of Public Works. Approved City-Parish permanent vertical control monuments or subdivision monuments referenced to the official City-Parish permanent vertical control system shall be shown on the

final plat and reference to this final plat shall be used to set all lowest floor elevations of residential, non-residential and manufactured home structures to meet the requirements of Sections 16.852(5).

12. Special use areas: Location and size of proposed parks, playgrounds, church or school sites, or other special uses of land to be considered for dedication or sale for public use and of all property that may be designated by deed and covenants for the common use of the property owners in the subdivision, along with a statement for responsibility for maintenance;
13. Description of the tract being subdivided;
14. Statement of dedication: The following statement signed by the owner: The streets and rights-of-way shown hereon, if not previously dedicated or indicated as private are hereby dedicated to the perpetual use of the public for proper purposes. All areas shown as servitudes are granted to the public for use of utilities, drainage, sewage removal or other proper purpose for the general use of the public. No trees, shrubs or other plants may be planted, nor shall any building, fence, structure or improvements be constructed or installed within or over any servitude or right-of-way so as to prevent or unreasonably interfere with any purpose for which the servitude or right-of-way is granted. Where a sewage treatment plant is to be provided by the applicant, the area to be used for this purpose shall be a separate tract of land for that purpose only, and shall be separate from any other lot or building site;
15. Statement regarding sewage disposal: Statement signed by the owner and/or applicant to the effect that, outside the Wastewater suburban transportation network, no person shall provide or install a method of sewage disposal, except connection to an approved sanitary sewer system, until the method of sewage treatment and disposal has been approved by the Health Unit;

DEDICATION

RIGHTS OF WAY SHOWN HEREON AND LABELED AS A PUBLIC RIGHT OF WAY, IF NOT PREVIOUSLY DEDICATED ARE HEREBY DEDICATED TO THE PERPETUAL USE OF THE PUBLIC FOR PROPER PURPOSES. STREETS NOT INDICATED AS PRIVATE STREETS ARE HEREBY DEDICATED TO THE PERPETUAL USE OF THE PUBLIC FOR PROPER PURPOSES. ALL AREAS SHOWN AS SERVITUDES ARE GRANTED FOR THE PURPOSES INDICATED ON THE PLAT, AND IF NO PURPOSE IS INDICATED, TO THE PUBLIC FOR USE OF UTILITIES, DRAINAGE, SEWAGE REMOVAL OR OTHER PROPER PURPOSE FOR THE GENERAL USE OF THE PUBLIC. NO TREES, SHRUBS OR OTHER PLANTS MAY BE PLANTED, NOR SHALL ANY BUILDING, FENCE, STRUCTURE OR IMPROVEMENTS BE CONSTRUCTED OR INSTALLED WITHIN OR OVER ANY SERVITUDE OR RIGHT-OF-WAY SO AS TO PREVENT OR INTERFERE WITH ANY PURPOSE FOR WHICH THE SERVITUDE OR RIGHT-OF-WAY IS GRANTED.

SEWAGE DISPOSAL

NO PERSON SHALL PROVIDE A METHOD OF SEWAGE DISPOSAL, EXCEPT CONNECTION TO AN APPROVED SANITARY SEWER SYSTEM, UNTIL THE HEALTH UNIT OF EAST BATON ROUGE PARISH HAS APPROVED THE METHOD OF SEWAGE TREATMENT AND DISPOSAL.

*(IF APPLICABLE, THE FOLLOWING IS TO BE ADDED)

WHERE A SEWAGE TREATMENT PLANT IS TO BE PROVIDED BY THE APPLICANT, 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.

SIGNATURE

NAME & TITLE

NAME OF COMPANY

16. Restrictions and Maintenance: Private restrictions or restrictive covenants and their periods of existence to apply to lots in the subdivision shall be signed by the owner or his agent and recorded in the Office of the Clerk and Recorder of the Parish. A copy of the recorded restrictions shall be furnished to the Director of the Planning Commission prior to or concurrent with the filing of the Final Plat. The restrictions shall provide that the subdivision association or other lot owners in the subdivision shall have the right to enforce the provisions of the restrictions. The Parish of East Baton Rouge shall have no obligation to enforce the provisions of such restrictions. Although the restrictions may provide for additional requirements:
- a. Where underground electrical service is provided for the subdivision, restrictions shall include a requirement that the owner of each lot shall furnish an electric servitude from the source of supply to his meter location for receipt of electric service on the lot, and this requirement shall be noted on the Final Plat.

