

**Tangipahoa Parish Council**  
**Tangipahoa Parish Gordon A Burgess Governmental Building**  
**206 East Mulberry Street, Amite, LA 70422**  
**Regular Meeting Immediately Following Public Hearing**  
**January 09, 2023**

**PUBLIC NOTICE** Is Hereby Given That The Tangipahoa Parish Council Will Meet In Regular Session on Monday, January 9, 2023 Immediately Following the Public Hearing at 5:30 PM at the Tangipahoa Parish Gordon A Burgess Governmental Building, 206 East Mulberry Street, Amite, Louisiana, contact number (985)748-3211 on the following:

**PUBLIC HEARING**

No Items on Public Hearing

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**CALL TO ORDER**

**CELL PHONES** - *Please Mute or Turn Off*

**INVOCATION**

**PLEDGE OF ALLEGIANCE** (*All Veterans and active military, please render the proper salute*)

**ROLL CALL**

1. 2023 Election of Officers

**ADOPTION OF MINUTES** for the regular meeting dated December 27, 2022

**PUBLIC INPUT** - *Anyone Wishing to Address Agenda Items Which Were Not on Public Hearing*

**PARISH PRESIDENT'S REPORT**

2. APPROVAL OF ANNUAL PAY RAISES per Home Rule Charter for Chief Administrative Officer, Director of Human Resources and Director of Public Works effective pay period January 7, 2023
3. APPROVAL TO ACCEPT into the Parish Maintenance System - Estates of Silver Hill Phase 1 (Jasper Ln, Salt Grass Dr, Hamilton Ln), Silver Hill Phase 2 (Salt Grass Dr, New Road Dr, Trinity Ln), Silver Hill Phase 3 (Jasper Ln, Milbrook Way, Dothan Place) in District 2

**REGULAR BUSINESS**

4. PRESENTATION Restore the Earth Foundation

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**INTRODUCTION OF ORDINANCES**  
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5. INTRODUCTION of T.P. Ordinance No. 23-01 - An Ordinance to authorize the Parish President or his Authorized Designee to execute any and all documents in regard to the purchase and acquisition of land with improvements, Lots 14-15-16 SQ 7 Amite, Louisiana, Tangipahoa Parish (*PUBLIC HEARING: Monday January 23, 2023*)
6. INTRODUCTION of T.P. Ordinance No. 23-02 - An Ordinance amending and enacting Chapter 36-Planning and Development, Article IV-Standards for Subdivision of Property – Roads (*PUBLIC HEARING: Monday January 23, 2023*)
7. INTRODUCTION of T.P. Ordinance No. 23-03 - An Ordinance amending and enacting Chapter 42-Streets, Roads, Sidewalks and Drainage, Article I-General, Section 42-4-Acceptance of Existing Streets into Parish Road System, #(6) and Section 42-21-Road Specifications, (F)(4), Gravel Roads (*PUBLIC HEARING: Monday January 23, 2023*)

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**ADOPTION OF RESOLUTION**  
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8. ADOPTION of T.P. Resolution No. R23-01 - A Resolution of the Tangipahoa Parish Council-President Government supporting Federal Disaster Funding through the Louisiana Office of Community Development Disaster Allocations

**BEER, WINE, AND LIQUOR PERMITS**

**LEGAL MATTERS**

**COUNCILMEN'S PRIVILEGES**

**ADJOURN**

Jill DeSouge  
Clerk of Council

Daily Star  
Please Publish January 5, 2023

Published on Tangipahoa Parish Government website at [www.tangipahoa.org](http://www.tangipahoa.org) and posted @ T.P. Gordon A. Burgess Governmental Building January 5, 2023

In Accordance with the Americans with Disabilities Act, If You Need Special Assistance, please contact Jill DeSouge at 985-748-2290 describing the Assistance that is necessary.



POST OFFICE Box 215  
AMITE, LOUISIANA 70422

OFFICE (985)748-3211  
FAX(985)748-7576

**ROBBY MILLER**  
PARISH PRESIDENT

12-14-2022

To: Parish Council-District 2  
From: Joseph A Lamonte Jr, Public Works-Engineering  
Subject: Estates of Silver Hill Phase 1

The streets listed below have been inspected for compliance to parish standards and inclusion into the parish maintenance system. This inspection found these streets to be in acceptable condition. It is hereby recommended that the streets in Estates of Silver Hill Phase 1 be taken into the parish road system.

Name	ROW	Base	Surface	Total
Jasper Ln.	\$4720.00	\$7079.00	\$7866.00	\$19655.00
Salt Grass Dr.	\$15876.00	\$23814.00	\$26460.00	\$66150.00
Hamilton Ln.	\$14666.00	\$22000.00	\$24444.00	\$61110.00
			Total	\$146925.00

Joseph A Lamonte Jr.

