



APPENDIX IV
SUBDIVISION REGULATIONS

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REGULATION HISTORY

ORDINANCE HISTORY

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17-401. Classification of Subdivision Procedure

- A. Whenever any subdivision of land is proposed, excluding family partitions, before any contract is made for the sale of any part thereof and before any permit for the erection of a structure in such proposed subdivision shall be granted, the subdividing owner, or his authorized agent, shall apply and secure approval of such proposed subdivision in accordance with the following procedure, which includes basically one (1) step for simple subdivisions with less than twenty lots and three (3) steps for all other subdivisions.
1. Simple subdivisions with nine lots or less:
 - a. Sketch plat (optional);
 - b. Final subdivision plat submitted in electronic format and hard copy.
 2. All other subdivisions (Major or Minor):
 - a. Sketch plat (optional);
 - b. Preliminary Plat submitted in electronic format and hard copy;
 - c. Construction drawings submitted in electronic format.
 - d. Final subdivision plat

(DC03-17, 12/19/17)

17-402. Fee Schedule

- A. The Planning Commission has the authority to determine fees for applications, inspections and review. The schedule of fees, as amended from time to time, henceforth, is attached to these subdivision regulations as **Appendix XII**.

(DC03-17, 12/19/17)

17-403. Pre-Application Procedure

- A. Previous to the filing of an application for a major or minor subdivision seeking approval by the Town of Sorrento Planning Commission of a concept plan the applicant shall submit to the Town of Sorrento, the plans and data as specified in **Section 17-406(B) and Section 17-4020**. Informal discussion between the Town of Sorrento and the applicant are encouraged to correct any noted deficiencies within the concept plan before submittal to the Planning Commission for approval.
- B. Within thirty (30) days, the Town of Sorrento or their engineering review agency (E.R.A.) shall inform the applicant that the plans and data as submitted or as modified, do or do not meet the objectives of the regulations. When the Town of Sorrento or E.R.A. find the submission does not meet the objectives of these regulations, it shall express its reasons in writing and annotated on the plan or sketch. Approval by the Town of Sorrento or E.R.A. does not render the concept plan as approved and all other requirements and procedures as set forth in these regulations must be fully complied with prior to granting approval.

(DC03-17, 12/19/17)

17-405. Concept Plan Procedure

- A.** Upon the satisfactory conclusion of the pre-application procedure, the applicant shall prepare a concept plan and other supplementary material as specified in section **Section 17-406(B)**.
- B.** Three (3) full scale prints, one (1) 11" x 17" reduced print of the concept plan, one (1) copy of the concept plan submitted in electronic form (.pdf file) or other acceptable format as approved by the Town of Sorrento, and specified supplementary material shall be submitted to the secretary for the Planning Commission at least thirty (30) days prior to a regularly scheduled Planning Commission meeting. The Town of Sorrento or E.R.A. shall review the concept plan within ten (10) days. Review and inspection fees established by the Town of Sorrento Council shall be submitted with the concept plan.
- C.** The Chairman of the Commission may act on behalf of the Commission in the consideration of a simple subdivision which has nine lots or less where an affidavit of mortgage declaration has been submitted and the property is not encumbered by a mortgage. All other subdivisions shall be considered by the Planning Commission at the regular Planning Commission meeting. On these subdivisions, the Staff and/or Engineer Review Agency shall provide written comments to the Planning Commission prior to the meeting.
- D.** The Planning Commission shall hold public hearings on all major subdivisions; the subdivision must be considered at the monthly planning commission meeting:

 - 1. The applicant must submit, in electronic format, a list indicating the names of the adjacent property owners, addresses and lot and square numbers as shown in the Parish assessor's records, to the Town of Sorrento and/or E.R.A.
 - 2. Public Notice requirements

 - a. Notice of the time and place of the public hearing shall be mailed by certified mail to the owner/applicant and all adjacent property owners as identified by the Parish of Ascension Tax Assessors office at the time of the submittal and at the applicants sole cost, by the Planning Commission staff.
 - b. The public hearing shall be advertised in the Town of Sorrento official journal.
 - c. Prior to any hearing before the Planning Commission, the site must be posted by the applicant with sign(s) that meet the following requirements for public notice:

 - i. Parcels of land 20 acres or greater in size shall place a sign facing each public right-of-way it has frontage on as follows;

 - a) Sign(s) must be no more than 10 feet from the access way and free of any physical obstruction that could obscure visibility of the sign.
 - b) Sign(s) must be no more than 1,200 feet apart per frontage.

c) Sign(s) must be placed on the subject property a minimum of 10 calendar days prior to the scheduled hearing date.

d) Developer must deliver to the Planning and Development staff, photos of installed sign(s) a minimum of 10 days prior to the scheduled hearing date.

1) Photo(s) of the installed sign(s) must include the date and time digitally identified on the photo(s).

2) Developer must include a graphic depiction of the sign location(s).

ii. Developer shall install a sign(s) that meets the following standards:

a) Sign(s) must be a minimum of 24" x 30" in size and must be a minimum height of 5' to the center line of the sign

b) Sign(s) must have a yellow background with black letters.

c) Signs must be double faced and oriented perpendicular to the travel lane.

d) Sign(s) must state the following information:

1) Type of the proposed development or subdivision

2) Public hearing date and time

3) Public hearing location

4) Town of Sorrento contact information

iii. Parcels of land smaller than 20 acres shall place one sign that meets the requirements of Section 17-405.D.2. The sign must be posted at the mid-point along the thoroughfare it fronts, provided, the location must not impede any existing ingress or egress or other physical attribute of the parcel of land. In such cases, it should be placed as close as possible to the mid-point of the frontage.

d. Final Plats shall be excluded from these requirements.

e. The sub-divider and/or his representative shall be present at the public hearing to explain the proposal and answer questions.

3. If the commission grants preliminary approval, three (3) prints of the concept plan shall be submitted for signing by the Town of Sorrento staff.

4. Any changes made by the owner/sub-divider subsequent to approval of the concept plan shall be submitted in electronic format and reviewed by the Planning Commission Chairman, Town of Sorrento staff and/or the E.R.A. If the change suggested by the owner/sub-divider is to be of a substantial nature which is defined below, then approval can only be granted by the Planning Commission and then only after a public hearing is held for that purpose. If the suggested change is not substantial in nature, then approval will be granted.

- a. A change in the size of lots, amounting to an increase of ten (10) percent or more of the total number of lots from the previously approved plat.
 - b. Re-design of the subdivision or any portion thereof which would change the street pattern affecting any of the points of ingress/egress.
 - c. Relocation or addition of any sewerage treatment facility.
 - d. Relocation or addition of any drainage facility, except as mandated by an agency with the legal authority to govern the change.
 - e. A change in the amount of green space dedicated, amounting to reduction of ten (10) percent or more from the previously approved concept plan.
- E.** The Planning Commission shall receive in hard copy and electronic format the concept plan, supplemental material and comments from the Town of Sorrento staff and the E.R.A. for review prior to its regular meeting. The Planning Commission shall, at its regular meetings, discuss the concept plan as to conformity with the subdivision regulations. The Planning Commission shall express its approval or disapproval and reasons therefore.
- F.** All actions of the E.R.A. shall be submitted to the Planning Commission at its regular meetings. The E.R.A. shall operate at the direction of and under the control of the planning commission.
- G.** Approval of the concept plan shall not constitute approval of the final plat, but the applicant may direct his engineer to proceed with the construction plans.
- H.** If the applicant does not submit the construction plans within twelve (12) months, the Planning Commission shall have the right to rescind approval of the concept plan. The E.R.A. shall be responsible for notifying the Planning Commission of any applicants that fail to submit construction plans within the twelve (12) month duration. Notification shall be in the form of a status update report presented at a regularly scheduled Planning Commission meeting.
- 1. If no construction activity has begun within twenty-four (24) months following the acceptance of the concept plan by the Planning Commission, the concept plan shall be automatically rescinded and the applicant shall resubmit all plans and construction documents to the Planning Commission and E.R.A. for review. If changes are warranted, then the construction documents shall undergo review, and following approval by the Planning Commission and the E.R.A., the developer may commence construction. The E.R.A. shall be responsible for notifying the Planning Commission of any applicants that fail to begin construction within the twenty-four (24) month duration. Notification shall be in the form of a status update report presented at a regularly scheduled Planning Commission meeting.
 - 2. If no permits are requested and utilized for a successive filing in a subdivision within five years following the approval of the final plat of

the previous filing, then said filing and development thereon, shall conform to the requirements as set forth in Town of Sorrento Subdivision regulations and Town of Sorrento Development Code applicable at the time the permits for development or building within the filing are sought. The E.R.A. or Planning Commission secretary shall be responsible for notifying the Planning Commission of any sub-dividers that fail to request permits within the five (5) year duration. Notification shall be in the form of a status update report presented at a regularly scheduled Planning Commission meeting.

- C. The Town of Sorrento and the E.R.A. shall require an applicant to provide a drainage impact study as per **Section XXX** and a traffic impact study as per **Section XXX** for a proposed concept plan and to require a conclusion and plan that offsets any adverse impact that the development may have on the drainage system or the roads/traffic of the Parish of Ascension and the Town of Sorrento. The E.R.A. and the Town of Sorrento staff must agree or disagree with the findings of the engineer, sub-divider or person that submits the drainage plan, and/or traffic study.

(DC03-17, 12/19/17)

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Concept Plan and Data for Preliminary Approval

- A. The purpose of the concept plan is to show, geographically, all facts needed to enable the Planning Commission, the Town of Sorrento staff and the E.R.A. to determine whether the proposed layout of the land in question is satisfactory from the standpoint of public interest and will meet the requirements of these regulations. Changes may be necessary in the concept plan before it can be finally approved. Approval of a concept plan does not constitute the approval of a final plat.
- B. The following information shall be included on the concept plan:
1. Title: The title under which the proposed subdivision is to be recorded; the location of the property to be sub-divided; the name of the owner or owners and/or the sub-divider; and the name of the engineer, surveyor or landscape architect, if any, who is platting the tract.
 2. Boundary lines and existing improvements: Boundaries of the subdivision location; width and names of streets adjoining the subdivision; section and township lines; indication of incorporated areas, sewer districts, zoning districts, school districts and other legally established districts; all water courses, drainage ditches, wooded areas, and other features within the area to be subdivided as well as the same facts regarding adjacent property.
 3. Adjoining property: The names of all adjoining subdivisions, the names, addresses and record owners of adjoining tracts of un-subdivided property and all adjoining tracts of un-subdivided property and all adjoining lots and streets adjacent to and touching the proposed subdivision. The names and addresses of record owners of adjoining properties to and touching the proposed subdivision shall also be listed on a separate sheet of paper submitted with the concept plan.
 4. Features of proposed subdivision: The proposed location, names and width of streets; layout, and approximate dimensions of lots; any other necessary descriptions of lots, servitudes and easements; and location and dimensions of existing buildings, if any; and sub-divider's front building lines with setbacks.
 5. Drainage ditches: Existing drainage ditches, drainage ditches from the proposed subdivision to the ultimate major drainage ditch, canal or waterway and a contour map where terrain might affect location of ditches.
 6. Streets: Statement of proposed street improvements, including contour map where terrain might affect location of street.
 7. 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 to public use.