- b. All new Major Subdivisions must comply with the landscape and permitting requirements of Chapter 18, except where specifically exempted, or where the requirements are in conflict with the requirements set forth in this Section. Lots with more than forty (40) feet of street frontage measured at the building setback line within Major Subdivisions must have:
 - (1) At least one (1) Class A Tree or two (2) Class B Trees (see Section 18.15 for definitions of these types of trees) must be planted on the lot between the front lot line and the front building set back line.
 - (2) Such tree or trees shall have at least a two (2) inch caliper measured six (6) inches from the ground.
 - (3) The required tree or trees shall be planted no later than six (6) months after the occupancy of a house on the lot.
 - (4) Tree planting is prohibited within the sight triangles of Appendix A.
 - (5) Existing trees at the requested location that are not removed in connection with the construction, may satisfy this requirement.
 - c. If a buffer is required by Section 4.104, such restrictions shall provide that the property owners association of the subdivision shall maintain the fence and/or landscape buffer.
 - d. The restriction shall grant the Parish of East Baton Rouge the power to enforce these restrictions should the association fail to do so, but the Parish shall be under no obligation to do so.
17. Flood Elevation Data: The final plat showing the subdivision of property shall include record inundation, the FEMA flood zone(s) and the FIRM Base Flood Elevation(s), all of which shall be provided by the engineering division of the Department of Public Works. Where the area subdivided lies at or below the record inundation level or the FIRM Base Flood Elevation, whichever is greater, that area shall be shaded by an approved drafting type shading pattern. Shading by pencil is not acceptable. The foregoing information shall also be set forth in a separate box in the general notes. A note shall be on the final plat indicating that the base flood elevation(s) are subject to change and the current base flood elevation should be verified with the engineering division of the Department of Public Works.
18. Professional Land Surveyor's certification and seal: This certification shall be a statement by a professional land surveyor licensed to practice in the state to the effect that the plat is based upon an actual survey made by him and that the distances, courses, and angles and all other required survey information are shown correctly, that the monuments have been set and the lot and block corners staked correctly on the ground and that he has fully complied with the provisions of R.S. 33:5051 et seq., and the minimum standards for the practice of land surveying as promulgated by the Louisiana Professional Engineering and Land Surveying Board. The land surveyor's seal shall also be shown. A note shall be placed on the final plat indicating the survey classification.

19. Recommendation for approval and signature by the Director of the Department of Public Works and the approval and signature of the Director of the Planning Commission shall be shown on the final plat.
20. The street light layout must have Department of Public Works' approval at the final plat approval phase.
21. The Wastewater Impact Fee is required in accordance with Ordinance 10043, EBROSCO Ordinance 1242, as amended, adopted September 28, 1994, by the Metropolitan Council.

Statement of Wastewater Impact Fee Certification (to be placed on the Final Plat:

This is to certify that the Applicant of (Lots/Tracts) _____ through _____ has paid \$_____per (Lot/Tract)_____for a total of \$_____(Check No._____) in Wastewater Impact Fees in accordance with Ordinance 10043, EBROSCO Ordinance 1242 as amended, adopted September 28, 1994, by the Metropolitan Council. Additionally, all (Lots/Tracts)_____for which a building permit will be issued for improvements to the (Lot/Tract) _____ will require payment of the remaining portion of the Wastewater Impact Fee in accordance with the aforementioned Ordinance. This subdivision is located in the _____Sewer District.

22. An executed and recorded "Private Water Quality Maintenance Covenant" is required for all Stormwater BMPs and/or Stormwater BMP systems on a development site prior to final plat approval. This Private Water Quality Maintenance Covenant must reflect the approved Water Quality Impact Study and/or Stormwater Management Plan, and must include Stormwater BMP Scheduled Maintenance Actions as stated in either or both of these approved documents.

Statement of Private Water Quality Maintenance Covenant (to be placed on the Final Plat:

A Private Water Quality Maintenance Covenant has been executed and recorded in the Office of the Clerk and Recorder of the Parish as Original _____ and Bundle _____.