Public Works - Engineering  
Tangipahoa Parish

**COUNCIL**

TRENT FORREST  
DISTRICT 1  
EMILIE "LOREY" MAVERAUX

JOHN INGRAFFIA  
DISTRICT 2  
LIONELL WELLS

LOUIS "NICK" JOSEPH  
DISTRICT 3  
DAVID P. VIAL

CARLO S. BRUNO  
DISTRICT 4  
BRIGETTE HYDE

H. G. "BUDDY" RIDGEL  
DISTRICT 5  
KIM LANDRY COATES



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**ROBBY MILLER**  
*PARISH PRESIDENT*

12-14-2022

To: Parish Council-District 2  
From: Joseph A Lamonte Jr, Public Works-Engineering  
Subject: Silver Hill Phase 2

The streets in the above subject subdivision have been inspected for compliance to parish standards and inclusion into the parish maintenance system. This inspection found these streets to be in acceptable condition. It is hereby recommended that the streets in Silver Hill Phase 2 be taken into the parish road system.

Name	ROW	Base	Surface	Total
Salt Grass Dr.	\$10498.00	\$15746.00	\$17496.00	\$43740.00
New Road Dr.	\$3434.00	\$5152.00	\$5724.00	\$14310.00
Trinity Ln.	\$8867.00	\$13300.00	\$14778.00	\$36945.00
			Total	\$94995.00

Joseph A Lamonte Jr.

Public Works - Engineering  
Tangipahoa Parish

**COUNCIL**

TRENT FORREST  
DISTRICT 1  
EMILIE "TOBY" MAVERAY

JOHN INGRAFFIA  
DISTRICT 2  
LIONELL WELLS

LOUIS "NICK" JOSEPH  
DISTRICT 3  
DAVID P. VIAL

CARLO S. BRUNO  
DISTRICT 4  
BRIGETTE HYDE

H. G. "BUDDY" RIDGEL  
DISTRICT 5  
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**ROBBY MILLER**  
PARISH PRESIDENT


12-14-2022

To: Parish Council-District 2  
From: Joseph A Lamonte Jr, Public Works-Engineering  
Subject: Silver Hill Phase 3

The streets in the above subject subdivision have been inspected for compliance to parish standards and inclusion into the parish maintenance system. This inspection found these streets to be in acceptable condition. It is hereby recommended that the streets in Silver Hill Phase 3 be taken into the parish road system.

Name	ROW	Base	Surface	Total
Jasper Ln.	\$2916.00	\$4374.00	\$4860.00	\$12150.00
Milbrook Way	\$10584.00	\$15876.00	\$17640.00	\$44100.00
Dothan Place	\$9396.00	\$14094.00	\$15660.00	\$39150.00
			Total	\$95400.00

Joseph A Lamonte Jr.

  
Public Works - Engineering  
Tangipahoa Parish

**COUNCIL**

TRENT FORREST  
DISTRICT 1  
EMILE "JOEY" MAYEAUX  
DISTRICT 6

JOHN INGRAFFIA  
DISTRICT 2  
LIONELL WELLS  
DISTRICT 7

LOUIS "NICK" JOSEPH  
DISTRICT 3  
DAVID P. VIAL  
DISTRICT 8

CARLO S. BRUNO  
DISTRICT 4  
BRIGETTE HYDE  
DISTRICT 9

H. G. "BUDDY" RIDGEL  
DISTRICTS  
KIM LANDRY COATES  
DISTRICT 10

**T.P. Ordinance No. 23-01**

**AN ORDINANCE TO AUTHORIZE THE PARISH PRESIDENT OR HIS  
AUTHORIZED DESIGNEE TO EXECUTE ANY AND ALL DOCUMENTS IN  
REGARD TO THE PURCHASE AND ACQUISITION OF LAND WITH  
IMPROVEMENTS, LOTS 14-15-16 SQ 7 AMITE, LOUISIANA,  
TANGIPAHOA PARISH**

WHEREAS, it is the best interest of the Parish of Tangipahoa to purchase land and structures located at the corner of West Mulberry Street and North First Street in Amite, Louisiana; and

WHEREAS, Nina M Kelly, PHD owns Lots 14, 15 & 16, Square 7, property with a 3,302 square foot former dialysis clinic on 1.03 acres of land located at the corner of West Mulberry Street and North First Street in Amite, Louisiana; and

THEREFORE BE IT ORDAINED, by the Tangipahoa Parish Council, the governing authority of Tangipahoa Parish that the Parish President or his authorized designee is hereby authorized, empowered and directed to purchase the said property and structures for the appraised value of \$390,000.00 and upon such terms and conditions as he shall deem for the best interest of the Tangipahoa Parish Council-President Government.