8. North arrow, scale and date.
 9. Vicinity map: A key or vicinity map at 2,000' scale for subdivisions of more than twenty lots, or at 500' scale for subdivision or re-subdivisions of less than twenty lots, showing existing streets, roads, drainage channels within 1,000' of the property being subdivided.
 10. F.E.M.A. Flood Plane Delineation and Designation and Inundation/100 year flood elevation.
 11. Proposed Wetlands Delineation by a qualified consultant or a Jurisdictional Wetlands Determination including any associated maps and other related data including the official dated letter from the Army Corps of Engineers.
 12. Total acreage involved in the proposed subdivision and total remaining adjacent acreage owned by the developer and the location thereof.
 13. All existing curves on public streets located within one-fourth (1/4) mile of the proposed subdivision entrances or a statement that no curves exist on public streets within one-fourth (1/4) mile of the proposed subdivision entrances.
- C. The concept plan shall be legibly drawn on paper with minimum dimensions of 11" X 17" at a measurable scale.
- D. When required by the Planning Commission or *E.R.A.*, the concept plan shall be accompanied by profiles showing existing ground surface and proposed street grades, including extensions for a reasonable distance beyond the limits of the proposed subdivision grading, roadway and sidewalk; preliminary plan of proposed sanitary and storm water sewers with grades and sizes indicated. All elevations shall be based on a datum plane approved by the *E.R.A.*
- (DC03-17, 12/19/17)

17-407. Consultation with Other Regulatory Agencies Procedure

- A. The sub-divider shall consult with the designated E.R.A. to determine the standards and specifications that shall govern the proposed improvements. No construction work shall proceed until this agency has given written approval of the plans.
 - B. If no construction work is commenced within twenty-four (24) months of approval of the construction documents, the E.R.A. or the Local Health Authority may cancel their approval.
- (DC03-17, 12/19/17)

17-408. Procedure for Construction

- A. Construction plans approved by the E.R.A. **(See Section 17-407(A) above).**
- B. Construct improvements.
 - 1. Before construction begins, written notice shall be given to the Town of Sorrento, the Planning Commission, and the E.R.A.
 - 2. When the development is ready for an intermediate inspection, written request from the Developer's Engineer shall be given to the Planning Commission, the Town of Sorrento and the E.R.A.
- C. Acceptance of improvements and posting of maintenance bond.
 - 1. When construction of ALL infrastructure including utilities is complete and in accordance with the approved plans and specifications and complies with the provisions of these regulations, the Developer's Engineer shall certify such and request, in writing, final approval and acceptance from the E.R.A. This request shall be given to the Planning Commission and the Town of Sorrento.
 - 2. Copies of all testing lab reports shall be submitted along with the written request for final inspection. A final inspection will be scheduled upon request when all significant construction activities including the installation of water and electrical utilities are completed. All testing reports required on the Construction Certification Testing Requirements checklist must be received a minimum of two weeks prior to a Planning Commission meeting in order to be included on the agenda for that meeting. All testing reports required on the Construction Certification Testing Requirements checklist must be reviewed, and found to be in accordance with the approved construction specifications by the E.R.A. in order to receive an unconditional recommendation of approval from the E.R.A.
 - 3. A final inspection is attended by the E.R.A. representative, Town of Sorrento representative and the Developer's Engineer.
 - 4. The E.R.A. will send a copy of the final inspection findings to the Developer/Engineer.
 - 5. When the comments have been addressed and all items completed, written request shall be given to the Planning Commission, the Town of Sorrento and the E.R.A. that the development is ready for final re-inspection.
 - 6. Submit one (1) set of as-built construction drawings to the Town of Sorrento in electronic and paper formats.
 - 7. The Town of Sorrento will send written notification to the Developer/Engineer of final inspection approval along with a request for the Developer to post the required one (1) year maintenance bond.

8. The Developer/Engineer shall submit a written request to the E.R.A. for the one (1) year maintenance bond amount, which request shall include a cost estimate for the public facilities constructed as part of the development. The cost of private utilities does not have to be included in this cost estimate.
9. Upon receipt of the required one (1) year maintenance bond as per Section 17-4010, the Planning Commission shall send written notification to the Town of Sorrento. Bond shall be furnished by companies listed in the U.S. Department of Treasury Circular 570.
10. Near the end of the one year period, thirty (30) days prior to the maintenance bond expiration date, the E.R.A. shall initiate a final inspection and shall present a report to the Town of Sorrento listing recommendations concerning final acceptance and release of the maintenance bond as stipulated in Section 17-4010 of the Town of Sorrento Subdivision Regulations. After this has been completed, the E.R.A. will submit to the Town of Sorrento Council a list of streets, with supporting documentation to be taken into the Town of Sorrento Maintenance System.

D. Receive approval of final plat (**See Section 17-4011**).

E. Lots may be sold at this stage.

(DC03-17, 12/19/17)

17-409. Construction

- A. When approved construction plans, which shall include culvert drawings showing locations, sizes and gauges thereof, have been filed with the Planning Commission, the sub-divider, after notifying the chairman or the E.R.A., in writing, and obtaining a construction permit, may construct the required improvements.
- B. Construction shall be reviewed and inspected by the E.R.A. and the Town of Sorrento. The E.R.A. and the Town of Sorrento shall establish detailed inspection requirements for each project.
- C. Neither the E.R.A. nor the Town of Sorrento shall accept any construction work which is in such condition as it will require needed and excessive maintenance by the public.
- D. In lieu of immediate construction of off-site improvements such as sewer infrastructure upgrades, water system improvements or off-site traffic improvements, the sub divider may provide the commission with a performance surety bond securing to the government the satisfactory construction of the proposed improvements within a period of not more than two (2) years from the date of such bond. The amount of the bond shall be approved by the E.R.A. and

the form of the bond shall be approved by the Town of Sorrento's attorney. The bond shall be subject to cancellation only upon written approval of the E.R.A. The bond shall be issued by a company listed with the U.S. Treasury Circular 570.

E. Testing: The E.R.A. shall approve the testing laboratory selected by the developer/contractor. The E.R.A. is to determine the extent of testing required by the developer/contractor at his selected laboratory and may order testing as it deems appropriate and necessary. The developer/contractor is to pay for these testing services.

1. The testing lab is responsible for providing installation reports certifying that all subsurface piping is properly installed, with appropriate bedding (material, depth, haunching), backfill, backfill compaction and visual affirmation that all joints have been correctly sealed. Reports shall clearly identify segments of piping being reported on by referenced to construction stationing, bracketing structures, or detailed description. Reports must account for all piping installations and must be submitted weekly (at a minimum) while piping installation is in progress. When pipe installation is complete a summary of the testing reports shall be submitted showing the date of installation of each pipe, the depth of the pipe and the date of compaction testing of the pipe bedding and each layer of the trench backfill.

2. LaDOTD Specifications for Roads and Bridges, Part X, Section 1003 shall apply unless alternate specifications are submitted and approved prior to permit issuance.

3. All piping will be backfilled and compacted in layers not exceeding 1'. The testing results for piping which is 6" or larger and is not in the right of way shall be submitted for the mid and top lifts of the trench backfill and the pipe bedding for at least one location between all structures/outfalls with at least 20' of separation. For pipe runs falling within the right of way, or under improved surfaces, testing shall also occur and be submitted for each 100' feet of piping on the pipe bedding and on each layer of backfill. All sanitary sewer service crossings must be tested and results submitted. Compaction testing shall verify compliance with LaDOTD Specifications for Roads and Bridges, Part VII, Section 701.08 unless alternate specifications are submitted and approved prior to permit issuance.

4. Individual lot compaction.

i. For those portions of lots between the building setback lines and lots with more than Twelve (12) inches of fill, control soil compaction during construction providing minimum percentage of density as indicated hereinafter

ii. Adequate removal and/or disking of the existing grass and topsoil to be accomplished before placing fill material. In addition, before fill may be placed all stumps, tree trunks and limbs shall be

removed from the fill site. After testing to determine the in-place natural density of surrounding soils for the overall site, stump holes shall be filled and compacted to a density equal to the surrounding soil.

iii. Fill shall be placed and compacted in maximum 12-inch loose lifts. Each lift shall increase in density by three (3) percentage points above natural density of surrounding soil, with a maximum required density of 95 percent (Standard Proctor). The moisture content at the time of compaction should be within three (3) percent of the optimum value as defined by ASTM D 698. The moisture content and density of each lift should be maintained until the next lift is begun or the final lift is complete. It is the Developer/Contractor's responsibility to ensure that all lots are adequately graded for positive drainage and do not pond or trap water, unless prior written approval has been provided by the E.R.A.

iv. If any tests result from the initial testing falls below the required density then additional testing locations equal to 25% of lots must be tested for compaction. Subsequent testing locations will be chosen by a DPW subdivision inspector. If any result from the subsequent testing falls below the required density then each individual lot shall be tested. A site plan indicating all test locations must be submitted to the E.R.A.

5. The E.R.A. must be notified 24 hours in advance of lime processing, soil cement processing and asphalt installation.
6. For any result from the concrete curbing break test that does not meet the required strength, the curb is to be demolished, re-graded, poured, and retested to satisfy a required strength of 4000 psi.
7. The asphalt shall be certified to meet LaDOTD Specifications for Roads and Bridges, Part V, unless alternate specifications are submitted and approved prior to permit insurance.