23. The municipal address block ranges assigned by the Department of Public Works for each new street shall be notated on the final plat drawing.
 24. The municipal address numbers assigned by the Department of Public Works for the subdivided property shall be notated on the final plat drawing. In the case that sufficient space is not available within the drawing, the address numbers may alternatively be provided in table format on the final plat document with references to the coinciding lot numbers.
- B. All surveying for perimeter, street center line, property line, and control monuments of a subdivision shall be performed with the precision as specified for that class of survey in accordance with the minimum standards for the practice of land surveying as promulgated by the Louisiana Professional Engineering and Land Surveying Board.
 - C. Permanent control monuments of materials approved by the Department of Public Works shall be placed at all of the following locations and shown on the final plat:

1. At the corners, control points and angle points around the perimeter on boundary of the subdivisions at intervals or locations designated by the Department of Public Works;
2. At all points where the perimeter or boundary of the subdivision intersects street right-of-way lines;
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; and
4. On all property lines at the point of curvature and the point of tangency of all horizontal curves.

Section 4.7 Violation and penalty

Whoever, being owner or agent of the owner of any land located in a subdivision, transfers or sells, or agrees to sell any land by reference to, or exhibition of, or by other use of a plat of a subdivision, before such plat has been approved by the Planning Commission and recorded or filed in the office of the Clerk of Court of the Parish, shall forfeit and pay a penalty of five hundred (500.00) dollars for each lot or parcel so transferred or sold or agreed or negotiated to be sold. The description of such lot or parcel by metes and bounds in the instrument of transfer or other document used in the process of selling or transferring shall not exempt the transaction from such penalties. Where decisions are left herein to the Department of Public Works, any person dissatisfied with such decision may appeal to the Planning Commission. Such appeal shall be made by letter addressed to the Planning Commission through its Director, with copies for each members of the Planning Commission. Upon receipt of such an appeal, the Director shall notify the members of the Planning Commission of such appeal and expeditiously place the appeal on the agenda of the Planning Commission for a hearing.

Section 4.8 Reserved

Section 4.9 Townhouse Subdivision

- A. The Planning Commission may approve townhouse subdivisions in the A2.5, A3.1, A.3.2, A3.3, A4, and A5, zoning districts under the following conditions:
 1. Townhouses. 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.
 2. Site plan and design criteria:
 - a. Not more than six (6) contiguous townhouses shall be built in a row with the same or approximately the same front building line, and not more than twelve (12) townhouses shall be contiguous.
 - b. Separation requirements. No portion of a townhouse or accessory structure in or related to one group of contiguous townhouses shall be closer than twenty (20) feet to any portion of a town house or accessory structure related to another group, or to any building outside the townhouse area, nor shall any structure be less than twenty (20) feet from a public street.

- c. Yards. There shall be a twenty-five (25) foot yard along sides and rear of each townhouse site wherever it adjoins an A-1 or A-2 zoning district. Each townhouse shall have its own lot yard space of at least four hundred (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.
 - d. Grouped parking facilities. 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 stormwater management shall be assured by applicants in connection with common parking facilities, and all such facilities shall be improved to City-Parish standards for off-street parking areas, with at least two (2) spaces per unit on the lot plus one (1) visitor parking space per each two (2) units, which may be provided in separate areas.
 3. Sewerage and water supply shall be designed and constructed under the supervision of and approved by the Health Unit and the Department of Public Works as provided under Section 14.3 except that connection to sanitary sewers shall be the only permitted method of sewage disposal.
 4. Drives, parking, and utilities. Design and construction of drives, and stormwater management facilities and location of utilities shall be subject to review and approval by the Department of Public Works after approval of the preliminary plan by the Planning Commission office.
 - a. Lots may front on driveways with access to a public street by means of a private street, provided that driveways extending more than three hundred (300) feet from a public street provide adequate turning and maneuvering area. All other requirements for public streets and servitudes as set forth in Chapters 2 and 13 shall apply.
 - b. Interior access drives shall be at least six (6) inches soil cement base with one and one-half (1½) inches asphaltic concrete wearing surface or better, at least twenty-two (22) feet wide, with adequate drainage.
 - c. Parking areas shall be at least sixty-five (65) feet wide where parking or carports are on both sides of a common drive, or at least forty-two (42) feet wide where there is parking on one side only; except where diagonal parking is to be provided, parking areas shall be at least fifty-seven (57) feet wide for parking on both sides or thirty-six (36) feet for parking on one side.
 - d. Before approval of the final subdivision plats, restrictions shall be submitted, including designation of all servitudes, lot lines, parking areas and other open space, with provision for perpetual maintenance of all improvements as described in the maintenance covenant including pavements, landscaping, stormwater best management practices, utilities and services. Restrictions shall clearly indicate that the City-Parish will not accept any maintenance responsibility for drives and parking spaces.
 - e. Where a property extends more than four hundred (400) feet from a public street, additional fire hydrants shall be provided as required by the fire chief.