The purchase of the above described property shall include the buildings and structures located thereon and all other improvements and appurtenances.

The Tangipahoa Parish President be and he is hereby authorized and empowered to enter into such agreements and contracts of sale as may be necessary to carry out the purchase of the said building and property and to consummate the purchase of the said building and property by executing on behalf of the Tangipahoa Parish Council-President Government a warranty cash deed to the property for and on behalf of the said Tangipahoa Parish Council-President Government, as purchaser.

BE IT FURTHER ORDAINED, by the Tangipahoa Parish Council that this ordinance shall take effect immediately upon the signature of the Tangipahoa Parish President.

This ordinance having been submitted in writing, having been introduced at a public meeting of the Tangipahoa Parish Council, discussed at a public hearing of said council and was submitted to an official vote of the Tangipahoa Parish Council.

On motion by\_\_and seconded by \_\_, the foregoing ordinance was hereby declared adopted on this 23<sup>rd</sup> day of January, 2023 by the following roll-call vote:

**YEAS:**

**NAYS:**

**ABSENT:**

**NOT VOTING:**

**ATTEST:**

\_\_\_\_\_  
Jill DeSouge  
Clerk of Council  
Tangipahoa Parish Council

\_\_\_\_\_  
Brigitte Hyde  
Chairwoman  
Tangipahoa Parish Council

INTRODUCED: January 9, 2023

PUBLISHED: January 19, 2023

OFFICIAL JOURNAL Hammond Daily Star

ADOPTED BY TPC: January 23, 2023

DELIVERED TO PRESIDENT: \_\_\_\_\_ day of January, 2023 at \_\_\_\_\_

APPROVED BY PRESIDENT: \_\_\_\_\_

Robby Miller

Date

VETOED BY PRESIDENT: \_\_\_\_\_

Robby Miller

Date

RECEIVED FROM PRESIDENT: \_\_\_\_\_ day of January, 2023 at \_\_\_\_\_

## T. P. Ordinance No. 23-02

### AN ORDINANCE AMENDING AND ENACTING CHAPTER 36 - PLANNING AND DEVELOPMENT, ARTICLE IV- STANDARDS FOR SUBDIVISION OF PROPERTY - ROADS

**BE IT ORDAINED** by the Tangipahoa Parish Council-President Government, State of Louisiana, acting as the Governing Authority thereof revises and amends the Tangipahoa Parish Code of Ordinance as follows:

#### CHAPTER 36 PLANNING AND DEVELOPMENT ARTICLE IV – STANDARDS FOR SUBDIVISION OF PROPERTY

##### Sec. 36-89. General design and improvement standards.

- (a) *Applicability.* The design and improvement standards in this section shall apply to all new subdivision of land unless specifically noted in other sections of this article.
  - (1) All lots will be provided with a physical address from the parish 911 office at time of structure or dwelling placement.
  - (2) All lots will be identified with lot numbers until the time that a structure is constructed.
- (b) *Sewerage and water systems.* A sewerage discharge approval letter shall be obtained for the creation of all proposed new lots.
- (c) *Setbacks.* Side and rear setbacks shall be ten feet for all lots not otherwise specified in these standards or identified on original plats for existing lots of record.
- (d) *Private roads and infrastructure.*
  - (1) Property divisions shall be allowed on public roads, private roads as identified by 911 office, and existing easements or servitudes as recorded in the office of the parish clerk of court.
    - a. All new rights-of-way (ROW) to be created must have a minimum 60-foot width. The new 60-foot right-of-way will include provisions for ditches along the roadside that will serve as a permanent servitude for all utilities such as phone, cable, water, electricity, gas, sewer, etc.
    - b. Any new private roads must have a minimum 60-foot width. It shall be identified on the plat as separate from any lot to be created. The road may not be included in any lot's property description. The approved plat shall be recorded in the office of the parish clerk of court.
    - c. Any new rights-of-way must receive Public Works approval.
  - (2) Each lot's plat must state any new private road will not be accepted into the parish maintenance system unless brought up to current parish construction specifications. It shall be noted on each lot's plat that it shall be the responsibility of the property owner/owners residing along the private roadway to maintain said road.
  - (3) Posting of signs on private roads. Each and every subdivision developer shall post a sign at the beginning of each and every subdivision entrance notifying the public that the said street is not a public road or street but is a privately owned and maintained road or street. This notification shall be conspicuously displayed on a permanent sign that is at least two foot wide by one foot in height and is lettered in three inches or larger letters "Private Roadway" or any similar notice that adequately notifies the public that this is a private not a public road. The failure to post this notice is grounds for the building official to refuse to issue any building permits in the subdivision. The failure to post this notice shall also be a violation of the criminal law and subject the subdivision developer to the general criminal penalties of section 1-13.
  - (4) If any conflicts between any regulations should arise the most restrictive shall apply.