- F. Inspection: Inspection shall be required on all developments. The E.R.A. shall designate inspection personnel as necessary. The developer/contractor shall pay all fees established by the Town of Sorrento for resident inspection prior to the commencement of any construction in accordance with the adopted fee schedule.
(DC03-17, 12/19/17)

17-4010. Acceptance of Improvements for Construction

- A. Upon the satisfactory completion of construction, the sub-divider shall obtain written final approval and acceptance from the E.R.A. (**See Section 17-408**).
- B. The sub-divider shall file with the commission, a Maintenance Surety Bond furnished by companies listed in the U.S. Department of Treasury Circular 570 or a cash bond (Cashier's Check or Certified Check payable to the Town of

Sorrento), securing to the government the satisfactory performance of this work for a period of twelve (12) months from the date of such bond. The amount of the bond shall be ten (10) percent of the cost of the improvements as approved by the E.R.A. The form of the bond shall be approved by the Town of Sorrento's attorney. The bond shall be subject to cancellation only upon written approval of the E.R.A.

1. For a period of twelve (12) months after acceptance of the work, the subdivider shall keep all filled trenches, pipes, manholes, structures, paving, lights, drainage structures etc. constructed by him in good condition, making repairs to such defects in materials or workmanship as may develop or be discovered.
2. Thirty (30) days prior to the maintenance bond expiration date, the E.R.A. shall initiate a final inspection and shall present a report to the Town of Sorrento and the Planning Commission, listing recommendations concerning final acceptance and release of the maintenance bond.

- C. Submit one (1) complete set of "AS-BUILT" drawings on electronic media as approved by the Town of Sorrento and one (1) complete "Blue Line" set of full size (24" x 36") prints. This set shall include construction drawings showing roadway sections, plan and profile sheets, all drainage structures and ditches, sanitary sewer layout and "WYE" record. Above shall be submitted to the Town of Sorrento.

(DC03-17, 12/19/17)

17-4011. Approval of Final Plat Procedure

- A. Simple subdivisions with less than nine lots where an affidavit of mortgage declaration has been submitted and the property is not encumbered by a mortgage are considered for approval on a weekly basis.
- B. Application for approval of a final plat prepared by a registered land surveyor shall be submitted in writing to the Planning Commission at least thirty (30) days prior to the time it is to be considered for major or minor subdivisions.
- C. The final plat and construction plans shall be distributed to the:
1. Planning Commission Secretary – Three (3) full scale prints; one (1) 11" x 17" reduced print of the signed final plat; and one 11" x 17" reduced print in electronic format as acceptable and approved by the Town of Sorrento.
- D. The Commission Chairman will sign the final plat after approval by the Planning Commission for minor and major subdivisions, and may himself approve and sign the final plat for simple subdivisions with nine lots or less where an affidavit of mortgage declaration has been submitted and the property is not encumbered by a mortgage. It shall be the responsibility of the Planning Commission to file the signed plat with the Parish Clerk of Court.

(DC03-17, 12/19/17)

17-4012. Plats and Data for Final Approval

- A.** The final plat shall be legibly drawn and shall be a minimum dimension of 11" x 17" which can be legibly reproduced. Where necessary, the plat may be on several sheets accompanied by an index sheet showing the entire subdivision. For large subdivisions, the final plat may be submitted for approval progressively in contiguous sections satisfactory to the Planning Commission. The final plat shall show the following:
1. Primary control points, approved by the E.R.A., or descriptions and "ties" to such control points, to which all dimensions, angles, bearings, and similar data on the plat shall be referred.
 2. Tract boundary lines, right-of-way lines of streets, servitudes, and other rights-of-way, and property lines of residential lots and other sites; with accurate dimensions, bearings or angles, and radii, arcs, and central angles of all curves.
 3. Name and right-of-way width and bearing of each street or other right-of-way.
 4. Location, dimension, bearing and purpose of any servitude.
 5. Number, letter, or combination thereof to identify each lot or site.
 6. Purpose for which sites, other than residential lots, are dedicated or reserved.
 7. F.E.M.A. Flood Plane Delineation and Designation.
 8. Location and description of permanent monuments shall be placed at all angle points on subdivision boundaries and street intersections.
 9. Name of record owners of adjoining un-platted land.
 10. Reference to recorded subdivision plats of adjoining platted land by record name, date and number.
 11. Certification by registered land surveyor certifying to accuracy of survey and plat.
 12. Copy of title showing that applicant is the land owner, if requested by the E.R.A.
 13. Statement by owner dedicating streets, rights-of-way, and any sites for public uses.
 14. Title, scale, north arrow, and date.
 15. Permanent Bench Mark required on all final subdivision plats.

- B. A statement signed by the owner and sub-divider to the effect that no person shall provide or install a method of sewage disposal, except connection to an approved sanitary system, until the method of sewage treatment and disposal has been approved by the local health authority.
- C. Restrictive covenants or trusteeships 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 Clerk of Court's office, and references to such instrument shall be made on the plat and a copy shall be furnished to the Planning Commission.
- D. The approval and signature of the Planning Commission Chairman or his designated representative shall be shown on the final plat.
- E. Such other certificates, affidavits, endorsements, or deductions as may be required by the planning commission in the enforcement of those regulations.
- F. An Affidavit of Mortgage Declaration shall be filled out by the applicant, notarized and submitted to the Town of Sorrento when submitted for review.
- G. Jurisdictional Wetlands Determination including any associated maps and other related data including the official dated letter from the Army Corps of Engineers.
(DC03-17, 12/19/17)

17-4020. Major Subdivision Design Guidelines

A. Applicability

- 1. This section establishes design guidelines for Major Subdivision Development. This section is not applicable for Simple Divisions, Family Partitions or Minor Subdivisions.
- 2. Subdivisions created in industrial zoning districts are exempt from these requirements.

B. Housing Types

- 1. The lot frontages, percentage of total lots allowed, lot area, block lengths and setbacks for the different housing types can be found in **Appendix I** of the Unified Development Code – **Table C**.

C. Net Developable Area

- 1. Total allowed units for a major subdivision are calculated by utilizing net density.
 - a. Net Density is calculated by subtracting out any of the following that are not part of the recreation system from the Gross Site Area;
 - i. Any portion of pipeline servitudes / ROW's that is not within a developable lot, existing road right-of-ways, existing drainage servitudes that are not mitigated

through the development, non-mitigated wetlands and existing water bodies that are not improved to comply with the drainage ordinance.

2. No major subdivision will exceed the gross density allowed by the existing underlying zoning.

D. Lot Standards

1. Building / Setback Lines
 - a. Building Line Setbacks shall be applied as identified and required in the Town of Sorrento Development Code (Appendix I.)
 - b. Side lot lines shall be substantially at right angles or radial to street lines.
 - c. Corner lots shall have extra width to permit appropriate building setback from, and orientation to, both streets as per Table C.
 - d. Each lot in a subdivision shall have an appropriate frontage on a publicly maintained street or road except as provided for under VARIANCES (**See Section 17-4093**), hereinafter.
 - e. Double frontage, and reverse frontage lots, should be avoided except where essential to provide separation of residential development from traffic arteries or to overcome specific disadvantages of topography and orientation.
2. Lot Width Standards
 - a. Table C defines the maximum allowed percentage of a single lot width within a subdivision.
 - b. There must be a variation of at least 10' in the lot size to qualify as a new lot size
 - c. A Major Subdivision (up to 70 lots) must have at least 2 different lot widths; anything greater must have at least 3 different lot widths.

E. Block standards

1. Block lengths shall not exceed the standards as set in Table C.
2. In blocks over 900 feet in length the planning commission may require a pedestrian cross-walk with a right-of-way not less than ten (10) feet in width to provide circulation, or access to schools, playgrounds, shopping centers, transportation, or other community facilities.
3. In the case where lot widths are mixed, block lengths listed (Appendix I - Table C) shall apply to the longer distance, if there are at least 20% of the larger lots located in the block.

4. When a normal block arrangement is impossible or undesirable, there may be established one (1) or more "places". Such a "place" may be in the form of a court, a street with a cul-de-sac, t-turnaround, or other arrangement approved by the planning commission; provided, however, that proper access shall be given to all lots from a dedicated street or court.
5. A cul-de-sac, as described in Section 17-4032(K), or an L or T-turnaround, as described for in Section 17-4032(L), shall be required at the end of all dead-end streets, as defined in Section 17-40100, within public right-of-ways or private servitudes of access.

F. Major Subdivision located in Rural or Conservation Zoning

1. Major subdivisions in Rural or Conservation zoning must preserve a 200' minimum buffer along any perimeter where adjacent large lot residential exists or match the lot size allowed in the underlying zoning category (1/2 Acre – Rural or 1 Acre – Conservation.)

G. Pedestrian System

1. A pedestrian system is required in all major subdivisions.
2. Each lot must have a pedestrian connection to all recreation amenities in the subdivision within 50' of the lot, without crossing private property.
 - a. The pedestrian system shall be a 4' concrete sidewalk, an asphalt trail or raised wood boardwalk or any combination thereto.
 - i. If a sidewalk is to be constructed on a lot, it must be in place prior to the certificate of occupancy being issued for that home.
 - b. A non-hard-surfaced trail may be used in the natural areas of the project if constructed to the following specifications:
 - i. Trail shall be at least 5 feet wide;
 - ii. Grass shall be removed from the surface for the full length of the trail;
 - iii. 1"x 4" pressure treated wood rails shall be staked in place the entire length of both sides of the trail; Where ends of 2 rails meet, at least 12" of 1"x 4" material shall be used as an overlap on the outside of the trail for additional support.
 - iv. 2 inches of #57 limestone shall be placed the entire length of the trail;
 - v. 2 inches of red rock (crushed red brick) shall be placed over the 57 stone to the top of the 1"x 4" wood rails;
 - vi. Fill shall be placed on the back side of the wood rails compacted, and sloped from the top of the rail back to natural grade.

- vii. Any variance from this described standard must be reviewed by the E.R.A. and approved by the Planning Commission.

