

MINUTES OF A REGULAR MEETING OF THE MAYOR AND COUNCIL OF THE CITY OF GONZALES, STATE OF LOUISIANA TAKEN ON DECEMBER 12, 2016, 5:30 P.M. AT THE PUBLIC SAFETY CENTER 724 WEST ORICE ROTH RD.

MEMBERS PRESENT:

Mayor Barney D. Arceneaux	Councilman Kirk Boudreaux
Councilman David Guitreau	Councilman Neal Bourque
Councilman Harold Stewart	Councilman Terance Irvin

MEMBERS ABSENT: NONE

ALSO PRESENT:

Lisa Babin, Administrative Clerk	Clay Stafford, City Clerk
Sherman Jackson, Chief of Police	Matthew Percy, Acting City Attorney

Motion by Councilman Kirk Boudreaux, seconded by Councilman David Guitreau to approve the Council Meeting Minutes taken, November 14, 2016.

YEAS: Councilman David Guitreau, Councilman Harold Stewart, Councilman Kirk Boudreaux, Councilman Neal Bourque, Councilman Terance Irvin

NAYS: NONE ABSENT: NONE

Motion by Councilman Harold Stewart, seconded by Councilman David Guitreau to approve the Council Meeting Minutes taken, November 28, 2016.

YEAS: Councilman David Guitreau, Councilman Harold Stewart, Councilman Kirk Boudreaux, Councilman Neal Bourque, Councilman Terance Irvin

NAYS: NONE ABSENT: NONE

Motion by Councilman Kirk Boudreaux, seconded by Councilman Terance Irvin to Introduce Ordinance No. 4009:

AN ORDINANCE AMENDING THE CODE OF ORDINANCE CHAPTER 22. ZONING. SEC. 22-4 BOUNDARIES OF DISTRICTS TO APPROVE THE REZONING REQUEST OF NOMTAN LANDCO LLC. TO REZONE THE FOLLOWING DESCRIBED PROPERTY FROM ITS EXISTING C-1 ZONE TO AN R-3-M25 ZONE.

BE IT ORDAINED BY Mayor and Councilman of the City of Gonzales, Louisiana:

That the Code of Ordinance Chapter 22. Zoning. Section 22-4 Boundaries of Districts be hereby amended as follows:

Chapter 22. Zoning

Sec. 22-4. Boundaries of Districts:

One certain parcel of ground consisting of approximately 14 acres situated on the west side of corner of S. Veterans Ave.

Final vote on the foregoing amendment to be taken at the next regular scheduled meeting to be held on January 9, 2017.

Motion by Councilman Terance Irvin, seconded by Councilman David Guitreau to approve the preliminary plat of Common Ground, an 85 lot proposed subdivision situated on the south side of La. Hwy 30 directly to the west of Southwood Subdivision, as shown on a map by McLin Taylor, Inc. professional land surveyors, dated December 1, 2016.

YEAS: Councilman David Guitreau, Councilman Harold Stewart, Councilman Kirk Boudreaux,

NAYS: NONE

ABSENT: NONE

Final vote on Ordinance No. 4002:

AN ORDINANCE AMENDING THE CODE OF ORDINANCE  
CHAPTER 22. ZONING AND DEVELOPMENT. (ADD)  
SEC. 22-5.5 TO READ:

BE IT ORDAINED BY Mayor and Councilman of the City of Gonzales, Louisiana:

That the Code of Ordinance Chapter 22. Zoning and Development. Section 22-5.5 be hereby amended as follows:

## **Chapter 22 ZONING AND DEVELOPMENT**

**(Add) Sec. 22-5.5 to read:**

### **22-5.5 Subdivision Regulations**

#### **22-5.5(a) General Provisions**

22-5.5(a)(1) Title. This Chapter shall be known as the "subdivision code for the City of Gonzales, Louisiana" and may be cited and referred to as "this subdivision code."

22-5.5(a)(2) Authority. This subdivision code is adopted pursuant to the authority granted by Louisiana Revised Statute 33:112 *et. seq.*

22-5.5(a)(3) Applicability.

- A. The provisions of this subdivision code apply to the subdivision of all land within the City of Gonzales. No subdivision of land shall be undertaken without prior authorization pursuant to this subdivision code.
- B. This chapter shall not apply to:
  - 1. Land in subdivisions previously legally recorded, except in the case of resubdivision;
  - 2. The subdivision of land to be used as cemeteries, except the preliminary plat thereof;
  - 3. The subdivision of land to be used solely for the placement, construction, installation or erection of utility sites, including but not limited to, telecommunication, water, sewer, electrical and cable television utility sites.

22-5.5(a)(4) Effective Date. This subdivision code was adopted on *[insert date]* and became effective on *[insert date]*.

22-5.5(a)(5) Purpose

- A. This subdivision code is adopted for the purpose of guiding development in accordance with the City of Gonzales' comprehensive plan and existing and future needs of the City of Gonzales in order to protect, promote and improve the public health, safety, morals, convenience, order, appearance, prosperity and general welfare.
- B. The regulations hereby enacted are designed to exercise the full range of authority available to the City of Gonzales under Louisiana law to:
  - 1. Promote the public health, safety and general welfare, while recognizing the rights of real property owners, by adopting a subdivision ordinance.
  - 2. Help achieve the goals, objectives and policies of the City of Gonzales Comprehensive Plan.
  - 3. Establish reasonable standards of design and procedures for subdivisions and resubdivisions in order to further the orderly layout and use of land, and to ensure proper legal descriptions and monumenting of subdivided land.
  - 4. Facilitate the adequate and efficient provision of transportation, water, wastewater, drainage, schools, parks, playgrounds, recreation and other public facilities and services by providing a means for regulating the impact of development on community infrastructure.
  - 5. Provide the most beneficial relationship between the uses of land and buildings and the circulation of automobile traffic and pedestrians throughout the City of Gonzales, and to secure safety from natural disaster, fire, and other dangers by providing for the proper location and width of streets, sidewalks, and buildings.
  - 6. Provide for a range of open spaces through the most efficient design and layout of the land.



7. Ensure that land is subdivided only when subdivision is necessary to provide for uses of land for which market demand exists and which are in the public interest.
8. Promote the orderly division of land and remedy problems associated with inappropriately subdivided lands, including excessive subdivision, partial subdivision, scattered subdivision, or low-grade subdivision.
9. Carry out such other purposes in the public interest as may be specifically cited in this subdivision code.

22-5.5(a)(6) Intent. This subdivision code is intended to provide a mechanism for implementing the following goals:

- C. Protecting the natural environment and visual character of the region.
- D. Creating a range of housing opportunities and choices.
- E. Creating mixed use, walkable and bikeable neighborhoods.
- F. Fostering distinctive, attractive communities with a strong sense of place.
- G. Making development decisions predictable, fair and cost effective.
- H. Preserving open space, farmland, rural character, natural beauty and critical environmental areas.
- I. Providing a variety of transportation choices and transportation corridors that are planned in context with character of the area.
- J. Strengthening and directing development towards existing communities.
- K. Taking advantage of compact building design where infrastructure is in place.

22-5.5(a)(7) Minimum Requirements. The requirements of this subdivision code shall be considered as the minimum requirements for the promotion of the public health, safety and general welfare.

22-5.5(a)(8) Conflicting Provisions

- L. All subdivisions must comply with relevant Federal and State regulations. Whenever any provision of this subdivision code imposes a greater requirement or a higher standard than is required in any Federal or State statute or regulation, the provisions of this subdivision code shall govern unless preempted by Federal or State law.
- M. It is not the intent of this subdivision code to interfere with or annul any easements, covenants, or other agreements between parties; provided that where this subdivision code imposes a greater restriction upon the use and dimensions of buildings, structures, or land, or requires larger open spaces than are imposed or required by other ordinances, regulations, or permits, or by easements, covenants, or agreements, the provisions of this subdivision code shall govern, except where expressly qualified in this subdivision code.

22-5.5(a)(9) Severability. Should any provision of this subdivision code be decided by the courts to be unconstitutional or invalid, that decision shall not affect the validity of this subdivision code other than the part decided to be unconstitutional or invalid.

## **22-5.5(b) Subdivision Standards**

22-5.5(b)(1) Applicability. The regulations of this Article apply to all development within the City of Gonzales.

22-5.5(b)(2) **Improvements**

- N. Before installing any public improvements, the applicant shall file complete construction plans covering all required improvements, utility easement location and such other plans and documents as may be required by the Administrator. The applicant shall enter into a contract with the City of Gonzales approved as to form and legality by the City Attorney, to make, install and complete or guarantee all required improvements and dedicate all required easements.
- O. Prior to issuance of any building permit, the applicant shall either have installed improvements specified in this subdivision code as shown on approved construction drawings or guaranteed the installation of improvements specified under this subdivision code by a bond with surety accepted by the City Council.
- P. All improvements and construction required under this subdivision code shall conform to all standards and specifications of the City of Gonzales pertaining to the construction of any facilities regulated by City of Gonzales Design Standards Manual.
- Q. No public services or utilities may be extended or furnished to any development until the applicant has either installed the improvements specified in this code as shown on approved construction drawings or guaranteed the installation of improvements specified under this subdivision code.
- R. All required improvements shall be designed and installed so as to provide for a system of utilities, stormwater and streets and to create continuity of improvements between adjacent properties. Required pedestrian, vehicle, water and wastewater improvements shall be extended to and through to the edges of the proposed subdivision.



22-5.5(b)(3) Easements and Dedication. All dedications of property to the City of Gonzales for public purposes shall be made formally through a written certification pursuant to La. R.S. 33:5051, except that, at the City of Gonzales discretion, the grant of an easement may be taken for the following purposes: recreational easements, conservation easements, emergency access easements, or public utility easements. All dedications in fee and grants of easements shall be free of liens and encumbrances except for those that the City of Gonzales, in its discretion, determines would not conflict with the intended ownership and use.