##### Sec. 36-90. Minor subdivision standards.

- (a) *General standards for minor subdivisions pertaining to the division and partition of property.*
  - (1) *Generally.* Minor subdivisions are considered the following:
    - a. Residential minor partitions known as mini partitions, and small partitions.
    - b. Minor commercial partitions.
    - c. These types of divisions can be administratively approved and must be submitted on 11-inch by 17-inch sheets for review. These subdivisions shall follow the following requirements unless otherwise specified in this subsection.

- (2) *Frontage.* Lots shall have a minimum road frontage of 125 feet on either a publicly maintained road or public road, existing private road as recorded with the parish's 911 office, ~~existing permanent access right-of-way, easement, or servitude recorded at the office of the parish clerk of court, or new private road, or right-of-way as approved for certain uses in these standards.~~
- (3) *Total square footage.*
- a. *Residential minor partitions.* Lots shall have a minimum total square footage of 21,780 square feet or one-half acre.
  - b. *Minor commercial partitions.* Lots shall have a minimum total square footage of 43,560 square feet or one acre.
- (4) *Residential minor partitions.* A minimum 60-foot width must be provided for any new right-of-way or private road for road access, drainage, utilities and sewage. This must be provided for any new lots not fronting on an existing publicly-maintained road, or existing private road. ~~or existing recorded easement or servitude.~~ Lots may be allowed on existing publicly maintained roadways or on existing private recorded with the 911 office prior to the date of the adoption of the ordinance (January 23, 2023) from which this chapter is derived, provided each type meets the minimum infrastructure requirements. Future divisions proposed within 10 years of original approval must follow all major subdivision regulations including planning commission approval.
- a. *Mini partitions fronting on a public road.* ~~For a new 60-foot right-of-way or private road to be allowed to be created, the original parcel (parent tract) to be divided must be a minimum of three acres or more.~~ Shall have 125' road frontage on an existing publicly maintained right-of-way, minimum total square footage of 21,780 or one half acre.
    - i. A minimum of 3 acres will be allowed to be divided with a 60' access servitude with a maximum of 2 lots. Minimum front of 125' is required.
  - b. *~~Small partitions~~ Mini Partition fronting on a Private Road.* ~~Creating new 60-foot rights-of-way or private roads for property divisions are not allowed. Any new lots created by these partitions must have frontage on existing roads.~~ A private road can be existing with a minimum of 60 foot width in accordance with Chapter 42 and Appendix C. The road must be recognized by 911 and public works.

A 35 foot wide easement dedicated for sewer leading to a publicly maintained waterway shall be required to be identified on an existing private road. These proposed subdivisions as defined in this subsection shall meet the standards of section 36-89(d), subsection (a) of this section.

The survey must include a note saying, "After this property division, no further division is allowed within 10 years or until the private road is upgraded to parish construction standards." Roads in this type of partition may be paved or gravel surfaced. Prospective owners must be advised of public service restrictions as stated in section 36-89(d).

    - i. A tract of land consisting of four (4) to ten (10) acres and fronting on a private road may be subdivided into parcels of 80,000 square feet with 200 feet minimum of frontage on the private road. (lots are approximately 1.8 acres)
    - ii. A tract of land consisting of ten (10) to twenty (20) acres and fronting on a private road may be subdivided into no more than five parcels of at least four (4) acres with each parcel having a minimum of 200 feet of frontage on the private road
    - iii. A tract of land consisting of twenty (20) to thirty-five (35) acres and fronting on a private road may be subdivided into no more than seven (7) parcels of at least (5) acres with each parcel having a minimum of 250 feet of frontage on the private road.
    - iv. A tract of land consisting of thirty-five (35) to sixty (60) acres and fronting on a private road may be subdivided into no more than ten (10) parcels of at least six (6) acres with each parcel having a minimum of 300 feet of frontage on the private road.
    - v. A tract of land consisting of sixty (60) acres or more fronting on a private road may be subdivided into no more than ten (10) parcels of at least ten (10) acres with each parcel having a minimum of 400 feet of frontage on the private road.
    - vi. The survey must include a note saying, "After this property division, no further division is allowed until the private road is upgraded to parish construction standards."

vii. Road in this type of partition may be paved or gravel surfaced. Prospective owners must be advised of public service restrictions as stated in section 36-89(d).

c. Small Partitions. Creating new 60 foot rights-of-way or private roads for property division are not allowed. Any new lots created by these partitions must have frontage on existing roads. If not on an existing right-of-way (public or private) then the partition must follow the major subdivision regulations.