H. Park Requirements

1. 8 acres per thousand population generated by the new major subdivision (2.5 persons per household) shall be provided as recreation / park space.
2. Recreation space shall be defined as active recreation play areas / parks, trails and passive play areas.
 - a. When a linear space is designated as a park, it must contain a pedestrian trail as specified in Section 17-4020.G and in no instance may more than 20' from the center line of the trail on either side be counted as park space.
3. Wetlands, wet and dry storm water ponds and lands that are periodically inundated and un-useable are not acceptable parks unless there have been improvements made to make them publicly accessible.
 - a. At least 50% of the edge must be made accessible via a pedestrian trail as specified in Section 17-4020.G to count towards the park requirement.
4. In no instance shall the amount of upland park space (Lands that are not wetlands or stormwater ponds) provided be less than 50% of the required acreage.
5. Required park acreage may be split into multiple parks, however, no park shall be less than .5 acres in size.
6. Park Standards
 - a. The minimum standards for a Stage 1 Park provided by a developer in a major subdivision are:
 - i. Sidewalk / Walking trail that connects the park to the homes in the subdivision
 - ii. A sign identifying this place as a private park and under the ownership/maintenance of the HOA
 - iii. 12 Class A trees per acre minimum as listed in Section 17-4020.I.4
 - iv. 24 Ornamental trees per acre minimum
 - b. A developer may elect to increase their commitment to improve the park provided beyond the minimum requirements (Stage 1). In this case the following standards shall apply:
 - i. Stage 2
 1. Park shall include 5 Trash bins and 5 Benches throughout the Park per 1,000 population served

2. All sidewalks, footpaths, trails within the park are to be lit
3. All requirements of Stage 1
- ii. Stage 3
 1. Park shall include one or more features to be described by the developer to the Planning Commission.
 2. Features may include fishing piers, picnic pavilions, playgrounds, playfield with backstop and or goals, exer-fit courses etc.
 3. All requirements of Stages 1 & 2
- iii. Stage 4
 1. Park shall include full park amenities features to be described by the developer to the Planning Commission.
 2. Amenities must include:
 - a. At least one of the following: Tennis, volleyball, basketball or multi-use court
 - b. A pool sized commensurate with the total development with a clubhouse.
 3. All requirements of Stages 1, 2 & 3
- c. Any increase in commitment by the developer to improve the stage of the public park will result in a decrease in the required acreage.
 - i. Stage 2 = 20% reduction
 - ii. Stage 3 = 40% reduction
 - iii. Stage 4 = 70% reduction
7. Maintenance and upkeep will be the sole responsibility of the owner/developer and ultimately the HOA.
 - a. The Final plat must include a note describing the park, the included amenities, and the maintenance and upkeep responsibilities.
8. If the project is only one filing, the park must be completed before the final plat is approved. However, landscaping may be withheld until water service has been provided to the park. If more than one filing, the park must be completed before final plat is approved for the second filing.
9. Subdivisions where the average lot size for at least 70% of the lots is at least 1 acre are exempt from the park requirements.

I. Tree Requirements

- 1. Lot Trees
 - a. Each lot within the major subdivision shall have a minimum of 1 Class A tree as listed below.
 - b. Tree shall be installed prior to the certificate of occupancy being issued for each lot
- 2. Tree shall be either:
 - a. A minimum 3” caliper (measured at approximately six [6] inches high on the trunk of the tree) and be at least 8’ tall after planting.
 - b. At least a #45 gallon container size as sold by a nursery or tree farm.

3. Tree Preservation

- a. Trees with a trunk diameter greater than listed below, that have been preserved, may be counted towards the park tree planting requirement at a ratio of 2:1.
 - i. For every 1 inch of tree that is preserved within the upland area, you can reduce the inches of trees that need to be planted by 2 inches.

ii. Scientific Name	Common Name	Minimum Size (dbh)
1. Quercus Alba	White Oak	24
2. Quercus falcata	Red Oak	36
3. Q. Pagodifolia	Cherrybark Oak	36
4. Quercus lyrata	Overcup Oak	24
5. Quercus michauxii	Cow Oak	18
6. Quercus nuttallii	NuttallOak	24
7. Quercus phellos	Willow Oak	24
8. Quercus shumardii	Shumard Oak	24
9. Quercus virginiana	Live Oak	18
10. Taxodium ascendens	Pond Cypress	18
11. Taxodium distichum	Bald Cypress	18
12. Ulmus Americana	American Elm	24
13. Ulmus alata	Winged Elm	18

4. Trees from the following list are acceptable Class A species and shall be counted towards the lot tree and park tree requirements:

- a. Acer rubrum ‘drummondii’ Swamp Red Maple
- b. Fraxinus pennsylvanica Green Ash
- c. Ginkgo biloba Maidenhair Tree
- d. Juniperus virginiana ‘canaertii’ Eastern Red Cedar

e. Liquidambar styraciflua	American Sweet Gum
f. Liriodendron Tulipifera	Tuliptree
g. Magnolia grandiflora	Southern Magnolia
h. Nyssa aquatica	Black Gum
i. Nyssa sylvatica	Tupelo Gum
j. Quercus acustissima	Sawtooth Oak
k. Quercus falcata var. pagodifolia	Cherrybark Oak
l. Quercus glauca	Blue Japanese Oak
m. Quercus lyrata	Overcup Oak
n. Quercus michauxii	Cow Oak
o. Quercus nuttallii	Nuttall Oak
p. Quercus phellos	Willow Oak
q. Quercus shumardii	Shumard Oak
r. Quercus virginiana	Live Oak
s. Taxodium distichum	Bald Cypress
t. Tilia americana	American Linden
u. Ulmus alata	Winged Elm
v. Ulmus americana	American Elm**
w. Ulmus crassifolia	Cedar Elm
x. Ulmus parvifolia ‘drake’	Chinese Elm

**Dutch Elm Disease Resistant Variety

(DC03-17, 12/19/17)

17-4021. **Townhouse Subdivision**

A. Applicability

1. The following standards shall apply to all townhouse subdivisions in **mixed use, mixed use 2 and crossroads commercial** zoning districts.

B. Lot standards

1. Lot width standards
 - a. Minimum lot width: 18 feet
 - b. Minimum lot area: 1,440 square feet
 - i. Area within private access servitude shall not count towards minimum requirements.
2. Minimum living area: 750 square feet
 - a. Living area is defined as the area that is heated and cooled.
3. Minimum building setback requirements:
 - a. Front: 20

- i. Front building line is to be measured from edge of access servitude if property lines extend to centerline of roadway
- b. Side: 0 feet required for at least one property line;
Ten feet for end units.
- c. Side street: 15 feet
- d. Rear: 20

C. Recreation Area Requirements

1. The location, layout and proposed type of open space shall conform to the following:
 - a. A minimum of 200 square feet of recreation space per dwelling unit is required for the entire development.
 - i. When the total required open space area is less than 3,000 square feet, the open space shall be one contiguous outdoor site.
 - ii. If the total required area for open space is more than 3,000 square feet, the space may be divided into several usable indoor or outdoor sites, provided at least one outdoor area is at least 2,000 square feet, and all others at least 500 square feet.
 - iii. Minimum Width: 45 feet
 - b. The following shall not count toward required open space:
 - i. Areas with slopes greater than four percent that do not have an enhanced accessibility system of ramps, stairs, terraces, trails or other site improvements.
 - ii. Required landscaping (such as facade and perimeter).
 - iii. Sensitive area buffers without common access links such as pedestrian trails.
 - iv. Driveways, parking areas, and other vehicular uses.
 - v. Existing servitudes.
 - c. Open space areas shall be centrally located near a majority of units, accessible and usable to residents, and visible from surrounding dwelling units.
 - i. Any increase in commitment by the developer to improve the stage of the recreation space will result in a decrease in the required area. See Section 17-4020 (H) for requirements for reduction.
 - d. In developments greater than 50 units, open space area shall be divided into several, smaller, usable areas located so as to be convenient and accessible to each building.
 - e. A buffer with a minimum width of five feet shall separate the open space from streets, parking areas, and driveways.

D. Parking Requirements

1. Guest parking shall be grouped in bays either adjacent to streets or in the interior of blocks. Practicable methods of drainage shall be assured by developers in connection with common parking facilities, and all such facilities shall be improved to the same construction standards as the adjacent street or alley.
2. Two parking spaces shall be provided per dwelling unit and must be on the lot.
3. There shall be a minimum of one guest parking space for each two units which may be provided in separate areas. This may be provided in one of the following ways:

- a. Parallel parking
 - i. Minimum width: nine feet; Minimum length: 22 feet
- b. Off street parking areas

E. Access drives

- 1. Lots may front on private streets with access to a public street.
- 2. Public or private streets must be in accordance with Section 17-4034.
- 3. If a developer desires to construct a rear-loaded product, the unit must face a public or private street and the alley shall be constructed to the following standard:
 - i. Private alleys shall be at least six inch soil cement base with 1.5 inch asphaltic concrete wearing surface or better, a minimum of 22 feet wide with adequate drainage and must be approved by E.R.A.

F. Utility and Service

- 1. All exterior maintenance equipment, including HVAC equipment, electrical equipment, storage tanks, satellite dishes, and garbage dumpsters, shall be screened from off-site and on-site common area view in an architecturally integrated manner.
- 2. Utility infrastructure shall be located in areas that are not highly visible from the public.

G. Design and Architectural Detail

- 1. Not more than six continuous townhouses shall be built in a row with the same or approximately the same front building line, and not more than 12 townhouses shall be contiguous.
- 2. The facades of dwelling units in a townhouse shall be varied by changed front yards of not less than five feet and variation in materials or design so that no more than six abutting units will have the same front yard depth and the same or essentially the same architectural treatment of facades and roof lines.
- 3. No portion of a townhouse or accessory structure in or related to one group of contiguous townhouses shall be closer than 20 feet to any portion of a townhouse or accessory structure related to another group or to any building outside the townhouse area. Nor shall any structure be less than 15 feet from a public street right-of-way (corner lots).
- 4. There shall be a 25 foot buffer yard along the side and rear boundaries of each townhouse development.
- 5. Each townhouse unit shall have its own lot yard space (or enclosed courtyard area) of at least 400 square feet, reasonably secluded from view of streets or from neighboring property. Such yards shall not be for off street parking or for any accessory building. If enclosed, the 25 foot buffer yard may count toward meeting the minimum requirement.
- 6. There shall be a six foot high wall or solid fence along the sides and rear of the townhouse development when adjacent to existing single family detached residential development.
- 7. The maximum height of a fence or wall in the front yard shall be three feet
- 8. The maximum height of a fence or wall along rear or side yards shall be six feet.
- 9. Fences and walls shall be constructed of wood, wrought iron, brick, stone or other high-quality material. Chain-link fencing is prohibited.

H. Density Restrictions

1. The townhouse development area shall be at least 5000 square feet per dwelling unit, including lots, common open space, yards and buffer areas adequately landscaped including walkways and access drives.

I. Design and Construction

1. The subdivision construction plans showing all streets, public or private, private access drives, drainage, and location of utilities shall be subject to review and approval by the Town of Sorrento and the E.R.A. after approval of the concept plan by the Planning Commission.