- f. There shall be a six (6) foot high wall or solid fence along the sides and rear of the Townhouse Subdivision wherever it adjoins A-1 and A-2 Single Family Zoning districts.
5. The minimum lot width shall be eighteen (18) feet and minimum lot area one thousand four hundred forty (1,440) square feet except for the townhouse zoning district.
6. Townhouse Subdivision in the A2.5 Zoning District.
 - a. Site Plan and Design Criteria, General. It is the intent of this section that town houses in areas where they are or may be permitted:
 1. May be appropriately intermingled with other types of housing except that they shall not be located on lots of less than one hundred twenty (120) feet of frontage.
 2. Shall constitute groupings making efficient, economical, comfortable, and convenient use of land and open space and serving the public purposes of zoning by means alternative to conventional arrangements of yards and buildable areas.
 - b. Site Plan and Design Criteria, Details. In line with the general considerations above:
 1. Not more than six (6) contiguous town houses shall be built in a row with the same, or approximately the same, front building line, and not more than twelve (12) town houses shall be contiguous.
 2. Minimum width for the portion of the lot on which the town house is to be constructed shall be twenty (20) feet.
 3. Minimum lot area shall be two thousand (2,000) square feet.
 - c. Courts, Open Space, and Recreation Areas: There shall be a site area of at least three thousand eight hundred (3,800) square feet per dwelling unit including lots, common open space, yards and buffer area adequately landscaped; walkways, and access drives, and including at least two hundred (200) square feet per dwelling unit of recreation space.
 - d. Utilities and Landscaping: As provided by the Unified Development Code, design and construction of drives and stormwater management facilities, and location of utilities shall be subject to review and approval by the Department of Public Works, after approval of the preliminary plan by the Planning Commission Office.
7. Servitudes in favor of the lots shall be provided at the front or rear of lots in the required front or rear yards for off-street parking and utilities, but entrances to front yard parking areas shall be not less than fifty (50) feet apart, unless an individual space is provided for each lot. Parking spaces and drives shall have permanent dust-free surfacing.
8. A Townhouse subdivision shall conform to the dimensional regulations set forth in Chapter 11 and all other applicable provisions in Section 4.103.

Section 4.10 Zero Lot Line Subdivision

- A. Zero Lot Line Subdivision is a single family detached housing subdivision that shall have only one (1) side yard. The Planning Commission may approve a zero lot line subdivisions in the A2.1, A2.6, A3.1, A.3.2, A3.3, A4, A5, and NO, zoning districts under the following conditions:
1. The zero lot line must be designated on the approved subdivision plat.
 2. A five (5) foot private construction and maintenance easement shall be provided on the lot adjacent for construction and maintenance of the zero lot line wall. This shall be noted on the approved subdivision plat.
 3. Zero Lot Line subdivisions that contain lots that cannot meet Zero Lot Line criteria because of unusual circumstances may be allowed to have lots meeting the zero lot line area and dimensional requirements without a zero lot line designation when deemed appropriate and reasonable by the Planning Director.
 4. A minimum of twenty five (25) percent of the total site are contained within a Zero Lot Line Subdivision shall be dedicated for common open space.
 5. The Zero Lot Line subdivision shall conform to the dimensional regulations set forth in Chapter 11 and all other applicable provisions in Section 4.103.
 6. A fence servitude shall be provided with a six (6) high wall or solid fence along the sides and rear of the Zero Lot Line Subdivision wherever it adjoins A1 or A2 Single Family Districts or a recognized Residential Subdivision.
 7. The Zero Lot Line Subdivision application shall follow the preliminary plat and final plat procedures outlined in Sections 4.3 through 4.6.
 8. All houses on a zero lot line site shall be constructed in accordance with the zero lot line housing provision in Chapter 2.