- (5) *Residential minor partition setbacks.* Side and rear setbacks shall be ten feet from the property line. The front setback shall be a minimum of 25 feet from public right-of-way lines. In cases when the right-of-way lines cannot be determined, the setback line will begin 18 inches behind the back slope of the drainage ditches.
- (6) *Minor commercial partition setbacks.* Minor commercial setbacks shall follow all prescribed setbacks and buffer area requirements as set forth in this chapter.
- (7) *Residential minor partitions.* Any partition seeking administrative approval and not meeting the standards of this subsection shall be required to seek planning commission approval.
  - a. Planning commission approval for minor partitions must meet current lot size and frontage requirements as identified in section 36-91(d)(3) and (4); and
  - b. The applicant may be required to provide any other information requested by the planning commission.
- (8) *Exceptions.*
  - a. Divisions for utility placement do not have specific size requirements.
  - b. Residential minor partition lots that obtain access at the dead end of a road shall have no minimum frontage required.
- (9) *Planning commission approval; when required.* Amendments to any required statements on minor partitions require planning commission approval.
- (10) All minor subdivisions point of egress and ingress shall be upon a public right of way with a minimum average paved surface width of sixteen feet. If the average width of the paved surface is less than sixteen feet, the developer shall be responsible for obtaining the necessary right of way expansions and shall bear the costs of any expansion of the right of way and widening of the paved surface. In the event an expansion is necessary, the widening shall be performed the full length of the frontage road to the next major intersection of a publicly maintained right of way.
- (11) Structures. All surveys must show any structures that are as close as 10 feet of said setbacks set herein.

(b) *Mini partitions.*

- (1) A mini partition creates a minimum of two but no more than four new lots of record.
- ~~(2) A property owner shall be allowed to create only one mini partition of original property (parent tract), in which he retains an ownership, after such partition is created.~~
- ~~(3)~~(2) A 60-foot right-of-way or private road dedicated for road access, utilities and sewage leading to a parish-maintained road is allowed to be created if the original parcel to be divided is a minimum of three acres or more.
- ~~(4)~~(3) The following statements shall be added to the property deed and plats of mini partitions, as applicable and recorded:
  - a. Any newly created right-of-way or private road dedicated for a mini partition that does not meet parish specifications for road construction will not be accepted into the parish maintenance system.
  - b. Future divisions proposed within 10 years of original approval must follow all major subdivision regulations including planning commission approval.

(c) *Small partitions.*

- (1) A small partition creates a minimum of five lots, but no more than eight new lots of record.
- (2) Lots may be allowed on existing publicly maintained roadways or on existing private roadways recorded with the 911 office prior to the date of the adoption of the ordinance (January 23, 2023) from which this chapter is derived, provided each type meets the minimum infrastructure requirements and provides all the following:
  - a. A wetlands jurisdictional determination, in writing from the corps of engineers, is obtained;
  - b. A comprehensive drainage plan is presented, detailing where sewer effluent will be received by a public, maintained waterway;



- c. Such small partitions may be approved by the parish engineer and a representative of the office of community development, without having to be presented to the planning commission;
  - d. All such small partitions must be filed with the parish clerk of court before any permits will be issued. The appropriate checklist shall be completed and submitted with four copies of the plat, drawn on a sheet measuring 24 inches by 36 inches; and
  - e. The same regulations apply to a private small partition except the lots may front on an existing private road with each lot consisting of four acres or more. Lots fronting on a cul-de-sac must have no less than 60 feet of frontage. Roads in a private small partition may be paved or gravel surfaced. Prospective owners must be advised of public service restrictions as stated in the gated and private communities regulations.
- (d) *Minor commercial partitions.* General minor commercial partitions result in the creation of two lots, but not exceeding four (4) lots fronting on an existing road for access with the intended purpose of commercial developments being constructed on these lots.
- (1) Lots sizes meet the minimum 125 feet of road frontage.
  - (2) Each lot must be a minimum of one acre each.
  - (3) These subdivisions are considered minor subdivisions and may be approved administratively upon signature by the parish engineer, community development director and drainage district administrator, if applicable.
  - (4) All such partitions must be filed with the parish clerk of court before any commercial development permits will be issued.
  - (5) A wetlands jurisdictional determination, in writing from the Corps of Engineers, is obtained.
  - (6) Sewerage discharge verification is not required for the approval of these subdivisions. Details concerning where sewer effluent will be received by a public, maintained waterway will be required at the time of the commercial development plan.
  - (7) The survey plat shall state that the lots are for the intended purpose of commercial development. No single-family residential houses or multifamily residential developments shall be allowed on parcels.