22-5.5(c) Blocks and Cul-de-sacs

22-5.5(c)(1) Block and Cul-de-sac Standards.

- S. The following table establishes the maximum block perimeter and maximum cul-de-sac length by zoning district for complete blocks, partial blocks and cul-de-sacs.

Blocks and Cul-de-sacs	Maximum block perimeter	Maximum cul-de-sac length
Conservation and Agricultural Zoning Districts	n/a	n/a
Residential Zoning Districts	3,000'	350'
Mixed-Use Zoning Districts	2,400'	Not allowed
Commercial Zoning Districts	2,600'	Not allowed

- T. The maximum block perimeter may be extended by 10 percent, if the block includes a pedestrian passage that connects two streets provided the passage is a minimum of 10 feet wide and accessible at all times to the general public.
- U. Any single non-industrial block face longer than 800 feet must include a pedestrian passage near the center of the block with a minimum servitude of 15 feet that connects two streets. This servitude shall be dedicated for public use (utility, passage, etc.). In this servitude, no structure above ground level will be allowed. A paved sidewalk having a minimum of four feet and a maximum of six feet in width, and a minimum of four inches in depth shall be required in this servitude in residential subdivisions only.

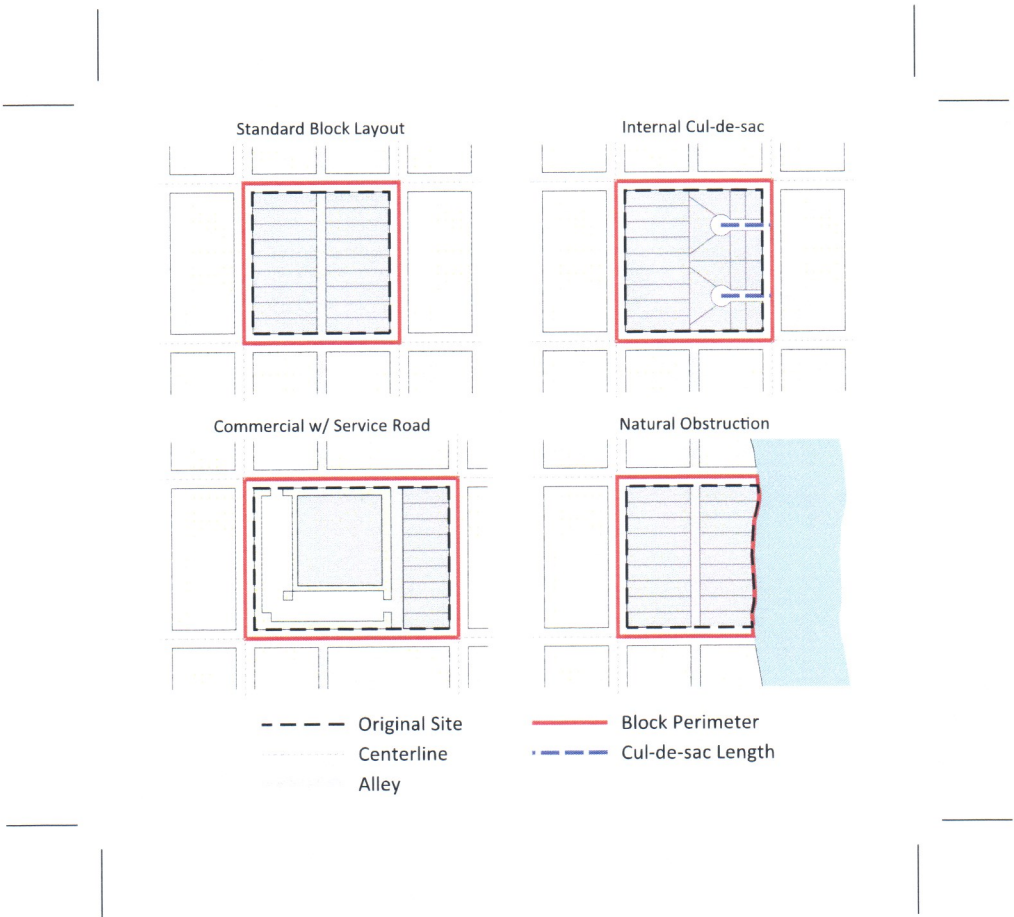
22-5.5(c)(2) Block and Cul-de-sac Measurements

V. Generally

1. The Administrator may approve exemptions to the maximum block perimeter in the event that slopes in excess of 25 percent; freeways; waterways, railroad lines; preexisting development; conservation areas, open space, and easements are determined to make the block perimeter maximum unfeasible.
2. A block may be broken by a civic building or open space, provided the lot is at least 50 feet wide and provides pedestrian access through the lot.

W. Complete Blocks

1. A block is bounded by either a publicly-dedicated street, a private drive or private street that meets the requirements for a publicly-dedicated street.
2. A block perimeter is measured along the centerline of intersecting streets that encompass the block.

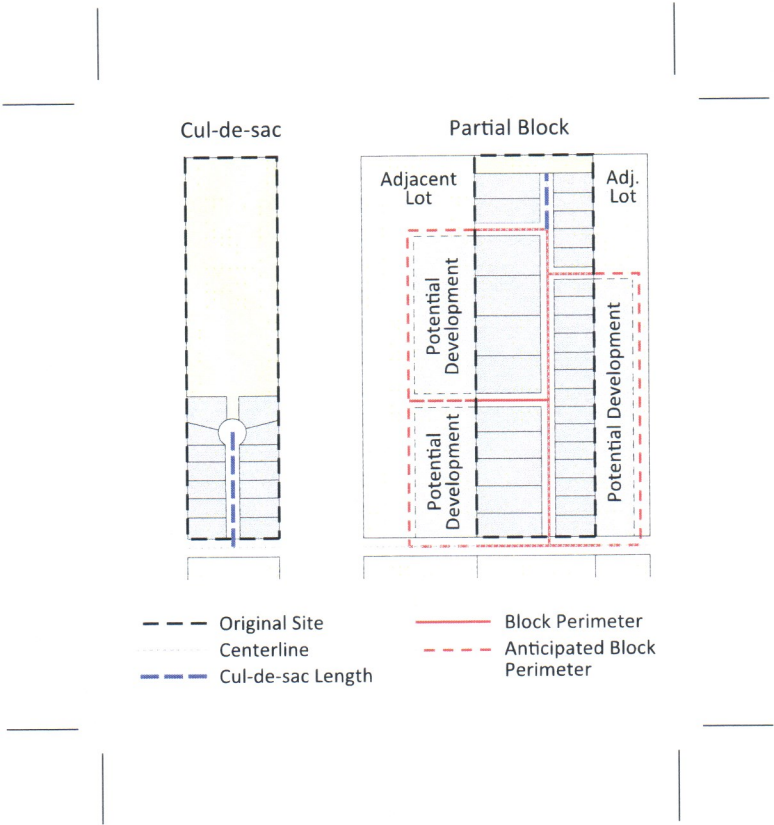




X. Partial Blocks. If the scale of a proposed subdivision does not generate the need for a complete block, then street stubs may be required at certain locations to allow for future connections.

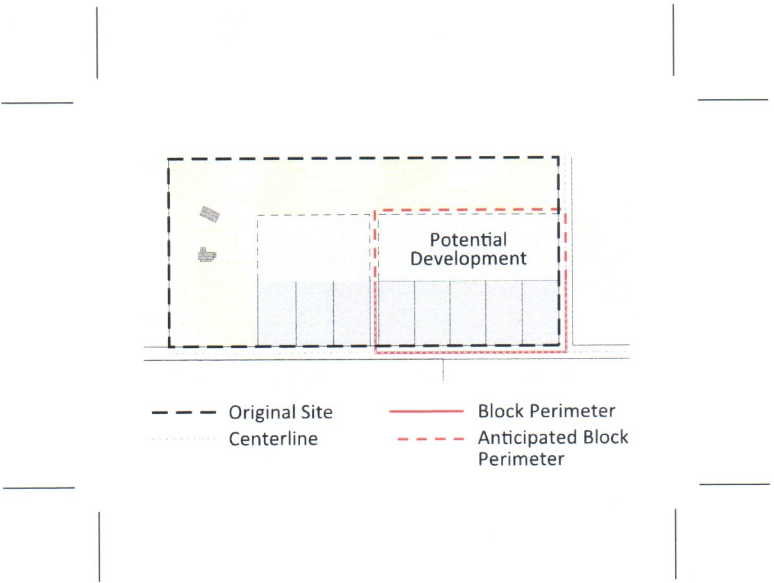
1. Narrow Site Subdivision

- a. As an alternative to a cul-de-sac, a subdivider may provide a street stub to serve future development.
- b. The street stub shall be located so that future development may connect to the street stubs in such a way as to form a block equal to or less than the maximum block perimeter allowed under Sec. 22-5(c)(1) Block and Cul-de-sac Standards.
- c. The depth assumed for the potential development area shall be equal to or greater than the partial block depth proposed in the subdivision.



2. Wide Site Subdivision

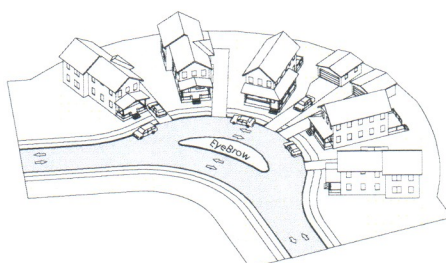
- a. As an alternative to a cul-de-sac a subdivider may choose to provide a street stub to serve future development.
- b. The street stub shall be located so that future development may connect to the street stub in such a way as to form a block equal to or less than the maximum block perimeter allowed under Sec. 22-5.5(c)(1) Block and Cul-de-sac Standards.
- c. The depth assumed for the potential development area shall be equal to or greater than the partial block depth proposed in the subdivision.