(DC03-17, 12/19/17)

17-4022. Reserved Section

17-4023. Private Subdivision

A. The Planning Commission may approve private subdivisions with gated or guard house entrances or entrance signs notifying the public of the private nature of the subdivision and improvements which subdivisions meet all of the Town of Sorrento Subdivision Regulations. Streets in private subdivisions meeting all of the public street requirements of the subdivision regulations may remain private streets rather than public streets with responsibility for maintenance and upkeep of those streets being vested in the Developer and/or subdivision residents as spelled out in detail in the recorded subdivision restrictions as approved by the Planning Commission which subdivision restrictions shall address the following issues: 1) school buses; 2) emergency vehicles; 3) public utilities access; and 4) street maintenance. The subdivision's restrictions shall be approved and filed prior to acceptance of the final plat.

(DC03-17, 12/19/17)

17-4024. Condominium

A. Condominium developers shall be required to follow all procedures and regulations contained herein for streets, alleys, servitudes, drainage, sanitary sewerage, utilities, plats and data and construction as provided for subdivision that are not in conflict with the Louisiana Condominium Act contained at **LSA-R.S. 9:1121.107 et sequitur.**

(DC03-17, 12/19/17)

17-4026. Family Partition

A. The Family Partition is a variance and is subject to the conditions set forth in Section 17-4093 except as further defined herein.

B. Family partitions shall only be considered if the applicant has been the owner of the property since January 1, 2015 or has owned the property for a minimum of 3 years. A bill of sale shall be provided by the applicant in the event of a discrepancy with Parish records.

1. If the property limits have changed since January 1, 2015, certain eligibility requirements shall apply:

- a. If property limits were changed by simple division which created a hardship, the property is no longer eligible for a family partition.
- b. If property limits were changed by property exchange, the property is still eligible for a family partition.
- c. If property limits were changed by family partition, still eligible if:
 - i Recipient from original Family Partition still owns and resides on the lot and provides both proof of ownership with a current tax bill and proof of occupancy with a current dated utility bill.

C. It shall be the duty of the Planning Commission to review proposed hardship family partitions meeting the requirements of this section to insure that the criteria are present within the definition of a family partition (The division or subdivision of any lot, tract or parcel of land by act(s) of partition among co-heirs or donation consideration and/or other approved means from parent(s) to their children or grandchildren or children of deceased children or children to their parent(s) in hardship situations).

- 1. Any subdivision under this part containing more than eight (8) lots, where the lots are smaller than one (1) acre, are required to have a community sewer collection and treatment system. In this case, the applicant shall be required to secure a letter of no objection from the Parish of Ascension Health Unit for sewerage discharge and provide it to the Planning Commission prior to their approval. This provision shall apply if any subsequent divisions of lands among family members increases the number of lots to eight (8) lots or greater.
- 2. Under no circumstances shall the Owner of the parent tract, as defined on January 1, 2015, receive more than one lot via the Family Partition process, within the limits of the original parent tract.
- 3. No property owner shall be allowed to donate property to the same family member more than once through the family partition process, regardless of location.

D. The following procedures shall be followed for the hardship subdivision of family property, each containing at least one-half (1/2) of an acre, regardless of zoning classification;

(DC03-17, 12/19/17)

- 1. All provisions of the subdivision regulations shall be followed except the requirements under “Construction standards” for concrete, asphalt or hard surface roads and streets, (Section 17-4034), except the dead-end private thirty (30') foot wide servitudes of access may be allowed where it is unlikely that they will ever become through streets as determined by the Planning Commission.
- 2. No more than one (1) private servitude of access, of at least thirty (30') feet in width, shall be allowed across a tract or lot as exists at the time that approval is given by the Planning Commission for the access servitude. Even if said existing tract or lot is subsequently sub-divided,

no further access servitudes shall be allowed. In addition, no private access servitude may be created that intersects with an existing private access servitude.

a. When any private access servitude services three (3) or more lots, the minimum construction standard for the private access servitude shall be:

i Within the private access servitude, a gravel or hard-surfaced road shall be built at least twenty (20) feet in width, 4 inches thick, on a roadbed at least twenty-four (24) feet in width with adequate drainage ditches on either side. This road shall be constructed prior to the first building permit being issued for any lot being served by this private servitude of access and shall extend the full length of the servitude depicted on the plat.

b. The following dedication note for a private access servitude signed by the property owner must be placed on the re-subdivision plat which creates the access servitude:

i "The private access servitude shown here on is hereby dedicated as a means of access to Lot(s) _____. 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 private driveway servitude so as to prevent or unreasonably interfere with the purpose for which the servitude is granted. The Town of Sorrento has no responsibility for the maintenance of this private access servitude."

c. Predial Servitude Agreement: In situations where a newly created lot or lots are accessing an existing private servitude of access, a Predial Servitude Agreement will need to be completed, signed by all existing lot owners of the servitude of access and notarized prior to the final plat being signed. This document will be recorded when the final plat is recorded.

3. The hardship family partition plat shall contain the signature of the subdivider and the name of each family member on each lot to be transferred and said lot shall then be transferred by the sub-divider only to that family member. In addition, the plat and all conveyance documents for transfers pursuant to the plat shall contain the following language:

a. "The roads and streets shown on this plat are private and not public roads and streets and are to be developed and maintained by the lot owners only. The Town of Sorrento shall not maintain, upgrade or accept said roads into the public system unless and until brought up to hard surface and all other standards by the lot owners or developer, according to the

subdivision regulations for the Town of Sorrento. The subdivider and lot owners further are put on notice that school busses do not or are not required to travel down private roads and it is the obligation of the lot owners to bring their children to a public road for school bus pick up.”

4. Adjoining property: The names, addresses and record owners of adjoining tracts of un-subdivided property and all adjoining lots and streets adjacent to and touching the proposed subdivision shall be included on the plat. The names and addresses of record owners of adjoining properties to and touching the proposed family partition shall also be listed on a separate sheet of paper submitted with the plat.
- E.** An Affidavit of Mortgage Declaration shall be filled out by the applicant, notarized and submitted to the Town of Sorrento when submitted for review.
- F.** The plat shall be approved by the Planning Commission but shall not be signed by the Planning Commission chairman nor released for recordation until all conveyance documents according to the plat have been recorded. Upon approval, the Planning Commission shall submit a copy of the minutes to the developer showing such approval subject to the recordation of the transfer documents and true copies being submitted to the Planning Commission. This recordation must be done within one hundred and eighty (180) days of approval by the Planning Commission, however, prior to the expiration of the one hundred eighty (180) days the applicant, for good cause, may request a ninety (90) day extension to complete the transfer. Said request for extension must be made at a meeting of the Planning Commission prior to expiration of the initial one hundred eighty (180) day term described above. Good cause shall be determined by the members of the Planning Commission at a regularly scheduled meeting of the Commission.
- Further, when the property to be sub-divided requires the completion of succession proceedings prior to transfer of the property, the one hundred eighty (180) day delay shall not begin to run until the date of filing of the Judgment of Possession into the public records of the Parish. True copies of the conveyance documents shall be submitted to the Planning Commission at which time the plat shall be signed by the Planning Commission chairman, or his designee, and be recorded by the Town of Sorrento with the Clerk of Court.
- G.** The chairman of the Planning Commission shall sign hardship family partition plats if the planning commission finds that a genuine hardship exists and subject to the regulations contained herein. If the criteria within the definition of family partition are not met for the subdivision in its entirety, then the applicant(s) shall be advised of the appropriate subdivision requirements, where applicable.
- H.** Violations for the illegal development of family subdivisions or for the illegal transfer of lot(s) or tract(s) shall carry the same penalties as provided in Section 17-4094 et seq.

(DC03-17, 12/19/17)

17-4030. Street Requirements

- A.** The Commission shall apply the following rules in evaluation of subdivision applications:
 - 1. Density Restrictions
 - a. No major or minor subdivision may be developed on any street which is less than 18' in pavement width.
 - b. Any division of property of eight (8) or less of the parent tract is exempt from this provision.

- B.** The arrangement of streets in a subdivision shall either:
 - 1. Provide for the continuation or appropriate projection of existing streets in surrounding areas; or
 - 2. Conform to a plan for the neighborhood approved or adopted by the Planning Commission to meet a particular situation where topographical or other conditions make continuance or conformance to existing streets impracticable.

- C.** Provision should be made for arterial streets at intervals of approximately one-half (1/2) mile.

- D.** Subdivisions should have more than one exit street, preferably on different streets or in different directions. The street network should facilitate the separation of local and through traffic.

- E.** Where a subdivision abuts or contains an existing or proposed major thoroughfare, the planning commission may require:
 - 1. Marginal access streets, reverse frontage with a non-access reservation along the rear property line, deep lots with rear service alleys, or such other treatment as may be necessary for adequate protection of residential properties and to afford separation of through and local traffic, and
 - 2. The dedication of additional right-of-way.

- F.** Reserve strips controlling access to streets shall be prohibited except where their control is definitely placed with the Town of Sorrento under conditions approved by the Planning Commission.

- G.** Street signs and traffic control devices must be furnished and installed by the sub-divider according to state law and the recommendations of the Town of Sorrento and the Planning Commission. Public street signs shall be nine inch (9") .080 aluminum double faced "blue" engineer grade blank with six inch (6") upper/lower case white engineer grade letters and a half inch (1/2") white border.

- H. Street signs for private lanes shall comply with the above ordinance. However street signs for private streets may not be engineer green but must be red and approved by the Town of Sorrento.
- I. Design and construction shall be in accordance with L.D.O.T.D. Standard Specifications for Roads and Bridges (Latest Revision), and AASHTO Geometric Design of Highways and Streets (Latest Revision), as amended.
- J. Cul-de-sacs shall have minimum dimensions as follows:
 - 1. Curb and Gutter Streets - Right-of-way radius of sixty-eight (68') feet with a curb and gutter pavement of twenty-four (24') feet from back to back of curb and thirty-five (35') feet inside radius.
 - 2. Open Ditch Streets - Right-of-way width of seventy-five (75') feet with a pavement width of twenty (20') feet and a thirty-five (35') foot inside radius may be allowed where lots exceed a minimum size of 1 acre and a minimum frontage of 125'.
- K. T-turnaround or L-turnaround pavement shall be a minimum of 90' x 20' with 25' radii and within a 110' x 40' public right-of-way or 90'x30' private servitude of access.