**Sec. 36-91. Major subdivision standards.**

- (a) *General design standards.* The design standards in this section shall apply to subdivisions, as defined in this section.
- (1) All proposed subdivisions as defined in this section shall meet the standards of its subsection and all other local, state, and federal agencies' requirements. All such requirements found herein are to be labeled on plats as identified to receive approval from the planning commission.
  - (2) Street standards.
    - a. The arrangement, character, extent, width, grade, and location of all streets will conform to the specifications of the Louisiana Department of Transportation and Development (LADOTD).
    - b. Street jogs with centerline offsets of less than 125 feet will be avoided. See Appendix C to the ordinance from which this chapter is derived.
    - c. A tangent at least 100 feet long shall be used between reverse curves. See Appendix C to the ordinance from which this chapter is derived.
    - d. Streets will be laid out so as to intersect at right angles.
    - e. Property lines at intersections will be rounded with a radius of 30 feet or greater.
    - f. All hard-surfaced, dead-end streets will end with a cul-de-sac or "T" turn around. A cul-de-sac shall have a minimum right-of-way diameter of 125 feet and a minimum roadway surface diameter of 100 feet. See Appendix C to the ordinance from which this chapter is derived.
    - g. Streets that have a left or right turn with a central angle of 80 to 100 degrees may incorporate a semi cul-de-sac. See Appendix C to the ordinance from which this chapter is derived.
    - h. No street names will be used which will duplicate or be confused with the names of existing streets filed with the 911 office.
    - i. All streets and road rights-of-way will be 60 feet.
    - j. Typical street detail will be followed with all streets. See Appendix C to the ordinance from which this chapter is derived.
    - k. All entrances to a subdivision shall be approved by the planning commission.
    - l. Street name and safety enforcement signs shall be posted in the subdivision by the developer and shall conform to MUTCD published by Federal Highway Administration.

- m. In the case of existing parish maintained streets, the developer will dedicate a right-of-way for this street. If the developer decides to upgrade the road, the parish is only responsible for the maintenance of said road in the condition existing at the time of completion of the subdivision. Property owners may petition the parish council for upgrading and will pay for the upgrading on a front-foot basis.
  - n. The design engineer must certify that any improvement tests meet the requirements of the Louisiana Standard Specifications for Roads and Bridges and of the planning commission.
  - o. ~~Gravel roads are allowed in subdivisions; however, see chapter 42 for restrictions on acceptance of gravel roads into the parish maintenance system.~~ All newly created lots shall front and have access strictly from inside the said subdivision. No lots shall front on an existing parish maintained right of way, access servitude, or existing private road.
  - p. It shall be prohibited for any lot within an approved subdivision to have rear access via a driveway to or from any street or road that is not dedicated within the boundaries of the approved subdivision plat.
  - q. Temporary construction entrances/roads shall be designed and constructed for subdivisions in excess of 100 lots or phased construction during the preliminary phase if possible. The parish engineer or a designee shall have the final authority to determine if reasonable effort was made to achieve construction routes and the authority to require or waive the need of these routes.
- (3) Wetlands area location and designation.
- a. Plats shall depict the wetlands as submitted to the corps of engineers on preliminary plat plans and as identified on an United States Army Corps of Engineers (USACE) jurisdictional determination letter and map on final plat plans submitted for approval.
  - b. All FEMA-designated floodways are to be plotted on the preliminary subdivision proposal map, and shall, to the maximum extent possible, remain protected and non-developed, unless a release and waiver is provided by the parish government with a no-rise certificate approved.
- (4) All FEMA-identified flood zones (X, A, AE, V, VE zones) are to be labeled on all subdivision plats and indicate the source of this information.
- (5) Phased construction.
- a. No additional phases of subdivisions may be started until infrastructure (drainage, roads, ditches, water and sewer) of phases approved by the parish planning commission are completed as determined by parish engineer and/or drainage district administrator.
  - b. As-built plans shall depict the wetlands as determined by the Corps of Engineers.
- (6) Sewerage and water systems. A community sewerage treatment plant and community water system shall be provided for any proposed subdivision containing more than eight lots, unless:
- a. Each lot created is one acre or greater; and
  - b. Has 125 feet of frontage.
- If both above standards apply, then individual sewer systems may be installed.
- (7) Minimum lot size on a cul-de-sac and semi cul-de-sac. Lots fronting on a semi cul-de-sac shall not have less than 60 feet of frontage. See Appendix C to the ordinance from which this chapter is derived.
- (8) All major subdivisions point of egress and ingress shall be upon a public right of way with a minimum average paved surface width of eighteen feet. If the average width of the paved surface is less than eighteen feet, the developer shall be responsible for obtaining the necessary right of way expansions and shall bear the costs of any expansion of the right of way and widening of the paved surface. In the event an expansion is necessary, the widening shall be performed the full length of the frontage road to the next major intersection of a publicly maintained right of way.
- (9.) All major subdivisions shall have a traffic study performed by an independent qualified engineer to assess the impact the subdivision may have on the immediate surrounding public roads and determine what, if any, changes, additions, or alterations would be required in addition to the minimum paved surface width requirement. A full and detailed report shall be submitted for review prior to any final plat approval by the Planning Commission. Any changes, additions, or alterations suggested by the traffic study may be required of the developer.
- (b) *Commercial subdivisions.* Commercial subdivisions are identified as proposed partitions containing more than ten lots or a proposed partition containing two or more lots where new road access infrastructure is required to be constructed for the intended purpose of commercial developments.
- (1) Lots sizes meet the minimum 125 feet road frontage.
  - (2) Each lot must be a minimum of one acre each.
  - (3) A wetlands jurisdictional determination in writing from the Corps of Engineers is obtained.