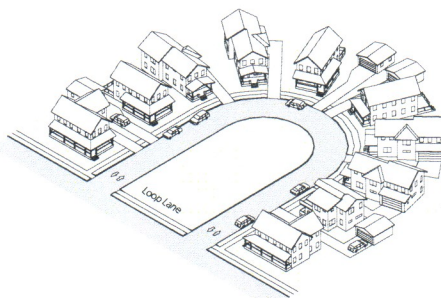
Y. Cul-de-sacs

- 1. All cul-de-sacs shall have a maximum length in accordance with Sec. 22-5.5(c)(1) and a minimum turning radii of 33 feet.

2. Cul-de-sac length is measured along the center line of the cul-de-sac from the center of the intersection to the center of the turnaround
3. A cul-de-sac shall terminate with a permanent turn-around with curb treatment consistent with the street design.
4. The applicant shall provide for perpetual maintenance of any unpaved landscaped island through a property owners association or other acceptable organization.
5. The following alternatives to cul-de-sacs may be approved by the Planning Commission at the time of subdivision.
  - a. Eyebrow. An eyebrow is a rounded expansion of a street beyond the normal curb line. An eyebrow must have a landscaped island and is only allowed in the Suburban context.



- b. Loop Lane. A loop lane is a two-way street, no portion of which may be more than the maximum allowable cul-de-sac length from the abutting street right-of-way. The interior landscaped area must at least have an average width of 75 feet.



- c. T-turnaround. If a T-turnaround is approved by the city engineer, it shall be 80 feet long and 20 feet wide.

#### 22-5.5(d) Street and Alley Standards

##### 22-5.5(d)(1) Purpose.

The Master Street Plan identifies the location and type of roadway facilities that are needed to meet projected growth and ensure mobility and access for the public. The objective of the Master Street Plan is to ensure adequate right-of-way is preserved to allow for orderly and efficient roadway expansion if needed.

22-5.5(d)(2) **Applicability.** The following street types apply to the construction of new streets and the reconstruction of existing streets.

##### 22-5.5(d)(3) Street Types Established.

- Z. The following street types are established, and are shown on the map in the Comprehensive Plan adopted on August 24, 2015, which is herein made a part of this chapter and is on file in the clerk's office.
  1. Arterials serve major centers of metropolitan areas, provide a high degree of mobility and can also provide mobility through rural areas. Unlike their access-controlled counterparts, abutting land uses can be served directly. Forms of access include driveways to specific parcels and at-grade intersections with other roadways.
  2. Collectors serve a critical role in the roadway network by gathering traffic from local roads and funneling them to the arterial network. Within the context of functional classification, collectors are broken down into major collectors and minor collectors.
  3. Local Roads are not intended for use in long distance travel, except at the origin or destination end of the trip, due to their provision of direct access to abutting land. Local roads are often



designed to discourage through traffic. As public roads, they should be accessible for public use throughout the year.

22-5.5(d)(4) General. The applicant shall be responsible for the dedication and improvement of the streets and streetscapes in accordance with the standards of this code.

- A. Construction Standards. The standards for the construction of pavement on all streets shall be in accordance with the specifications established by City of Gonzales.
- AA. Streetscapes. The applicant shall be responsible for the improvement and maintenance of all streetscapes including but not limited to, street trees, sidewalks, and planting areas abutting the applicant's property.
- BB. Payment-in-lieu. If determined by the City Council that construction of improvements at the time of development would result in the improvement of less than one-half of a linear block face; an equivalent payment in lieu of construction may be required. The payment shall be deposited by the City of Gonzales in an interest bearing account for the improvement of the street and streetscape and shall be applied only to the cost of such improvements in the future.
- CC. Extent of Right-of-Way. Where determined appropriate by the City Council, any pedestrian zone and planting zone may occur on private property subject to an easement for public access.

22-5.5(d)(5) Right-of-Way Requirements.

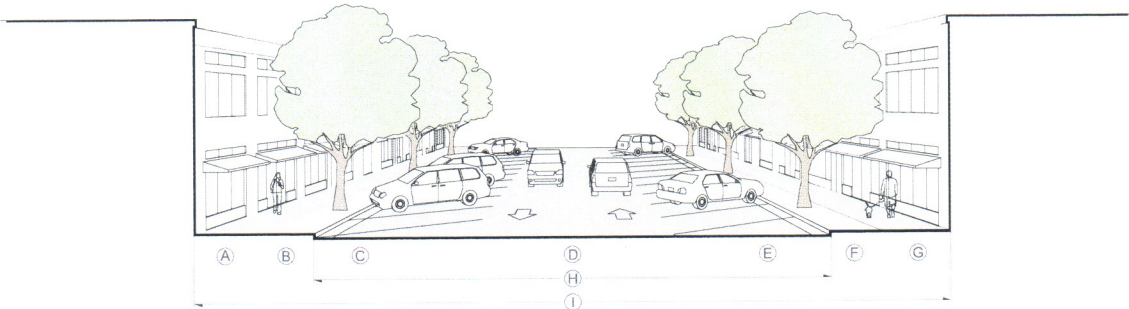
DD. Master Street Plan Minimum Widths.

Master Street Plan Type	Proposed R.O.W. Width
Freeway/expressway	Determined by DOTD
Arterial	100 feet
Major Collector	90 feet
Minor Collector	60 feet
Local [curbed subsurface drainage]	50 feet

EE. Master Street Plan Cross-Section Requirements. Master Street Plan Cross-Section Requirements. The following complete street cross-sections apply to the construction of new streets and the reconstruction of existing streets and are allowed in the Master Street Plan Type Designated. Alternative cross-sections, including parking angles other than shown (such as reverse angle parking), may be approved by the City Engineer.

Complete Street Type	Arterial	Major Collector	Minor Collector	Local
Mixed Use	Allowed	Allowed	Allowed	
Commercial	Allowed	Allowed	Allowed	
Residential		Allowed	Allowed	Allowed
Parkway			Allowed	

1. Mixed Use, Angle (60 degree) Parking

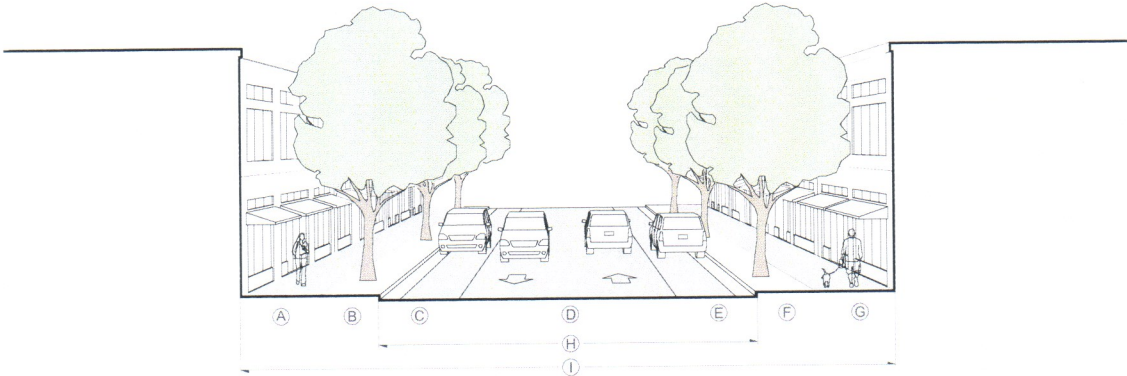


		Arterial	Major Collector	Minor Collector
A	Pedestrian Zone (min)	6'	6'	6'
B	Planting Zone (min)*	4'	5'	5'

C	Parking Zone + Curb & Gutter (min)	18'	18'	18'
D	Travel Zone (max)	33' to 44'	24' to 26'	20' to 24'
E	Parking Zone + Curb & Gutter (min)	18'	18'	18'
F	Planting Zone (min)	4'	5'	5'
G	Pedestrian Zone (min)	6'	6'	6'
H	Back of Curb to Back of Curb	69' to 80'	60' to 62'	56' to 60'
I	Right-of-Way	89' to 100'	82' to 84'	78' to 82'
	Corner Radii (min)	35'	35'	35'

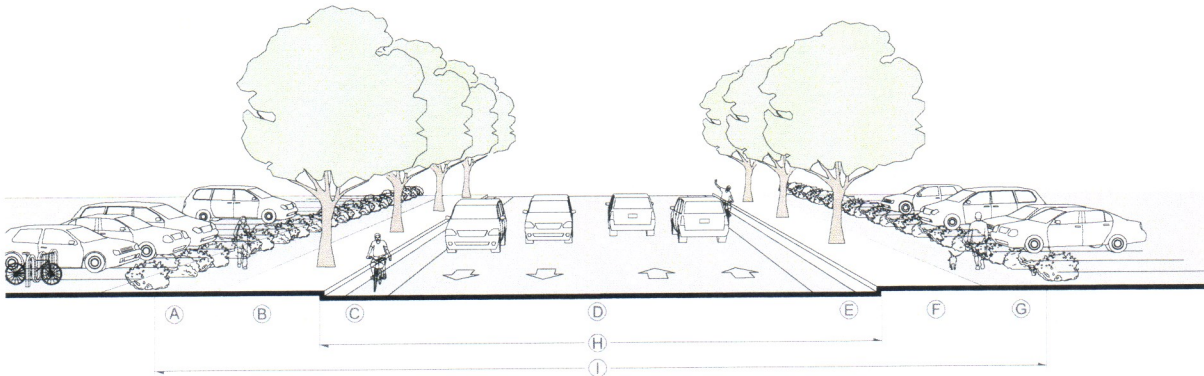
\*Arterials may require bulb-outs to accommodate tree plantings