Section 4.11 Camp Site Subdivision

- A. Whenever a parcel of land fronts for a reasonable distance on the Amite River or on Bayou Manchac, the Planning Commission may approve a camp site subdivision under the following conditions:
1. Where there is no public water supply and water wells are to be provided on the individual lots, minimum lot width shall be one hundred (100) feet and minimum lot area twenty thousand (20,000) square feet. Where there is a public water supply to serve the development, lots may be reduced to fifty (50) foot minimum frontage and six thousand (6,000) square feet minimum area.
 2. Sewerage, water supply and drainage shall be designed and constructed under the supervision of and approved by the Parish Health Unit and the Department of Public Works as provided under Sections 14.3, 15.14 and 15.16.
 3. Streets shall consist of six (6) inches of compacted gravel at least twenty (20) feet in width or on a roadbed at least twenty-four (24) feet in width and shall be graded to full width of sixty (60) feet right-of-way. Deed restrictions shall be noted on the plat that streets will not be improved to a higher standard by the City Parish and such streets will not be eligible for petition paving but may be improved to a higher

standard by the owners and/or applicants.

1. Such developments shall be permitted in keeping with the general intent and purpose of this part for use as campsites, but shall not be approved or permitted where they would be in competition with subdivisions designed and approved under the standard provisions of this part.

Section 4.12 Mobile Home Parks

- A. Mobile home parks shall be built to development standards as set forth below and maintained in accordance with all applicable ordinances.

Mobile Home Parks: Applies to all Districts where permitted. No mobile home park shall be developed in any permitted district until all trailer parks or mobile home parks shall secure approval of the Parish Health Unit on the method of sewage treatment and disposal and on the public water supply, and shall be built in accordance with the following minimum construction standards:

1. Individual trailer sites may be leased or rented but not subdivided or sold.
2. A minimum site of three (3) acres is required, with a minimum frontage of two hundred (200) feet, on a publicly maintained street or road.
3. Maximum density is twelve (12) trailer sites per acre.
4. Minimum improvement requirements for private drives within the trailer park are twenty-three (23) feet back to back of curb in a thirty-five (35) foot width between building lines with storm drainage and pavement construction as required by Section 13.6.
5. Where only one drive is to be provided, each trailer park shall include an adequate circular turnaround at the rear of the property with a minimum radius of thirty (30) feet for garbage trucks and other vehicles.
6. Minimum lot size shall be thirty (30) feet of front by seventy-five (75) feet of depth.
7. Each trailer site shall have two two-foot wide concrete runners six (6) inches thick for the trailer location and a four (4) inch thick, ten (10) foot by twenty-six (26) foot concrete parking pad, to be measured from the back of curb at the front of the site.
8. If garbage hoppers are to be provided then two (2) shall be provided for each twenty (20) trailer sites with the same type and specifications as apartment developments.
9. Each trailer site shall be provided with a sanitary sewer connection and each trailer park shall be provided with a collection and treatment system, public water supply, and fire hydrants in compliance with the standards of the Public Health Unit, the State Health Department, and Department of Public Works.
10. There may be established a separate or optional area for overnight campers which area shall be provided with central public facilities.
11. Where Mobile Home Parks are established, a solid fence or wall at least six (6) feet high shall be provided along all sides and rear property lines.

12. Side and Rear Yards: Any Mobile Home Park developed under these standards shall provide a twenty (20) foot side and rear yard buffer if it is developed adjacent to a residential district or a recognized residential subdivision.
13. Prior to the issuance of a permit for a mobile home park the plan of the proposed mobile home park shall be subject to a public hearing held by the Planning Commission, which plans shall be reviewed by Department of Public Works prior to Planning Commission hearing.
14. Where Mobile Home Parks are established, a recreational area shall be provided at a rate of ten (10) percent of the overall park area, but shall not be required to exceed one (1) acre in size.

Section 4.13 Revocation or relocation of streets, alleys, rights-of-way, or servitudes dedicated to public use

A. Application to Planning Commission

Any person desiring to have a public street, alley, right-of-way, or servitude revoked or relocated shall first apply to the Planning Commission for the revocation or relocation.

B. Requirements

At the time of filing application with the Planning Commission, the applicant shall submit to the Office of the Planning Commission a plat showing the 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.