- (4) Survey plat shall state that the lots are for the intended purpose of commercial development. No single-family residential houses or multifamily residential developments shall be allowed on parcels.
  - (5) A comprehensive drainage plan is required if new road construction is proposed for access.
  - (6) These subdivisions are considered major subdivisions and must be approved by the parish planning commission.
  - (7) All such partitions must be filed with the parish clerk of court before any commercial development plans can be reviewed and permits issued.
  - (8) Sewerage discharge verification is required for the approval of these subdivisions. Details concerning where sewer effluent will be received by a public, maintained waterway will be required at the time of the commercial development plan.
- (c) *Townhomes.* A townhouse is a residential structure consisting of family dwelling units constructed in a series or group including more than two units with some common walls and shall be subject to the following requirements:
- (1) Minimum lot size shall be 2,400 square feet.
  - (2) Minimum lot width shall be 24 feet.
  - (3) Setbacks from property lines:
    - a. Front: 20 feet;
    - b. Rear: 15 feet;
    - c. Sides: ten feet.
  - (4) Lot arrangement:
    - a. No more than four townhouse units shall be grouped in one structure.
    - b. No portion of a townhouse/condo accessory structure in or related to one group of continuous townhouses or condos shall be closer than 20 feet to any portion of a townhouse/condo or accessory structure related to another group or to any building outside of the townhouse/condo area.
  - (5) Size of front and back yard. Each townhouse/condo shall have, on its own lot, a minimum of 120 square feet of front yard and a minimum of 360 square feet of back yard. Such yard shall not be used for off-street parking or for any accessory building.
  - (6) Side yard and back yard setback. Each townhouse/condo shall have a ten-foot side setback per building and a 15-foot rear setback.
  - (7) Off-street parking. Two parking spaces per unit shall be supplied with at least a minimum of one car space behind the setback line.
- (d) *Major residential subdivisions.* Major residential subdivisions are identified as proposed partitions containing more than eight lots or five acres for the development of single-family residential homes and shall require a land clearing permit per section 36-111(b). These proposed subdivisions as defined in this subsection shall meet the standards of subsection (a) of this section and the following standards:
- (1) The proposed minimum dwelling unit size shall be stated on the final plat for recordation.
  - (2) Stormwater management area requirement:
    - a. There shall be a minimum stormwater management area requirement of 20 percent of the gross area of the subject property being subdivided that is 20 acres or less.
    - b. There shall be a minimum stormwater management area requirement of 20 percent of the gross area of the subject property being subdivided that exceeds 20 acres or 50 lots or more.
    - c. Any preserved wetlands, floodways, or areas of special flood hazard (SFHA) may be counted towards meeting the 20 percent standard. The preliminary and final plat shall delineate those areas included in the minimum stormwater management area.
  - (3) Lots sizes and dimensions within the metropolitan planning area (MPA) and outside of areas of special flood hazard. The following set of development standards are for lots within the parish's designated metropolitan planning area (see map in Appendix B to the ordinance from which this chapter is derived) and outside of areas of special flood hazard:
    - a. 80-foot road frontage;
    - b. 120 feet in depth;
    - c. 9,600-square-foot minimum; and
    - d. Ten-foot-wide side and rear setback for yards.
    - e. Exceptions. Lots fronting onto approved cul-de-sacs, roundabouts, and/or a minimum of two lots facing onto a 90-degree road intersection within the new proposed subdivision may have lots with frontage widths of less than 80 feet. In such cases, lot widths may be 60 feet wide at the building setback line but will still contain the minimum 9,600 square feet allowed in this subsection (3).
    - f. A minimum eight-foot side yard setback per side will be permitted on such approved lots.