2. Mixed Use, Parallel Parking



		Arterial	Major Collector	Minor Collector
A	Pedestrian Zone (min)	5'	5'	5'
B	Planting Zone (min)	5'	5'	5'
C	Bike Zone + Curb & Gutter (min)	7'	7'	7'
D	Travel Zone (max)	44' to 48'	24' to 26'	20' to 24'
E	Bike Zone + Curb & Gutter (min)	7'	7'	7'
F	Planting Zone (min)	5'	5'	5'
G	Pedestrian Zone (min)	5'	5'	5'
H	Back of Curb to Back of Curb	58' to 62'	38' to 40'	34' to 38'
I	Right-of-Way	78' to 82'	58' to 60'	54' to 58'
	Corner Radii (min)	35'	35'	35'

3. Commercial Arterial

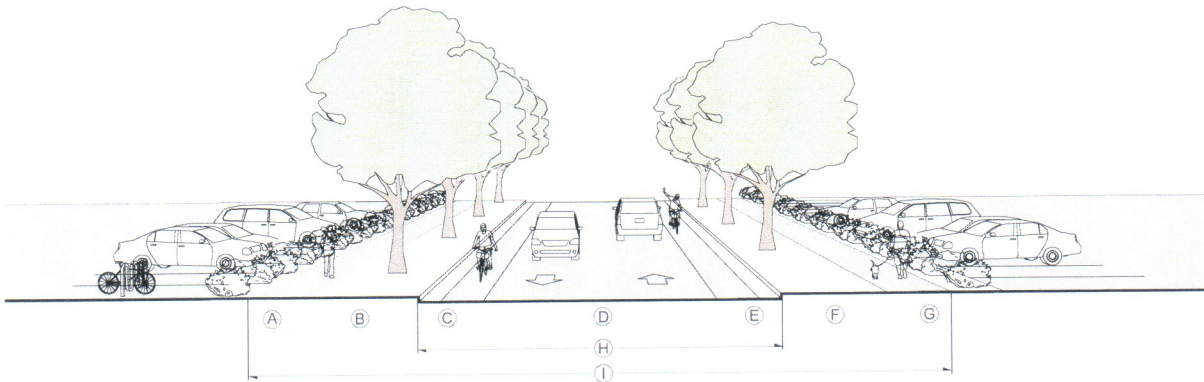


		Arterial
A	Pedestrian Zone (min)	5'
B	Planting Zone (min)	10'
C	Bike Zone + Curb & Gutter (min)	7'
D	Travel Zone (max)	44' to 48'
E	Bike Zone + Curb & Gutter (min)	7'
F	Planting Zone (min)	10'
G	Pedestrian Zone (min)	5'



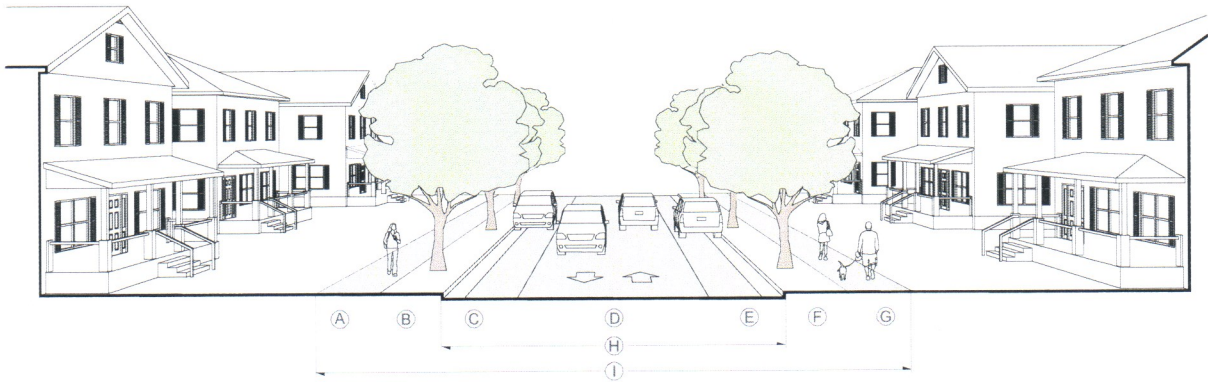
H	Back of Curb to Back of Curb	58' to 62'
I	Right-of-Way	88' to 92'
	Corner Radii (min)	35'

4. Commercial Collector



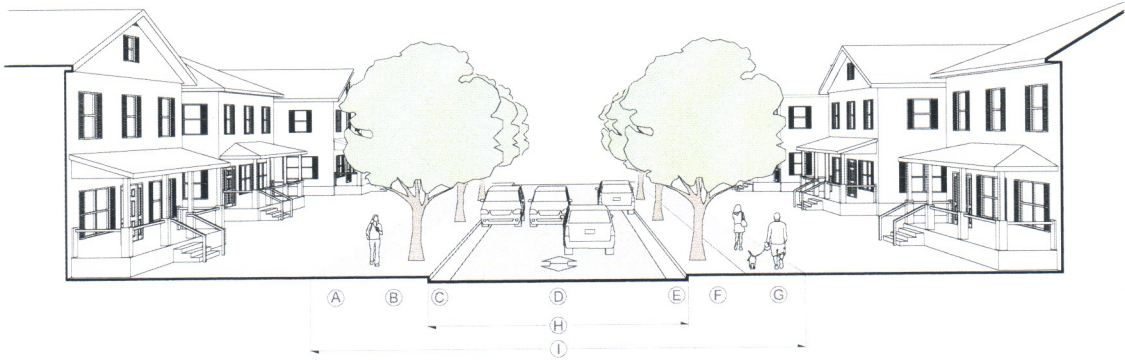
		Major	Minor
A	Pedestrian Zone (min)	5'	5'
B	Planting Zone (min)	5'	5'
C	Bike Zone + Curb & Gutter (min)	7'	7'
D	Travel Zone (max)	44' to 48'	24' to 26'
E	Bike Zone + Curb & Gutter (min)	7'	7'
F	Planting Zone (min)	5'	5'
G	Pedestrian Zone (min)	5'	5'
H	Back of Curb to Back of Curb	58' to 62'	38' to 40'
I	Right-of-Way	78' to 82'	58' to 60'
	Corner Radii (min)	35'	35'

5. Residential Collector



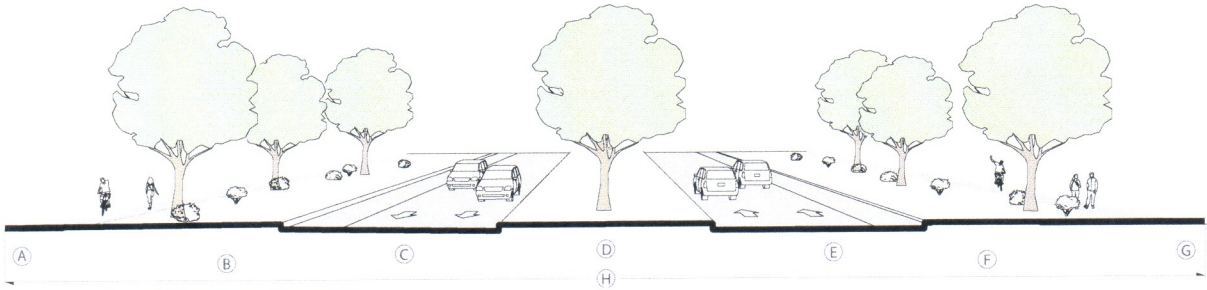
		Major	Minor
A	Pedestrian Zone (min)	5'	5'
B	Planting Zone (min)	8'	8'
C	Bike Zone + Curb & Gutter (min)	8'	8'
D	Travel Zone (max)	24' to 26'	22' to 24'
E	Bike Zone + Curb & Gutter (min)	8'	8'
F	Planting Zone (min)	8'	8'
G	Pedestrian Zone (min)	5'	5'
H	Back of Curb to Back of Curb	40' to 42'	38' to 40'
I	Right-of-Way	66' to 68'	64' to 66'
	Corner Radii (min)	25'	25'

6. Local



A	Pedestrian Zone (min)	5'
B	Planting Zone (min)	3'
C	Curb & Gutter (min)	1.5'
D	Travel Zone (max)	19' to 24'
E	Curb & Gutter (min)	1.5'
F	Planting Zone (min)	3'
G	Pedestrian Zone (min)	5'
H	Back of Curb to Back of Curb	22' to 27'
I	Right-of-Way	38' to 43'
	Corner Radii (min)	25'

7. Parkway



		Minor Collector
A	Pedestrian Zone (min)	5'
B	Planting Zone (min)	7'
C	Bike Zone + Travel Zone (max)	20.5'
D	Median (min)	15'
E	Bike Zone + Travel Zone (max))	20.5'
F	Planting Zone (min)	7'
G	Pedestrian Zone (min)	5'
H	Right-of-Way	80'
	Corner Radii (min)	35'

22-5.5(d)(6) Alley Standards

1. An alley may serve as the primary vehicular access to a lot or building, but an alley should not provide the sole public right-of-way frontage for a parcel of land. Alleys shall only be granted in cases where access management standards deny parcel owners driveway access to existing city streets.
2. Alleys should connect to a public street at each end and should not terminate in permanent dead ends. In special circumstances, the city engineer may consider alleys that only intersect public streets at one end.
3. Alleys should intersect public streets at a 90-degree angle where practical. In no case shall the intersecting angle be less than 75 degrees as measured from centerline of intersecting street.
4. Alleys shall meet the following minimum requirements:



	New Commercial or Mixed Use Alleys	New Residential Alleys
Paved Travel Zone (minimum)	22 feet	14 feet
Right-of-Way	26 feet	18 feet
Minimum building setback along an alley right-of-way	NA	25 feet

- 5. All alleys shall be improved by paving the full width and length of the alley right-of-way.
- 6. Alleys shall be no longer than 750 feet unless the proposed alley connects two existing public streets and is approved by the city engineer.
- 7. Access is allowed to and from a fully improved alley, but on-street parking within any portion of the alley right-of-way is prohibited. "No Parking" signs are required to be installed by the developer. The signs should be located at the alley/street intersections.
- 8. Alleys shall generally be designed with an inverted crown section storm drain system. Alley runoff must be collected within a subsurface drainage system and not allowed to run off from the right-of-way. The minimum alley cross slope shall be two and one-half percent.
- 9. Alleys shall generally be linear in design, but the city engineer may consider alleys with horizontal curves greater than 200 feet on a case-by-case basis.
- 10. All alley infrastructure including subsurface drainage within the alley right-of-way will be privately owned and maintained unless dedicated to the city by means of an approved final plat. The developer shall install signs indicating private street, no public maintenance, and the city shall have no liability for:
  - a. Maintenance of the alley pavement section.
  - b. Patrolling the alley.
  - c. Drainage of stormwater or other surface runoff from such alley onto abutting property.
- 11. Alleys dedicated to the city shall be constructed to the standards set forth in section 22-5x.

22-5.5(d)(7) Street Layout

- A. Streets shall be aligned to join with planned or existing streets.
- B. Street offsets shall be approved by the City Engineer. Street jogs with centerline offsets of less than 125 feet shall be prohibited.
- C. All street Intersections shall approximate right angles.
- D. Existing street stubs, contiguous to the subject property, shall be connected to the proposed street system.

22-5.5(d)(8) Neighborhood Access

- A. **Open Access.** Developments shall provide roadways that remain permanently open to the public and provide community-wide access as part of an overall connected street network.
- B. **Connections.** Applicants for the subdivision of land shall be required to provide sufficient external access points to the existing or future roadway network as follows; however, in the event of any conflict between the provisions of this section and Sec. 22-5.5(c) Blocks and Cul-de-sacs, the provisions of Sec. 22-5.5(c) shall control.
  - 1. Any residential subdivision of greater than 30 units shall include at least two access points. The second access may consist of a street stub with a T-turnaround.
  - 2. Any residential subdivision of greater than 60 units shall include at least two access points. Street stub shall not be considered part of the two access points.
  - 3. Residential subdivisions of 100 or more units shall provide at least three separate access points.
  - 4. Access points onto a state roadway require an approved permit from DOTD.
  - 5. A hardship waiver of these standards may be granted by the Planning Commission during approval of the preliminary subdivision plat only in extreme cases where limited frontage, natural features (slope, topography, bodies of water), or similar circumstances preclude the required connections and there is no substantial impact noted regarding emergency service delivery.
- C. Street Stubs



1. Street stubs into adjacent properties may be required to ensure adequate circulation. Existing street stubs, contiguous to the subject property, shall be connected to the proposed street system.
2. When connections to anticipated or proposed surrounding streets are required under Sec. 22-5.5(c) Blocks and Cul-de-sacs, the right-of-way shall be extended and the street developed to the property line of the subdivided property at the point where the connection to the anticipated or proposed street is expected.
3. The City Engineer may require a temporary turnaround at the end of any street stub when such turnarounds appear necessary to accommodate emergency or service vehicles. No temporary street stub shall be permitted in excess of 350 feet.
4. A hardship waiver of the requirements for street stubs may be granted by the Planning Commission during approval of the preliminary subdivision plat only in extreme cases where limited frontage, natural features (slope, topography, bodies of water), or similar circumstances preclude the required connections and there is no substantial impact noted regarding emergency service delivery.

**D. Access Connections.**

1. When a subdivision that involves the creation of one or more new street(s) borders on or contains an existing collector roadway as identified in the Master Street Plan, no direct driveway access may be provided from lots within the subdivision.
2. When a subdivision abuts or contains an existing or proposed collector roadway, the planning commission may require:
  - a. Marginal access streets, reverse frontage with 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.
  - b. The dedication of additional right-of-way, if the existing access street has width less than the minimum established herein.
3. In special cases, where in the opinion of the planning commission the requirements of safety demand, especially where subdivisions front on heavily traveled thoroughfares, such thoroughfare may be designated as limited access roads, and in such cases, local traffic roads shall be required adjoining and paralleling the thoroughfare, with access there to at specific intervals only.
4. When a property is part of a larger development, access consideration will be for the entire development, and separate access connections(s) shall not be provided to the highway for out lot parcels.
5. Each property or group of adjacent properties with a single owner or development plan shall be granted no more than one access connection, unless the proposed connection centerlines are a minimum of 400 feet from each other and from existing intersections.
6. A property on a corner of two intersecting roadways may be permitted two access connections provided that the access connection on the major roadway is right-in/right-out only and the access connections are determined to be safe and efficient by a licensed engineer.
7. Access connections should be constructed as near as practical to the geometrical center of the property frontage in order to maximize spacing. When a property is a corner lot at an intersection of two roadways, priority should be given to locating the access connection as far as possible from the existing roadways, even if spacing of the access connections cannot be maximized.
8. The throat length is the distance between the right-of-way and the parking lot (first place where a driver must make a decision to turn) served by an access connection. Throat length shall be no less than 20 feet for a low volume access (less than 150 peak hour vehicles in both directions). Medium traffic volume access (150—400) peak hour vehicles in both directions) shall have a throat length no less than 60 feet. High volume access (over 400 peak hour vehicles in both directions) shall have a throat length determined by traffic study performed by a licensed engineer.
9. Driveways: Parking spaces shall not be laid out in such a way that vehicles must back out directly into traffic on collector, arterial or major streets.

**22-5.5(d)(9) Dead-End Streets and Alleys**

- A. With the exception of street stubs to permit future street network extension, dead-end streets are prohibited.
- B. Dead-end alleys must be approved by the City Engineer.

**22-5.5(d)(10) Private Streets.**

Private streets and drives may be permitted subject to meeting the requirements of this code and the conditions set forth below.



- A. Private streets shall be the principal access between a public street and platted lots that do not abut a public street. Such private streets are not dedicated to the public and shall not be publicly maintained. The term “private street” may include both the pavement and areas of streets, drives, alleys or service roads within a development.
- B. The private streets shall be owned and maintained by a property owners association. The property owners association shall maintain all private streets to equivalent or better standards as the connecting public streets.
- C. All private streets shall meet the dimensional standards identified in 22-5(d) Street and Alley Dimensional Standards.
- D. All private streets shall be constructed to equal or exceed the base materials, compaction, and final surfacing standards for public streets and must be certified as such by the applicable City Engineer.
- E. A private street shall be labeled on the final plat.

22-5.5(d)(11) **Street Names.** Street names shall be approved by the City of Gonzales. The applicant shall propose street names for new streets which will be considered with respect to the following criteria:

- A. Proposed streets obviously in alignment with existing and named streets shall bear the names of existing streets. In no case shall the name for the proposed streets duplicate existing street names irrespective of the suffix used.
- B. Streets lying on approximately the same line shall have the same name unless the intervening space between the separate parts is greater than 1,000 feet.

#### 22-5.5(d)(12) **Sidewalks**

- A. Sidewalks shall be installed in accordance with the applicable street standards established in 22-5(d) Street and Alley Dimensional Standards.
- B. All sidewalks and curb ramps shall be constructed by the developer in accordance with the City of Gonzales Design Standards Manual.
- C. New sidewalks must transition to any existing sidewalks.

#### 22-5.5(d)(13) **Clear Sight Distance**

- A. For approach speeds of 30 mph or less no minimum sight distance is required.
- B. For approach speeds of 35 mph or greater, or when conditions such as significant changes in grade are present, or when determined by the City Engineer, sight distance shall meet the most recent AASHTO standards.
- C. Excluding street trees and necessary utility or traffic structures, it shall be unlawful to construct or allow to remain, any fence, sign, movable object, hedge, shrub, or other plants that exceed 36 inches in height and obstruct any identified clear sight area at street intersections or driveway and street intersections.
- D. All street trees encroaching into the clear sight area shall be maintained by the abutting property owner and shall be kept free of foliage for 80 inches measured up from the adjacent road surface.

### 22-5.5(e) **Utilities**

#### 22-5.5(e)(1) **General**

- A. All lots shall be connected to the public water and wastewater systems unless otherwise approved by the City Council.
- B. **Applicant to Pay Costs.** Unless an alternative financing mechanism is approved, any applicant connecting to the public water or wastewater systems shall pay all costs associated with such connection, including but not limited to:
  - 1. Water mains, customer services, meter boxes, valves, fittings, fire hydrants and all appurtenances to make a complete operating water system within the subdivision or other development;
  - 2. A complete wastewater system including laterals and mains, manholes, clean-outs, customer service, tees, lift stations, force mains, lines, and all appurtenances; and
  - 3. Stormwater improvements as required or according to plans adopted.

#### 22-5.5(e)(2) **Water**

- A. It shall be the responsibility of the applicant to provide a connection to a public water supply system, if available within 300 feet of the subdivision approved by the city engineer.
- B. The design and construction of any connection to a public water system shall comply with City of Gonzales and the Louisiana Department of Health regulations covering extension of public water systems.
- C. Water systems shall be of sufficient size to furnish adequate domestic water supply and to furnish fire protection and water services to all lots serviced.