C. Fees

At the time of filing the application, the applicant shall pay to the Office of the Planning Commission a fee to cover the cost of processing the application, together with all legal instruments, ordinances, etc., necessary to complete the revocation or relocation. All of the legal instruments, ordinances etc., must be approved by the Parish Attorney, and the applicant shall supply such other information as may be deemed necessary by the Parish Attorney or the Office of the Planning Commission.

D. Procedure

The Planning Commission shall investigate the propriety and feasibility of the revocation or relocation and submit its recommendation thereon to the Metropolitan Council within sixty (60) days after the application is submitted to the Office of the Planning Commission; provided that, in those instances where the revocation or relocation will not have any effect on any abutting property involved, no hearing before the Planning Commission shall be required, but a recommendation shall be made to the Metropolitan Council by the Office of the Planning Commission and Department of Public Works, after the conduct of such investigation thereof as they may deem necessary and appropriate.

E. Action by Council

After receipt of recommendations from the Planning Commission, the Metropolitan Council may, if it so desires, introduce an ordinance revoking or relocating the street, alley, right-of-way or servitude, which ordinance shall lay over until the next regular meeting of the Metropolitan Council for a public hearing called and advertised therefore,

as in the case of other ordinances requiring a public hearing. At the time of the hearing the Metropolitan Council may adopt or reject the ordinance as it sees fit.

F. Title not Warranted

This chapter does not give any person the right to have a street, alley, right-of-way, or servitude revoked and the City-Parish does not warrant clear and merchantable title to any property over which the street, alley, right-of-way or servitude to be revoked or relocated lies.

Section 4.14 Land Clearing Requirements

The Purpose of this Section is to ensure the following requirements are met: All activities related to disturbance shall require a Site Clearing Permit. Prior to disturbance of any development or redevelopment of a lot or parcel of land, excluding individual existing residential lots of less than five (5) acres in a recognized subdivision, a Site Clearing Permit for such activity shall be obtained from the Department of Public Works.

- A. A Site Clearing Permit shall not be required in any property intended for agricultural activities or commercial timber harvesting (as defined in the Unified Development Code).
- B. Before obtaining a Site Clearing Permit the following must be submitted to the Department of Public Works:
 - 1. Current aerial photo and topographical map;
 - 2. Existing hydrology;
 - 3. Existing vegetation, specifically identifying and locating the following tree species with a DBH of ten (10) inches or greater:

Scientific Name	Common Name
<i>Quercus alba</i>	White Oak
<i>Quercus falcata</i>	Red Oak
<i>Q. falcata</i> var. <i>pagodifolia</i>	Cherrybark Oak
<i>Quercus lyrata</i>	Overcup Oak
<i>Quercus michauxii</i>	Cow Oak
<i>Quercus nuttallii</i>	Nuttall Oak
<i>Quercus phellos</i>	Willow Oak
<i>Quercus shumardii</i>	Shumard Oak
<i>Quercus virginiana</i>	Live Oak
<i>Taxodium ascendens</i>	Pond Cypress
<i>Taxodium distichum</i>	Bald Cypress
<i>Ulmus americana</i>	American Elm
<i>Ulmus alata</i>	Winged Elm

- 4. Environmentally Sensitive Areas onsite;
- 5. A plan of conceptual intent for use after clearing, including the proposed site plan after clearing;
- 6. Limits of Construction (as defined by the Unified Development Code) shall be drafted and shall only encompass the proposed areas of improvement;

7. Limits of Clearing (as defined by the Unified Development Code);
 8. Stormwater Pollution Prevention Plan (SWPPP) for clearing activities; and
 9. Start and end date of clearing activities.
- C. All clearing indicated on the plan should occur only within the Limits of Clearing. Additional area may be cleared for construction staging during the clearing, but this area may not exceed ten (10) percent of the total area being cleared.
- D. Environmentally Sensitive Areas cannot be cleared unless the applicant can show there is no practicable alternative to the clearing of these areas on the site. An EPA “404” Permit mitigates this requirement for federally recognized wetlands.
- E. Prior to the commencement of clearing activities, the SWPPP must be complete. The SWPPP must be implemented throughout the clearing process until the site is stabilized.
- F. All cleared areas shall have soil stabilization methods instituted within fourteen (14) days of clearing. If construction ceases for a period of fourteen (14) days or more, the land shall be stabilized by the fourteenth day.