(DC03-17, 12/19/17)

17-4031. Streets: Geometric Standards

- A. All street and road right-of-ways shall conform to the following widths:

1. Freeways	300 Ft.
2. Arterial streets	150 Ft.
3. Collector streets	60 Ft.
4. Local streets	
a. - Curb and Gutter	50 Ft.
b. - Swale ditches	60 Ft.
5. Marginal access streets	60 Ft.
6. Commercial-industrial streets	60 Ft.
7. Rural roads	80 Ft.
- B. Street jogs with centerline offsets of less than one hundred twenty-five (125) feet shall be prohibited.
- C. A tangent, of at least one hundred (100) feet, shall be introduced between reverse curves on arterial and collector streets.
- D. When connecting street lines deflect from each other at any one point by more than ten (10) degrees, they shall be connected by a curve with a radius adequate to insure a sight distance of not less than;

1. Three hundred (300) feet for ARTERIAL
 2. One hundred and eighty (180) feet for COLLECTORS
 3. One hundred (100) feet for ALL OTHERS
 4. except in special cases where the planning commission may require a greater radius.
- E. Streets shall be laid out so as to intersect as nearly as possible at right angles and no street shall intersect any other street at less than seventy-five (75) degrees.
(DC03-17, 12/19/17)

17-4032. Streets: Construction Standards

- A. Each street designated by the Planning Commission as an *arterial or commercial-industrial street* shall be constructed according to the following minimum standards.
1. Complete curbing, guttering, subsurface storm drainage. Minimum width shall be twenty-seven (27) feet from back of curb to back of curb. The road shall be concrete no less than eight (8) inches. Curb shall be of concrete; or
 2. Where the fall of the land along the proposed street alignment is less than three (3) feet in 1,500 feet a street twenty-four (24) feet wide, road bed at least thirty (30) feet wide constructed of eight inches concrete pavement on a right-of-way of at least sixty (60) feet with swale ditch slopes to be three (3) to one (1) on each side may be built. In such instance, the surety bond required by Section 17-4010 shall secure to the government the satisfactory performance of this work for a period of twenty-four (24) months after the acceptance of the work.
- B. Each street designated by the Planning Commission as a collector, local, marginal access or rural street shall be constructed according to the following minimum standards.
1. Complete curbing, guttering, and subsurface storm drainage. Minimum width shall be twenty-seven (27') feet from back of curb to back of curb. The road shall be concrete no less than six (6") inches. Curb shall be of concrete; or
 2. Same standards as "A" above, but concrete no less than five (5") inches thick with an asphalt overlay of one and one-half (1 1/2") inches may be used. Curb should be of concrete; or
 3. Streets with subsurface drainage twenty-seven (27') feet wide with three (3") inch asphaltic concrete wearing surface, on a minimum ten (10") inch soil-cement base at least twenty-three (23") feet wide with concrete curb and gutters; or
 4. Open Ditch streets may be approved and constructed as defined below when the lots exceed a minimum size of 1 acre (43,560 square feet) and a

minimum frontage of 125'. Approved pipes may be installed under driveways only.

- a. Streets twenty (20') feet wide with three (3") asphaltic concrete wearing surface on a minimum ten (10") inch soil cement base at least twenty-one (21') feet wide on a graded roadbed of at least twenty-eight (28') feet wide with the swale ditch slopes to be at least three (3) to one (1) on each side; or
 - b. Streets twenty (20') feet wide with six (6") inch concrete pavement on a graded roadbed at least twenty-eight (28') feet wide with the swale ditch slopes to be three (3) to one (1) on each side.
- C. The base grade of all streets shall be constructed to no lower than one (1) foot below the FEMA base flood elevation.
 - D. Where *boulevards* are constructed - each line of a street designated as a *local or collector street* shall be no less than twenty-two (22) feet from back of curb to back of curb, with a neutral ground of a least thirty (30) feet. Each lane of a *boulevard* designated as an arterial street shall be no less than twenty-five and one half (25 1/2) feet from back of curb to back of curb, with a neutral ground of no less than thirty (30) feet. Construction shall be commensurate with the traffic designation assigned by the planning commission.
 - E. All construction shall be in accordance with the Louisiana Department of Transportation and Development construction standards unless amended by these regulations.

(DC03-17, 12/19/17)

17-4033. Alley Requirements

- A. Alleys shall be provided at the rear of all *commercial and industrial* lots, except that the planning commission may waive this requirement where other definite and assured provision is made for service access, such as off-street loading, unloading, and parking consistent with and adequate for the uses proposed.

(DC03-17, 12/19/17)

17-4034. Alleys: Geometric Standards

- A. Alley intersections and sharp changes in alignment shall be avoided, but when necessary, corners shall be cut off sufficiently to permit safe vehicular movement.
- B. Dead end alleys shall be avoided where possible, but if unavoidable, shall be provided with adequate turn-around facilities at the dead end, as determined by the planning commission.
- C. The minimum width of alleys shall be twenty (20) feet.

(DC03-17, 12/19/17)

17-4035. Servitudes: (Utilities and Drainage) Requirements

- A. Where alleys are not provided, a servitude shall be provided along the rear lot line of each lot when necessary for poles, wires, conduits, drainage ditches, storm and sanitary sewers, other utilities, and all proper public purposes.
- B. Where it is necessary to install sanitary or storm sewers or drainage ditches along side lot lines or across lots, a servitude sufficient for the construction and maintenance of the ditch or facility shall be dedicated. If construction of a ditch is required by the Planning Commission, or the Town of Sorrento, such construction shall be performed by the sub-divider.
- C. Where a subdivision is traversed by a water course, drainage way, channel, or stream, there shall be provided a storm water servitude or drainage right-of-way conforming substantially with the lines of such water course, as will be adequate for the purpose. Parallel streets, parkways, or recreational areas may be required in connection therewith. The developer shall arrange for maintenance of this area with an approved public or private agency.

(DC03-17, 12/19/17)

17-4036. Servitudes: (Utility) Geometric Standards

- A. The minimum servitude, on side or rear of lot shall be seven and one-half (7 1/2) feet on each side of the property line, or a total of fifteen (15) feet. A minimum servitude for utility purposes along the front of each lot of twelve (12) feet shall be created. Utilities shall be located within that servitude according to a typical section adopted by the Planning Commission.

(DC03-17, 12/19/17)

17-4037. Block Requirements

- A. The lengths, widths, and shapes of blocks shall be determined with due regard to:
 1. Provision of adequate building sites suitable to the special needs of the type of use contemplated.
 2. Zoning requirements as to lot sizes and dimensions.
 3. Need for convenient access, circulation, control and safety of street traffic.
 4. Limitations and opportunities of topography.

(DC03-17, 12/19/17)

17-4038. Blocks: Geometric Standards

- A. A cul-de-sac, as described in **Section 17-4032(K)**, or an L- or T-turnaround, as described for in **Section 17-4032(L)**, shall be required at the end of all dead-end streets, as defined in Section 17-40100, within public right-of-ways or private servitudes of access.

(DC03-17, 12/19/17)

17-4039. Lots: Geometric Standards

- A. In subdivisions or re-subdivisions, excluding family partitions and simple-divisions, where a Louisiana Department of Health and Hospital Regulations (DHHR) approved community sanitary sewage collection and treatment facility is installed or tied into, a minimum frontage of eighty (125') feet and a minimum area of 1 acre (43,560 square feet) is required for all subdivisions having an open ditch design. In such subdivisions or re-subdivisions where a Louisiana Department of Health (DHHR) approved community sanitary collection and treatment facility is installed or tied into, a minimum frontage of seventy (70) feet and a minimum area of ten thousand (10,000) square feet is required for all developments having curb and gutter design where drain water runoff is conducted underground. Zoning regulations when adopted, will take precedence over these minimum requirements.
- B. In areas not served by sanitary sewage and excluding family partitions, shall be a minimum frontage of eighty (80) feet and a minimum area of fourteen thousand (14,000) square feet. Zoning regulations, when adopted, will take precedence over these minimum requirements.
- C. In determining the lot area, the area of the public street, servitude, roadway or driveway shall not be considered.

(DC03-17, 12/19/17)

17-4040. Drainage Requirements

- A. The sub-divider shall plan all drainage for his project utilizing sound engineering design, and in accordance with the general drainage plan of the Town of Sorrento, the Louisiana Department of Public Works and the U.S. Corp of Engineers. Major subdivision plats shall show drainage from the subdivision to an acceptable existing drainage artery and, where necessary to reach the nearest acceptable existing drainage artery, be accompanied by the necessary, Parish government authority approved, right-of-ways from adjoining downstream property owners for drainage purposes to insure drainage to a ditch, stream, drain or drainage canal deemed adequate by the E.R.A.
- B. No individual, partnership, or corporation shall deepen, widen, fill, reroute, or change the location of any existing ditch, stream, drain, or drainage canal used for public drainage without first obtaining written permission from the Town of Sorrento and the Parish of Ascension Drainage Director.
- C. Whenever any stream or improved surface drainage course is located in an area that is being subdivided, the sub-divider shall dedicate an adequate right-of-way along each side of the stream as determined by the E.R.A.
- D. Offsite drainage requirements shall be established by the E.R.A. The sub-divider shall be required to construct to the ultimate finished width but only to a depth sufficient for his subdivision UNLESS THE OFFSITE IMPROVEMENTS ARE

IN OR NEAR THE CONSTRUCTION STAGE. Sufficient right-of-way, however, must be dedicated for future enlargement.

- E. When new drainage channels are constructed or existing drainage channels (originating within the subdivision) are substantially altered the sub-divider shall conform to requirements as spelled out by the *E.R.A.*
- F. Storm drainage shall be located within the street right-of-way except where it is located in servitudes to facilities outfall needs or for subdivision inter-connections.
- G. Design shall be in accordance with the L.D.O.T.D. Hydraulics Manual (Latest Revision) as amended by these regulations.
- H. In major subdivisions, a drainage ditch or swale shall be located at the rear of all lots unless:
 - 1. a natural ridge exists at the rear of lots; or
 - 2. a variance is granted by the Planning Commission after recommendations by the E.R.A. that the drainage ditch or swale is not necessary because it would not accomplish the purpose intended.
- I. In minor subdivisions, a drainage ditch or swale shall be located at the rear of all lots if recommended by the E.R.A.
- J. Subdivisions designed as “open-ditch”, excluding simple subdivisions and family partitions (not curb & gutter), shall remain as “open-ditch” subdivisions in perpetuity. No “closing in” of frontages by using pipe and catch basins shall be allowed. However, this regulation shall only apply to subdivisions receiving preliminary approval on or after the effective date of this regulation.
- K. Minimum elevation for development. All primary buildings in any subdivision in FEMA Flood Zone A, or A1 – A00 shall be constructed with a minimum elevation of one (1) foot above the base flood elevation.