- D. Fire flows are required to conform to the City of Gonzales' Fire Department standards. Water as-built drawings shall be provided and shall show the fire water distribution system as well as the location of hydrants to be installed.

**22-5.5(e)(3) Wastewater Treatment**

- A. When a public wastewater system is within ¼ mile to a proposed subdivision the subdivider shall provide public wastewater facilities to each lot.
- B. The design and construction of any connection to a public wastewater system shall comply with City of Gonzales and Louisiana Department of Health regulations covering extension of public wastewater systems and of the state board of health and shall be constructed under the supervision of and approved by the City Engineer.
- C. Wastewater as-built drawings shall be provided.
- D. The subdivider shall provide wastewater systems of the diameter necessary to serve the subdivision. The subdivider shall provide for wastewater service to the boundary of his property for any future upstream development but shall only be required to pay for that portion of capacity equal to or less than a 12-inch diameter pipe serving upstream development.

**22-5.5(e)(4) Stormwater.**

A contour map should be prepared for the area comprising the subdivision and all additional area necessary to include all waterbeds which drain into the property to be developed. In the design of the drainage for the subdivision, all East Ascension Drainage District regulations shall govern. Provision should be made to adequately take care of adjacent watershed areas after development of the area, and where ditches and canals are used, adequate servitudes shall be provided for future needs.

**22-5.5(e)(5) Electric and Other Utilities**

- A. All new electric service shall be placed underground. Temporary construction service may be permitted above ground.
- B. All other utilities, including but not limited to natural gas, telephone and cable, shall be located underground.
- C. The applicant shall make the necessary arrangements including the provision of any easements to or any construction or installation charges with each of the serving utilities for the installation of such facilities and shall be subject to all applicable laws and regulations for their construction.
- D. All above ground utilities and all above ground transformers, switching boxes, terminal boxes, meter cabinets, pedestals, ducts, and other facilities necessarily appurtenant to utilities shall be placed in a screened location approved by the City of Gonzales. Such locations shall remain clear of any sidewalk, bicycle or pedestrian way.
- E. Electric transmission or distribution feeder lines and communication long-distance trunk or feeder lines and necessary appurtenances may be placed above the ground. Such facilities shall be placed within easements or public rights-of-way. All poles and lines remain clear of any sidewalk, bicycle or pedestrian way.

YEAS: Councilman David Guitreau, Councilman Harold Stewart, Councilman Kirk Boudreaux,  
Councilman Neal Bourque, Councilman Terance Irvin

NAYS: NONE

ABSENT: NONE

Final vote on Ordinance No. 4003:

AN ORDINANCE AMENDING THE CODE OF ORDINANCE  
CHAPTER 22. ZONING AND DEVELOPMENT CHAPTER  
22-6 ADMINISTRATION (ADD) SEC. 22-6(b)(4.5) TO READ:

BE IT ORDAINED BY Mayor and Councilman of the City of Gonzales, Louisiana:

That the Code of Ordinance Chapter 22. Zoning and Development. Chapter 22-6 Administration.  
(Add) Sec. 22-6(b)(4.5) to read:

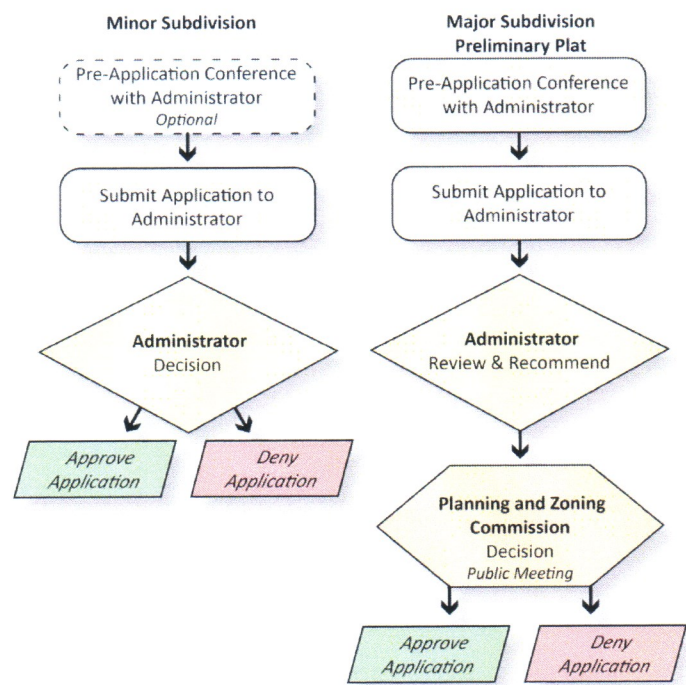
**Chapter 22. ZONING AND DEVELOPMENT.**

**Chapter 22-6 Administration**

**(Add) Sec. 22-6(b)(4.5) to read:**



22-6(b)(4.5) Subdivision



- A. When Required. No person may subdivide land except in accordance with the procedure and standards of this subdivision code.
1. Major Subdivision. Major subdivision approval is required for:
    - a. Any subdivision of land not considered a minor subdivision or exempted below.
    - b. The creation of any number of lots where:
      - i. New public or private streets are created;
      - ii. A private drive or private street provides access to more than three lots;
      - iii. Water or wastewater lines are extended;
      - iv. Drainage improvements through one or more lots must be installed; or
      - v. A waiver of any subdivision standard is desired.
  2. Minor Subdivision. Minor subdivision approval is required for:
    - a. The realignment or shifting of lot boundary lines, including removal, addition, alignment, or shifting of interior lot boundary lines, or the redesignation of lot numbers, provided the application meets the following requirements:
      - i. Does not involve the creation of any new street or other public improvement except as otherwise provided in this Section;
      - ii. Does not involve more than nine lots of record;
      - iii. Does not reduce a lot size below the minimum area or frontage requirements established by this subdivision code; and
      - iv. Otherwise meets all the requirements of this development code.
      - v. Parcels of land where a portion has been expropriated or has been dedicated, sold, or otherwise transferred to the City of Gonzales, thereby leaving a severed portion of the original property which requires a redesignation of lot number and establishment of new lot boundary lines.
  3. No Subdivision Review Required. No subdivision review is required for the following:
    - a. The public acquisition of land for roads, water or wastewater infrastructure.
    - b. Any parcel of land, wherever located, upon which a servitude of passage is created for ingress or egress which does not create a through passage and is used exclusively as a driveway need not meet any street planning dimensions, except said servitude must be adequate in dimensions to provide for ingress and egress by service and emergency vehicles.
- B. Components of Subdivision (Plat) Approval
1. Major Subdivision. Major subdivision requires three steps:
    - a. Approval of Preliminary Plat

- i. Recommendation of approval, approval with conditions, or denial by the Administrator of the preliminary plat;
    - ii. Approval, approval with conditions, or denial of the Planning Commission.
  - b. Construction Drawing Approval. All construction drawings for public improvements required under Sec. 22-5.5(b) Subdivision Standards must be approved by the City of Gonzales Engineer and accepted by the City Council.
  - c. Approval of Final Plat. Approval, approval with conditions, or denial of the Final Plat by the Administrator.
2. Minor Subdivision. Minor subdivision approval requires only the approval, or approval with conditions of a final plat by the Administrator and/or designees.

C. Application and Fees

1. A pre-application conference is optional for minor subdivisions and mandatory for major subdivisions.
2. All applications for subdivision review shall be filed in writing with the Administrator. See Sec. 22-6(b)(1) Common Review Procedures.
3. All major subdivision applications shall be prepared and sealed by a land surveyor or professional engineer licensed in the State of Louisiana.
4. Preliminary Plat application requirements.
  - a. The plat shall show the proposed subdivision and any other adjacent land owned by the subdivider that may affect the design of the subdivision;
  - b. The subdivision name, the names and addresses of the owners or authorized representatives, and of the designer of the plat, who shall be a registered engineer, architect, landscape architect or land surveyor in the state, or a city planner who is a member of the American Institute of Planners;
  - c. Date, approximate North point, and a graphic scale;
  - d. The location of existing and platted property lines, streets, buildings, watercourses, railroads, sewers, bridges, culverts, drainpipes, water mains, and any public utility or other easements, both on the land subdivided and on the adjoining land, the names of adjacent subdivisions and the names and addresses of record owners of adjoining parcels of unsubdivided land as they appear on the current tax records;
  - e. The street layout for the entire area shown in the preliminary plat. The names, locations, widths, and other dimensions of proposed streets, sidewalks, alleys, easements, parks, and other open spaces, reservations, lot lines, building lines for the proposed subdivision, and an addressing system approved by the city engineer identifying each lot;
  - f. Statement of proposed street improvements, including contour map where terrain might affect the location of streets.
  - g. Preliminary sketch plans or proposed utility layouts (sewer, water, and electricity) showing feasible connections, where possible, to existing and proposed utility systems, and having a dedicated minimum utility servitude of fifteen (15) feet;
  - h. All drainage structures in the subdivision shall be designed in accordance with the City of Gonzales Design Standards Manual, considering all the area shown on the preliminary plat and any other areas that have a natural drainage into the subdivision. Drainage structures shall be either subsurface drainage or hard surface open channel, and shall be approved by the city engineer.
  - i. A preliminary plat check list summary required of the subdivider is hereby provided as follows:
    - i. Subdivision name;
    - ii. Description of property;
    - iii. Owner's or subdivider's name;
    - iv. Engineer's name;
    - v. Existing property lines;
    - vi. Date, approximate North point and scale;
    - vii. Section and township lines;
    - viii. Zoning district;
    - ix. Streets—names and width, preceded by directional abbreviations;
    - x. Existing buildings;
    - xi. Building lines;
    - xii. Existing drainage ditches and canals;
    - xiii. Existing lakes or ponds;
    - xiv. Ownership of adjoining properties;
    - xv. Names of adjoining subdivisions;
    - xvi. Lots, numbers and dimensions;
    - xvii. Servitudes and rights-of-way with minimum dimensions of fifteen (15) feet;



- xviii. Existing bridges and culverts;
- xix. Contours;
- xx. Method of sewage disposal;
- xxi. Type of street improvements;
- xxii. Preliminary sketch of utility layouts;
- xxiii. Fire protection system (hydrants and mains);
- j. All utility infrastructure, including electrical utilities, shall be located underground.

5. Final Plat application requirements.

- a. The final plat shall be on sheets not larger than 36 inches by 48 inches, and shall be at a legible scale. Where necessary, the plat may be on several sheets accompanied by an index sheet showing the entire subdivision.
- b. Township, range and section in which the subdivision is located. If section corner, township line or range line falls within the subdivision, it shall be shown;
- c. Primary control points, or descriptions and ties to such control points, to which all dimensions, angles, bearings, and similar data on the plat shall be referred;
- d. Tract boundary lines, right-of-way lines of streets, easements and other rights-of-way, and property lines of residential lots and other sites, with accurate dimensions, bearings or deflection angles, and radii, arcs, and central angles of all curves;
- e. Name and right-of-way width of each street or other right-of-way;
- f. Location, dimensions and purpose of any easements;
- g. Number to identify each lot or site;
- h. Purpose for which sites, other than residential lots, are dedicated or reserved;
- i. Minimum building setback line on all lots and other sites;
- j. Location and description of monuments;
- k. Names of
- l. Reference to recorded subdivision plats of adjoining platted land.
- m. Certification of recognized land surveyor or engineer certifying to accuracy or survey and plat;
- n. Statement by owner dedicating streets, right-of-way and any sites for public uses;
- o. Title, scale, North point and date;
- p. Certificate of approval by the city council;
- q. The flood zone designation of all land located within the subdivision as defined by FEMA flood insurance rate maps (FIRM), including the community-panel number of the
- r. Location and dimensions of sidewalks.

D. Preliminary Plat Review by Administrator

- 1. The Administrator may refer the preliminary plat and application to other affected or interested agencies for review and comment.
- 2. The Administrator shall recommend approval, approval with conditions, or denial of the preliminary plat and application.
- 3. The Administrator may attach conditions required to make the preliminary plat and application comply with this subdivision code.
- 4. The Administrator shall provide notice as set out in Sec. 22-6(b)(1) Common Review Procedures.

E. Preliminary Plat Decision by Planning Commission

- 1. Following notice and a public hearing as required in Sec. 22-6(b)(1) Common Review Procedures, the Planning Commission shall approve, approve with conditions, or deny the preliminary plat for a major subdivision.
- 2. The preliminary plat shall be approved or denied within 60 days of filing of a complete application, except where such time period is extended by the applicant.
- 3. The act of approving or denying a preliminary plat is a legislative function involving the exercise of legislative discretion by the Planning Commission, based upon data presented to it.
- 4. In deciding, the Planning Commission shall consider the recommendation of the Administrator, relevant comments of all interested parties and the review criteria below.

5. The Planning Commission may attach any reasonable conditions necessary to make the subdivision comply with this subdivision code, or to protect the health, safety and welfare of the City of Gonzales and minimize adverse impacts on adjacent properties.
6. Where the Planning Commission finds that unnecessary hardship results from strict compliance with this development code, a waiver may be granted. The Planning Commission shall find that due to the particular physical surroundings, shape or topographical conditions of the property, a particular hardship would result, as distinguished from a mere inconvenience. The granting of the waiver must not be detrimental to the public safety, health or welfare or injurious to other property or improvements. No waiver shall be granted based strictly upon financial considerations.
7. The Planning Commission shall consider the following criteria in approving or denying a subdivision:
  - a. The proposed development is consistent with the pertinent elements of the City of Gonzales' comprehensive plan and any other adopted plans.
  - b. The proposed development will reinforce the existing or planned character of the neighborhood.
  - c. The capacity of public facilities and services including schools, roads, recreation facilities, wastewater treatment, water supply and stormwater facilities, police, fire and emergency medical services.
  - d. Adequate market demand for the number and size of lots in the proposed subdivision.
  - e. The subdivision demonstrates:
    - i. Compliance with City regulations set forth in the City of Gonzales Design Standards Manual and adopted ordinances;
    - ii. Compliance with any prior approvals;
    - iii. Subdivision design appropriate for and tailored to the unique natural characteristics of the site;
    - iv. Adequate, safe and convenient arrangement of access, pedestrian circulation facilities, bicycle facilities, roadways, driveways, and off-street parking, stacking and loading space;
    - v. Adequate design of grades, paving, gutters, drainage and treatment of turf to handle stormwater; and
    - vi. Adequate access for disabled or handicapped residents through the provision of special parking spaces, accessible routes between parking areas and buildings, passenger loading zones and access to other facilities.
  - f. Any adverse impacts on adjacent properties have been minimized or mitigated.
8. In the event that the Planning Commission denies any preliminary plat and application, the grounds for such denial shall be stated in the records of the Planning Commission.

F. Minor Subdivision Decision by Administrator

1. In deciding to approve, approve with conditions or deny the proposed minor subdivision, the Administrator shall consider relevant comments of all interested parties and the review criteria below.
2. The Administrator may attach conditions required to make the plat and application comply with this subdivision code.
3. A minor subdivision shall be approved in accordance with the requirements, including the review criteria, for a final plat below.

G. Final Plat Decision by Administrator

1. The Administrator may approve or deny the final plat.
2. The final plat shall be approved or denied within 60 days of filing, except where such time period is extended by the applicant.
3. If the final plat is denied, the Administrator shall specify in writing the provisions with which the plat does not comply.
4. The final plat shall be approved where it is:
  - a. Consistent with the pertinent elements of the City of Gonzales' comprehensive plan and any other adopted plans;
  - b. Meets the requirements of this development code;
  - c. Complies with any prior approvals, including specifically the preliminary plat and any conditions.



5. The Planning Commission may attach any reasonable conditions necessary to make the subdivision comply with this subdivision code, or to protect the health, safety and welfare of the City of Gonzales and minimize adverse impacts on adjacent properties.
6. Where the Planning Commission finds that unnecessary hardship results from strict compliance with this development code, a waiver may be granted. The Planning Commission shall find that due to the particular physical surroundings, shape or topographical conditions of the property, a particular hardship would result, as distinguished from a mere inconvenience. The granting of the waiver must not be detrimental to the public safety, health or welfare or injurious to other property or improvements. No waiver shall be granted based strictly upon financial considerations.
7. The Planning Commission shall consider the following criteria in approving or denying a subdivision:
  - a. The proposed development is consistent with the pertinent elements of the City of Gonzales' comprehensive plan and any other adopted plans.
  - b. The proposed development will reinforce the existing or planned character of the neighborhood.
  - c. The capacity of public facilities and services including schools, roads, recreation facilities, wastewater treatment, water supply and stormwater facilities, police, fire and emergency medical services.
  - d. Adequate market demand for the number and size of lots in the proposed subdivision.
  - e. The subdivision demonstrates:
    - i. Compliance with City regulations set forth in the City of Gonzales Design Standards Manual and adopted ordinances;
    - ii. Compliance with any prior approvals;
    - iii. Subdivision design appropriate for and tailored to the unique natural characteristics of the site;
    - iv. Adequate, safe and convenient arrangement of access, pedestrian circulation facilities, bicycle facilities, roadways, driveways, and off-street parking, stacking and loading space;
    - v. Adequate design of grades, paving, gutters, drainage and treatment of turf to handle stormwater; and
    - vi. Adequate access for disabled or handicapped residents through the provision of special parking spaces, accessible routes between parking areas and buildings, passenger loading zones and access to other facilities.
  - f. Any adverse impacts on adjacent properties have been minimized or mitigated.
8. In the event that the Planning Commission denies any preliminary plat and application, the grounds for such denial shall be stated in the records of the Planning Commission.

F. Minor Subdivision Decision by Administrator

1. In deciding to approve, approve with conditions or deny the proposed minor subdivision, the Administrator shall consider relevant comments of all interested parties and the review criteria below.
2. The Administrator may attach conditions required to make the plat and application comply with this subdivision code.
3. A minor subdivision shall be approved in accordance with the requirements, including the review criteria, for a final plat below.

G. Final Plat Decision by Administrator

1. The Administrator may approve or deny the final plat.
2. The final plat shall be approved or denied within 60 days of filing, except where such time period is extended by the applicant.
3. If the final plat is denied, the Administrator shall specify in writing the provisions with which the plat does not comply.
4. The final plat shall be approved where it is:
  - a. Consistent with the pertinent elements of the City of Gonzales' comprehensive plan and any other adopted plans;
  - b. Meets the requirements of this development code;
  - c. Complies with any prior approvals, including specifically the preliminary plat and any conditions.