(DC03-17, 12/19/17)

17-4041. Drainage: Design and Construction Criteria

- A. All drainage design shall be based on calculations of a ten (10) year twenty-four (24) hour rainfall as determined by Technical Paper 40 published by the National Weather Service (currently 8.5 inches).
- B. The natural drainage within a subdivision shall be followed in as far as economically feasible. Streets and lots shall be arranged so as to keep artificially relocated drainage canals to a minimum.
- C. Drainage pipe used shall meet the requirements of ASTM Designation C-76, Class III reinforced concrete pipe with rubber gasket joints, and shall be sized using Manning's roughness coefficient of 0.013 for design.

- D.** Open canals shall have side slopes of three (3) to one (1) if not lined with concrete. Slope grades of one and one-half (1 1/2) to one (1) may be used as shown in drawings if concrete lining is utilized.
- E.** The following servitude criteria shall be required for each ditch, canal, sewer collection line, and storm sewer:
1. Proposed swale ditches with a maximum depth of 1.5' and with maximum side slopes of 5H:1V require a minimum seven and one-half (7.5') foot servitude on each side of the centerline of the swale. Existing ditches that meet this dimensional criteria will not be required to provide additional servitude.
 2. Existing or Proposed ditches or canals with a top width less than twenty (20') feet require a minimum of ten (10') foot servitude from the top bank on each side.
 3. Existing or Proposed ditches or canals with a top width greater than twenty (20') feet require a minimum fifteen (15) foot servitude from the top bank of each side.
 4. Existing or Proposed ditches or canals with a top width greater than thirty (30') feet require a minimum twenty (20') foot servitude from the top bank on each side.
 5. Existing or Proposed ditches or canals with a top width in excess of forty (40') feet require a minimum of twenty-five (25') foot servitude on both sides.
 6. For subsurface drainage pipes smaller than 60" in diameter, a 7.5foot drainage servitude is required on each side of the outer wall of the pipe.
 7. For drainage pipes 60" in diameter and larger and box culverts wider than 60", the servitude width shall be a minimum of four times the diameter of the pipe or width of the box culvert.
 8. For double runs of pipe or other special circumstances, the Parish of Ascension Drainage Department shall establish the width of servitude.
 9. Stormwater ponds/lakes require a thirty (30') foot servitude from the inlet to the outlet of the pond/lake.
- F.** When a proposed ditch must discharge into a major unlined canal, the sub-divider shall be required to enclose the ditch, *under the access strip of the major canal*, in a metal pipe. The pipe shall extend four (4) feet into the canal beyond the side slope, and shall discharge into a concrete flume that extends a minimum of five (5) feet into the bottom of the canal. Flume shall be constructed immediately after conduit is installed.
- G.** Unless drainage channels are being dedicated or developed for recreational or other public or private open space use, the sub-divider shall construct a five (5) foot chain link fence along channels referred to in **Section 17-4045(E)**.

H. Hydraulic calculations shall be stamped by a Professional Engineer and submitted with Construction Plans.

I. Improvements on lots created along MAJOR drainage channels shall not encroach on the drainage servitude or right-of-way.

(DC03-17, 12/19/17)

17-4042. Sanitary Sewerage Requirements

A. All subdivision sewer lines, and treatment plant or treatment facilities shall have the approval of the LOUISIANA DEPARTMENT OF HEALTH AND HOSPITAL REGULATIONS (DHHR) and the E.R.A.

B. Subdivisions developed in the vicinity of operating sewer systems or districts shall tie-in to the system if it is adequate to handle the additional sewerage and provide collection lines to the property line of each lot.

C. For subdivisions with more than 8 lots, where the lots are smaller in size than 1 acre, the developer shall provide for an approved sanitary sewage community collection and treatment system.

D. All Sanitary Sewer mains shall be tested in the following manner.

1. Low Pressure Air Test – Contractor shall test sanitary sewer mains with a low-pressure air test as per industry standards.

2. Mandrel Test – A rigid “Go-No-Go” mandrel shall be run through the sewer mains to test for deflections.

3. Post-Construction Smoke Test – After all other utilities have been installed the contractor shall perform a smoke test of the sewer mains and service lines to insure system integrity.

E. The Consulting Engineer and/or Testing laboratory shall certify (in writing) that these tests are conducted and passed. Any segments not passing these tests shall be repaired and re-tested. Certifications shall be submitted to the E.R.A. and the Town of Sorrento upon completion of said test.

F. Any community sewage treatment facility shall be no closer than 100 feet to an existing residence. All community sewage treatment plant sites shall be enclosed with a six (6) feet solid fence.

(DC03-17, 12/19/17)

17-4043. Utilities: Water

A. If an approved water system is accessible, the sub-divider must tie-in and provide water service to each lot.

B. If no water system is accessible, the sub-divider shall:

1. In subdivisions of less than twenty (20) lots, either (1) provide a system serving each lot with an adequate supply of potable water; or (2) state on his final plat that purchasers of individual lots will be required to install their own approved water wells.
 2. In subdivisions of twenty (20) lots or more, install an approved system and service each lot with potable water for normal needs.
- C.** All water supplies and distribution systems must be approved by the LOCAL HEALTH AUTHORITY and the LOUISIANA DEPARTMENT OF HEALTH AND HOSPITAL REGULATIONS (DHHR).
- D.** Water lines shall be located on the street right-of-way and placed on the opposite side of the street from the sanitary sewer line except where a majority of lots to be served are on one side of the street right-of-way, then, the water line may be moved to the same side as the sewer line.
1. All newly constructed water distribution lines for either new water systems or extensions to existing systems, will be designed and constructed in accordance with the criteria established by the E.R.A. in conjunction with the utility company providing water service to subdivisions to provide adequate flow capacity and pressure required for fire protection in that area. The minimum pipe size providing fire protection will be eight (8") inches. Fire hydrants with cut-off valves at entrances to the subdivision and at intervals within the subdivision so that no house is further than four hundred (400) feet from a fire hydrant shall be provided for by the developer.
 2. The design and construction shall allow the system's performance to be consistent with generally accepted standards for fire defense and, thereby allow favorable credit in accordance with established evaluation procedures, as promulgated by the Insurance Service Office and/or Property Insurance Association of Louisiana.
 3. Materials and methods used to construct the systems will be of such quality and standards as approved for fire defense by Underwriter's Laboratories, Inc. and/or The American Waterworks Association.
- (DC03-17, 12/19/17)

17-4044. Utilities: Electrical and Telephone Service and Street Lighting

- A.** Electrical and telephone facilities shall be located in servitudes. If underground power and/or underground telephone facilities are used, they shall be placed on opposite sides of the servitude. (See **Section 17-4045** for specific location)
- B.** Street lights may be placed on either or both sides of the street right-of-way, or in the center of the median strip of a boulevard, as dictated by the illumination design. (See **Section 17-4045** for specific location)
- C.** Street lights shall be provided by the developer for all major subdivisions.

17-4045. Utilities Location

- A. With the E.R.A. recommendation, the Planning Commission shall have the authority to waive or alter locational requirements where there is conflict or where sound engineering practice would be subverted.

(DC03-17, 12/19/17)

17-4050. Servitude Revocation

- A. If a property owner desires that an existing utility, drainage or all-purpose servitude be relocated, reduced in size or eliminated completely, an application shall be submitted to the Planning Commission for review and recommendation to the Town Council.
1. At the time of filing the application with the Planning Commission, the applicant shall submit to the Town of Sorrento a plat showing the existing utility or drainage servitude and the proposed relocation or re-shaping, if necessary, together with a written request giving the reasons supporting such revocation, re-shaping or relocation.
 2. The applicant shall submit to the Town of Sorrento a fee to cover the cost of processing the application, together with all legal instruments, ordinances, etc., necessary to complete the revocation, re-shaping or relocation. All of the legal instruments, ordinances, etc., must be approved by the Town Attorney, and the applicant shall supply such other information as may be deemed necessary by the Town Attorney or the E.R.A.
 3. The applicant shall include with the application to the Town of Sorrento, copies of the letter(s) of no objection to be included with the request to the Planning Commission and Town Council.
- B. The Town of Sorrento shall review the application and the letter(s) of no objection and determine to which of the following categories the servitude revocation, re-shaping or relocation applies:
1. Unused Servitude
 - a. If the Town of Sorrento determines that the servitude has not been used for a period of time equal to or greater than 15 years, then the request is automatically approved by the Planning Commission and shall be sent to the Town Council for an introduction of an ordinance to revoke or relocate the servitude.
 2. Unneeded Servitude
 - a. If the Town of Sorrento determines that the servitude is not needed, by receipt of letters of no objection from all of the interested parties, then the request is automatically approved by the Planning Commission, and shall be sent to the Town Council for an introduction of an ordinance to revoke or relocate the servitude.
 3. Reduction in size or revision to applicant request
 - a. If the Town of Sorrento determines that the servitude is still needed, may be reduced in size or otherwise different than what the applicant requested, by receipt of letters of no objection or letters of objection,

then the request shall be submitted to the Planning Commission for review and recommendation to the Town Council.

- i. If the Director of the Parish Drainage Department issues a letter of objection to the revocation, however, states in the letter that a hold harmless agreement could be signed by the property owner, thereby allowing an existing encroachment to remain until any drainage improvements need to be made, then that agreement needs to be presented to the relevant Drainage Board for their approval. No further public hearings before the Planning Commission or Town Council are necessary.

C. In cases where the application falls into category 3 above, the Planning Commission shall review the application, the letters of objection and/or no objection and hold a public hearing. The Planning Commission shall make a recommendation to the Town Council on the application.

1. There shall be no advertising, adjacent property notification or property posting requirements for a servitude revocation request to appear before the Planning Commission.

D. The Town of Sorrento shall send the recommendation from the Planning Commission to the Town Council for an Introduction of the Ordinance.

(DC03-17, 12/19/17)

17-4091. Conditions

A. In granting variances and modifications as provided for herein, the Planning Commission may require such conditions as will, in its judgment, secure substantially the objectives of the standards or requirements so varied or modified.

(DC03-17, 12/19/17)

17-4092. Appeal Procedure

A. If the Planning Commission denies an application, the applicant may appeal the decision of the Planning Commission to the Town Council by filing an application with the Town of Sorrento no later than 30 days after the written decision of the Planning Commission.

B. At a minimum, the applicant must submit the following:

1. Application in the form established by the Town of Sorrento, signed and dated by the applicant or his legal representative;
2. Written statement detailing the basis for the appeal;
3. Supporting information that addresses and supports the applicant's challenge to the Planning Commission's denial;
4. Any additional information that the Town of Sorrento deems material to the application for review by the Town Council; and,
5. Pay the established Appeal application fee.

C. Public notice for an appeal to the Town Council shall be in accordance with section 17-405.D.2.

- D. The Town Council shall review the record of the Planning Commission public hearing; the written record of the application; and the provisions of the Town of Sorrento's Unified Land Development Code when rendering a decision on the appeal.
- E. The appeals hearing must be heard within forty (40) days of lodging with the Town of Sorrento.
- F. The determination of the Town Council shall be final.

(DC03-17, 12/19/17)

17-4093. Variances

- A. Whenever a tract to be subdivided is of such unusual size or shape or is surrounded by such development or contains unusual conditions that the strict application of the requirements contained in these regulations would result in real difficulties and substantial hardships or injustices, such requirements may be varied or modified by the Commission.
- B. Standards for variances. No variance in the strict application of provisions of this ordinance shall be granted by the Commission unless it finds that the following requirements and standards are satisfied:
 - 1. The granting of the variance shall be in harmony with the general purpose and intent of the regulations imposed by this ordinance for the district in which it is located and shall not be injurious to the neighborhood or otherwise detrimental to the public welfare.
 - 2. The granting of the variance will not permit the establishment of any use which is not permitted in the district.
 - 3. There must be a showing of unique circumstances.
 - a. Commentary: There must exist special circumstances or conditions, fully described in the findings, applicable to the land or buildings for which the variance is sought, which circumstances or conditions are peculiar to such land or buildings and do not apply general to land or buildings in the neighborhood, and which circumstances or conditions are such that the strict application of the provisions of this ordinance would deprive the applicant of the reasonable use of such land or building.
 - 4. There must be a showing of unnecessary hardship.
 - a. Commentary: It is not sufficient proof of hardship to show that greater profit would result if the variance were granted. Furthermore, the hardship complained of cannot be self-created; nor can it be established on this basis by one who purchases with or without knowledge of the restrictions; it must result from the application of this ordinance; it must be suffered directly by the property in question; and evidence of variance granted under similar circumstances shall not be considered.

5. There must be a showing that a variance is necessary for the reasonable use of land or building and that the variance as granted by the board is the minimum variance that will accomplish this purpose.
 6. There must be showing that the proposed variance will not impair an adequate supply of light and air to adjacent property, substantially increase the congestion in the public streets, increase the danger of fire, endanger the public safety, or substantially diminish or impair property values within the adjacent neighborhoods.
- C. There must be a showing that the granting of the variance requested will not confer on the applicant any special privilege that is denied by this ordinance to other lands, structures, or buildings in the same district. The Commission may prescribe any safeguard that it deems necessary to secure substantially that objectives of the regulations or provisions to which the variance applies.
- (DC03-17, 12/19/17)

17-4094. Fines and Enforcements

- A. Any person who violates any provision of the present subdivision regulations as revised herein shall, upon conviction by a court of competent jurisdiction, be penalized by a fine of not less than \$100.00 nor more than \$500.00. Each sale, residential lease, exchange or other disposition of any lot shall constitute a separate violation.
- B. All fines and penalties shall be paid to the governing body of Town of Sorrento, Louisiana.
- C. In addition to the fines and penalties herein above provided, the Planning Commission of the Town of Sorrento shall have the power and authority to seek injunctive relief in any court of competent jurisdiction enjoining any person who is violation of the present subdivision regulations, as revised herein, so as to:
 1. Prevent the sale, residential lease, exchange or other disposition of any lot in any subdivision not approved in accordance with the present subdivision regulations as revised.
 2. Prevent the installation of utility systems within any subdivision or prevent utility service to any lot in any subdivision in violation of the present subdivision regulations as revised.
 3. Prevent issuance of buildings and flood permits to any lot in any subdivision in violation of the present subdivision regulations as revised.
 4. Prevent Board of Health approval of any water/sewage improvements for lot or parcel of land in any subdivision in violation of the present subdivision regulations as revised.
 5. Prevent any lending institution from lending funds for the construction of any improvements on any lot or parcel of land in any subdivision in violation of the present subdivision regulations as revised.

- D.** No utility company shall provide electric, gas or other utility services to any lot, nor shall any lending institution lend funds for the construction or improvements on any lot, nor shall any building permit agency issue any building permits for the construction of any improvements on any lot, tract or parcel of land, nor shall any attorney or notary pass a transfer of any lot, tract or parcel of land subdivided after April 1, 1993, as evidenced by the public records without first being presented with a plat of final approval from the E.R.A. or Planning Commission of the lot, tract, or parcel of land on which utility services are to be provided, or improvements to be constructed. Any person who violates any provision of the present subdivision regulations as revised shall, upon conviction by a court of competent jurisdiction, be penalized by a fine of not less than \$100 nor more than \$500. All fines and penalties shall be paid to the governing body of Town of Sorrento.

(DC03-17, 12/19/17)

17-4096. Re-submittal Procedure

- A.** If the Planning Commission denies an application, the applicant has the option of appealing the decision as defined in Section 17-4092 or re-submitting the application if the following conditions have been met;
1. At least 12 months have passed since the original hearing date;
Or
 2. Changes have been made to the original application that address the concerns stated in the Commission's decision to deny the application.

(DC03-17, 12/19/17)

17-40100. Definitions

AASHTO: American Association of State Highway and Transportation Officials.

Alleys: Minor ways which are used primarily for vehicular service access to the back or side of properties otherwise abutting on a street.

Arterial Streets: Along with highways, are those which are used primarily for fast or heavy traffic. They are generally several miles long and connect points of major traffic generation or through highways.

Collector Streets: Streets which carry traffic from minor streets to the major system of arterial streets and highways, including the principal entrance streets of a residential development and streets for circulation within such a development.

Commercial-Industrial Streets: Collector or local streets constructed to serve primarily commercial or industrial traffic.

Condominium: An apartment house, office building, or other multiple unit complex, the units of which are individually owned, each owner receiving a recordable deed to the individual unit purchased, including the right to sell, mortgage, etc., that unit and sharing in joint ownership of any common grounds, passageways, etc. The definition of terms associated with condominiums as defined by LSA-R.S. 9:1121.103 are hereby adopted, and as may be amended in the future, by reference thereto.

Cul-de-sacs: Local streets with only one outlet and having an appropriate terminal for the safe and convenient reversal of traffic movement.

Dead-end Street: Any street or portion of a street that is open for vehicular traffic at one end only. (SR16-01, 3/2/16)

Development Permit Officer: The person designated by the Planning Commission to enforce the subdivision regulations.

Driveway: A private way for a vehicle to travel from a public street or road to a single residence.

E.R.A. – The Engineering Review Agency designated by the Planning Commission to furnish engineering assistance in the administration of these regulations.

Family Partition: The division or subdivision of any lot tract or parcel of land by act(s) of partition among co-heirs or donation, consideration and/or other approved means from parent(s) to their children or grandchildren or children of deceased children or children to their parent(s) in hardship situations.

Freeways: The highest type of roadway design and includes full control of access.

Initial drainage system or minor drainage system: Street gutters, roadside drainage ditches, culverts, storm sewers, small open channels and any other feature to handle runoff from within the subdivision being designed or from a relatively small area.

L.D.O.T.D.: Louisiana Department of Transportation and Development.

Local Streets: Streets which are used primarily for access to the abutting properties but do not provide for through traffic.

Major Street Plan: A plan delineating a system of streets adopted by the planning commission and includes all subsequent revisions or extensions.

Major drainage system: Features such as natural channels, artificial channels and large, long underground conduit outfalls which convey the storm water runoff from large or major areas. In any drainage design, major drainage is the cornerstone of an urban storm runoff system. The major drainage system will function whether or not it has been planned and designed, and whether or not urban development is wisely located in respect to it. Thus, the major drainage system must be given highest priority when considering design and improvements.

Major subdivision: Any subdivision involving twenty or more lots.

Marginal Access Streets: Minor streets which are parallel to and adjacent to arterial streets and highways; and which provide access to abutting properties and protection from through traffic.

Minor subdivision: Any subdivision involving less than twenty lots.

Town Council: The governing body of Town of Sorrento having the power to adopt and enforce ordinances.

Parish Health Unit: The agency designated by the State to administer health regulations in Town of Sorrento.

Planning Commission: The Planning Commission is an agency legally established by this government in conformity with State Legislation with all the rights and responsibilities defined by this legislation.

Registered Land Surveyor: A land surveyor properly licensed and registered in the State of Louisiana.

Registered Professional Engineer: An Engineer properly licensed and registered in the State of Louisiana.

Right-of-Way: A strip of ground dedicated by the sub-divider for public use, title to which shall rest in the public for the purposes stated in the dedication.

Rural Roads: Roads constructed to serve primarily as access to farms or rural campsites

Servitudes: A strip reserved by the sub-divider for public utilities, drainage, and other public purposes, the title to which shall remain in the property owner, subject to the right of use designated in the reservation of the servitude; or a strip of ground designated or intended to be used for access to building or other sites.

Simple Division

1. Any Subdivision fronting on an existing publicly dedicated street or streets, not involving any new street or road, or the extension of public facilities, or the creation of any public improvements, and not adversely affecting the remainder of the parcel or adjoining properties, and not a major conflict with any provisions or portion of the master plan, or these regulations.

2. The combination or recombination of lots, or portions of lots, previously created and recorded, if the total number of lots is not increased and the resultant lots are equal to or exceed the standards of this Ordinance;
3. The acquisition of strips of land for public easements, including the widening or opening of streets or the location of utility right-of-way;
4. An allocation of land in the settlement of an estate of a decedent or a court decree for the distribution of property.
5. An adjustment of lot lines as shown on a recorded plat which does not reduce the area, frontage, width, depth, or building setback lines of each building site below the minimum zoning requirements, and does not change the original number of lots in any block of the recorded plat.
6. The exchange of land between owners of adjacent property provided that such exchange does not serve to reduce lot area or other dimensions below required minimums.

Street: The term “street” shall be used herein to mean improved corridors designated for vehicle use.

Storm drainage system: The system of inlets, closed conduits, manholes, other appurtenances, and open channels which are designed to collect and convey storm water runoff from and through an area.

Subdivision: One of the following:

1. The division of a lot, tract, or parcel of land into two or more lots, plots, sites, or other division of land, for the purpose, whether immediate or future, of sale or lease, or of building development;
2. The dedication, granting or constructing of a road, highway, street, alley, or servitude through a tract of land regardless of area, unless expropriated by a public entity; or
3. The re-subdivision of land heretofore divided or plotted into lots, sites or parcels.

Vehicle Use Corridor: An area of land designated for vehicular use not specific to the property on which it is located. A vehicle use corridor may be a public or private servitude or right of way.

(DC03-17, 12/19/17)