5. The approval of a final plat shall not be deemed to constitute the acceptance of the dedication of any street or other land, public utility or facility shown on the face of the plat. However, the City Council may, by resolution, accept any dedication for streets, parks, public utility lines or facilities, or other public purposes.
- H. Approval by the City required. No plat shall be filed or recorded in the office of the clerk of court, and no subdivider may proceed with improvement or sale of lots in a subdivision until the final plat has been approved by the city and approval has been entered in writing on the plat by the Administrator.
1. Any sales or contract of sale or agreement to purchase any lot or division of land either by lot description or by metes and bounds shall constitute a subdivision of land and require, prior to any sale or contract of sale or agreement to purchase and before the delivery of a deed, the submission of a plat to the city.
- I. Building Permit. No building permit shall be issued for development requiring subdivision approval until the final plat has been approved.
- J. Dedication and Improvements
1. In developing property requiring subdivision approval under this development code, the applicant must dedicate any additional right-of-way necessary to the width required by the City of Gonzales for streets adjoining the property, install curbs and gutters and pave all streets adjoining the property, and install sidewalks and street trees, all based on the standards of this development code.
  2. The applicant shall bear the costs of installation of any on-site or off-site improvements required by this development code, including provisions for stormwater management, paving and utilities.
  3. The City of Gonzales is not required to accept any dedication or improvements that do not meet local standards.
- K. Construction Drawings. Prior to construction of any improvement intended for public dedication, cost estimate and construction drawings that meet local standards for the specified improvements must be approved by City of Gonzales' Engineer.
- L. Improvement Guarantee
1. Prior to approval of final plat or issuance of any building permit, the applicant shall either have installed improvements specified in this subdivision code as shown on approved construction drawings or provide an agreement guaranteeing the installation of improvements specified under this subdivision code by either a Letter of Credit or bond with surety accepted by the City as follows.
  2. If the applicant is guaranteeing public improvements, the applicant shall submit a cost estimate and time schedule for installation of each phase of subdivision improvements, not to exceed two (2) years from the date of the guaranty, to the City Engineer for verification and approval.
  3. If the estimated cost of improvements is equal to or less than \$100,000.00, applicant shall provide a non-negotiable Letter of Credit in favor of the City in an amount equal to 125 percent of the improvement cost estimate in a form and substance approved by the City Attorney.
  4. If the estimated cost of improvements is above \$100,000.00, a bond with surety may be provided in lieu of Letter of Credit, guaranteeing all on-site and off-site improvements. The bond shall be in an amount equal to 125 percent of the improvement cost estimate, and in a form and substance approved by the City Attorney.
  5. As each phase of improvements is installed and inspected by the City of Gonzales, the Letter of Credit or bond may be reduced by the cost of the installed improvements.
  6. Bonds shall be with a reputable and solvent corporate surety licensed to write insurance in the State of Louisiana, in favor of the City of Gonzales.
  7. Letters of credit shall be issued by a financial institution having a rating equivalent to the minimum acceptable rating established by the City.
- M. Inspection of Improvements
1. The applicant shall grant City of Gonzales the authority to inspect all construction of required improvements. Such right of inspection shall not constitute a duty to inspect, nor shall it guarantee final acceptance of the required improvements.
  2. Failure to perform the work to the City of Gonzales' standards shall free the City of Gonzales to liquidate the improvement guarantee in order to finance necessary repairs.
- N. Maintenance Bond or Letter of Credit Required. The City of Gonzales may require a post-acceptance Maintenance Bond or Letter of Credit in a form and substance approved by the City Attorney for a coverage period determined by the City Gonzales. The Letter of Credit or Maintenance Bond shall protect the City from any necessary repairs arising from defective



workmanship or materials used on any improvement constructed by a developer and dedicated to the City. No final plat approval will be granted until the original Letter of Credit or Maintenance Bond has been received and approved by the City.

1.

Maintenance bonds shall be with a reputable and solvent corporate surety licensed to write insurance in the State of Louisiana, in favor of the City of Gonzales.
2.

Letters of credit shall be issued by a financial institution having a rating equivalent to the minimum acceptable rating established by the City.
- O.

Recording of Final Plat. Any final plat shall be recorded in the office of the parish clerk of courts where the property is situated and copied into the conveyance record book of the parish.
- P.

Modification of Approved Subdivision. The Administrator is authorized to approve minor modifications to an approved subdivision. All modifications not listed as minor below shall be considered by the body that approved the original subdivision. The following modifications shall be considered minor:

1.

Additional or wider easements that do not affect the general placement of buildings or general location of roadways;

2.

Reduction in the number of lots;

3.

Reduction of length of streets; or

4.

Modification of public utility service.
- Q.

Appeal

1.

A final decision by the Administrator on a minor subdivision may be appealed to the Planning Commission. The Planning Commission shall review the subdivision as a major subdivision.

2.

A final decision by the Planning Commission on a major subdivision may be appealed to district court.
- R.

Expiration. A preliminary plat expires after one year where a final plat application has not been filed. Each final plat for a phase of the preliminary plat extends the preliminary plat for an additional year. A final plat, once officially recorded, does not expire.

YEAS: Councilman David Guitreau, Councilman Harold Stewart, Councilman Kirk Boudreaux, Councilman Neal Bourque, Councilman Terance Irvin

NAYS: NONE

ABSENT: NONE

Final vote on Ordinance No. 4004:

AN ORDINANCE AMENDING THE CODE OF ORDINANCE  
CHAPTER 22. ZONING AND DEVELOPMENT CHAPTER  
22-6 ADMINISTRATION (CHANGE) CHAPTER 22-6(a)(4)  
TO INSERT AND UPDATE THE FOLLOWING CHART:

BE IT ORDAINED BY Mayor and Councilman of the City of Gonzales, Louisiana:

That the Code of Ordinance Chapter 22. Zoning and Development. Chapter 22-6 Administration. (CHANGE) Chapter22-6(a)(4) to insert and update the following chart:

Chapter 22 ZONING AND DEVELOPMENT

Chapter 22-6 Administration

(CHANGE) Chapter 22-6(a)(4) to insert and update the following chart:

	Administrator	Planning and Zoning Commission	City Council
Zoning Permit	Decision		
Administrative Adjustment	Decision		
Appeal of Administrative Decision			Decision*
Subdivision:			
Minor Plat	Decision		





NAYS: NONE

ABSENT: NONE

Final vote on Ordinance No. 4006:

AN ORDINANCE AMENDING THE CODE OF ORDINANCE  
CHAPTER 22. ZONING AND DEVELOPMENT CHAPTER  
22-7 DEFINITIONS. (CHANGE) CHAPTER 22-7 TO (ADD)  
THE FOLLOWING DEFINITIONS:

BE IT ORDAINED BY Mayor and Councilman of the City of Gonzales, Louisiana:

That the Code of Ordinance Chapter 22. Zoning and Development. Chapter 22-7  
Definitions (Change) to (Add) the following definitions:

**Chapter 22 ZONING AND DEVELOPMENT**

**Chapter 22-7 Definitions**

**(Change) Chapter 22-7 to add the following definitions:**

**Egress**

A grant of property rights by the owner to, or for use by, the public, a corporation, or another person or entity to  
use as an exit from a specific parcel of land.

**Private Street**

A privately owned and maintained thoroughfare, avenue, road, highway, boulevard, parkway, way, drive, lane  
or court, built to public street standards and generally providing the primary means of ingress and egress from  
the property abutting along its length to the public street network.

**Subdivision**

- (1) The division of land into two (2) or more tracts, sites or parcels of three (3) acres or less in area; or
- (2) Re-subdivision of land hereto divided or platted into lots, sites or parcels.

YEAS: Councilman David Guitreau, Councilman Harold Stewart, Councilman Kirk Boudreaux,  
Councilman Neal Bourque, Councilman Terance Irvin

NAYS: NONE

ABSENT: NONE

Final vote on Ordinance No. 4007:

AN ORDINANCE AMENDING THE CODE OF ORDINANCE  
TO (DELETE) CHAPTER 17. SUBDIVISION OF LAND\* IN ITS  
ENTIRETY.

BE IT ORDAINED BY Mayor and Councilman of the City of Gonzales, Louisiana:

That the Code of Ordinance Chapter 17 **SUBDIVISION OF LAND\*** be (Deleted) in its entirety.

YEAS: Councilman David Guitreau, Councilman Harold Stewart, Councilman Kirk Boudreaux,  
Councilman Neal Bourque, Councilman Terance Irvin

NAYS: NONE

ABSENT: NONE

Final vote on Ordinance No. 4008:

AN ORDINANCE AMENDING THE CODE OF ORDINANCE  
TO (DELETE) CHAPTER 8.5 DRAINAGE\* IN ITS  
ENTIRETY.

BE IT ORDAINED BY Mayor and Councilman of the City of Gonzales, Louisiana:

That the Code of Ordinance Chapter 8.5 **DRAINAGE\*** be (Deleted) in its entirety.

YEAS: Councilman David Guitreau, Councilman Harold Stewart, Councilman Kirk Boudreaux,  
Councilman Neal Bourque, Councilman Terance Irvin

NAYS: NONE

ABSENT: NONE

Motion by Councilman Kirk Boudreaux, seconded by Councilman Terance Irvin to accept the low bid of Denali Water Solutions, LLC in the amount of \$840,562.50 for the 2016 Gonzales WWTP Biosolids Removal and Disposal from the following bids received:

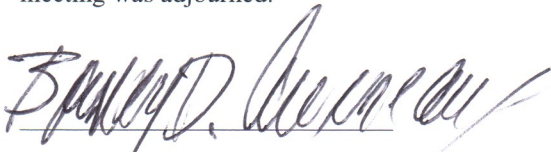
Denali Water Solutions, LLC	\$ 840,562.50
Merrell Bros., Inc.	\$1,489,820.00

YEAS: Councilman David Guitreau, Councilman Harold Stewart, Councilman Kirk Boudreaux,  
Councilman Neal Bourque, Councilman Terance Irvin

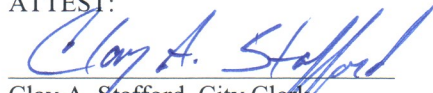
NAYS: NONE

ABSENT: NONE

There being no further business to come before the City Council and upon a motion duly made and seconded, the meeting was adjourned.

  
Barney D. Arceneaux, Mayor-Administrator

ATTEST:

  
Clay A. Stafford, City Clerk