- (4) Lots sizes and dimensions outside of the metropolitan planning area (MPA) and outside of areas of special flood hazard. The following set of development standards are for lots outside the parish's designated metropolitan planning area (see map in Appendix B to the ordinance from which this chapter is derived) and outside of areas of special flood hazard:
- a. 100-foot road frontage.
  - b. 120 feet in depth.
  - c. 12,000-square-foot minimum.
  - d. Ten-foot-wide side and rear setback for yards.
  - e. Exceptions. Lots fronting onto approved cul-de-sacs, roundabouts, and/or a minimum of two lots facing onto a 90-degree road intersection within the new proposed subdivision may have lots with frontage widths of less 100 feet. In such cases, lot widths may be 60 feet wide at the building setback line but will still contain the minimum 12,000 square feet allowed in this subsection (4).
  - f. A minimum eight-foot side yard setback per side will be permitted on such approved lots.
- (5) Lot sizes and dimensions within the special flood hazard areas as established by the adopted DFIRM. The following set of development standards are for all lots created within the special flood hazard areas:
- a. Minimum lot area must be one acre (43,560 square feet) or greater;
  - b. 120-foot depth minimum;
  - c. 120-foot road frontage, minimum;
  - d. 25-foot-wide front, ten-foot-wide side and rear yard setbacks;
  - e. Clearing of individual lots shall not exceed 50 percent of the gross lot area.
- (6) For parcels that are comprised of both areas of special flood hazard (flood zone A, AE, V and VE) and flood zones X and X500, the following shall apply: For all parcels where the area of special flood hazard, wetlands, and floodways are not able to be included in the stormwater management area, lots that overlap into those areas shall be developed complying with the requirements of subsection (d)(5) of this section.
- (e) *Major residential subdivisions exceeding 20 acres or 50 lots; incentivization of wetlands preservation.*
- (1) For subdivision developments exceeding 20 acres in size or exceeding 50 lots for all phases of development, the parish hereby incentivizes the preservation of wetlands as natural open areas for increased stormwater retention, groundwater recharge areas, and outdoor recreational uses. All Corps of Engineers "jurisdictional wetlands" shall be identified on all subdivision plats, and are generally to be preserved as undeveloped stormwater management areas, with no draining or filling of such, subject to the exceptions provided through section 10 of the Rivers and Harbors Act and section 404 of the Clean Water Act and those exceptions recognized by the Corps' regional and nationwide permits and by the standards adopted herein by the parish. The applicant or subdivision developer is also to indicate all FEMA identified special flood hazard areas (A, AE, V, VE zones) on the subdivision plat and indicate the source of this information.
- a. Use of jurisdictionally defined and "permitted," compensated wetlands (subject to the Army Corps of Engineers and/or state DNR requirements) may be used for primarily road and utility crossings with proper road and cross drains provided and for other parish-approved uses in an amount not to exceed 15 percent of the designated wetlands acreage shown in the wetlands determination. If the maximum 15 percent of wetlands acreage must be exceeded because of unavoidable adverse impacts or unusual property topography in which practicable avoidance and minimization has been analyzed, then the applicant or developer may bring this issue to the parish's subdivision technical review committee for consideration of a waiver.
  - b. Wetlands identification and designation. Any property including identified wetlands being utilized as a trade for lot density incentives as stated above must be contiguous with the developed property and identified on any plat submitted for review by the parish planning commission. Furthermore, the identified wetlands must be designated as undevelopable through one of the following methods:
    - ~~1-~~ The identified wetlands are deed restricted in clear and unambiguous language on both the deed and the recorded plat as being undevelopable and the designated areas shall remain undisturbed in their natural state in perpetuity;
    - ~~2-~~ The identified wetlands are donated to the parish, state, or an agency thereof, for the purpose of creating a conservation area, or other deed restricted parcel ensuring the identified wetlands remain undisturbed and in their natural state; or
    - ~~3-~~ Any act of donation or other act transferring the property to the parish, state, or subdivision of either, which includes the identified wetlands shall include provisions ensuring the identified wetlands remain undisturbed and in their natural state in perpetuity.

- (2) Lot sizes or density bonus for wetland preservation allows for use of minimum and mixed lot sizes or conservation developments, per subsection (e) of this section, in approved lot density bonus areas in which wetlands have been preserved and traded for smaller lot sizes are allowed for each acre preserved in an acre-for-acre tradeoff. These tradeoffs are to apply to X and X500 areas only. For areas that are considered "density bonus sites," the parish must verify an acre-for-acre trade for preserved wetlands for the density bonus site and that it is indicated on the official preliminary and final plat.
- (f) *Private and/or gated communities.* All proposed subdivisions as defined in this subsection shall meet the standards of section 36-89 and subsections (a) and (d) of this section for dimensions as well as all of the following:
- (1) Each subdivision developer shall post a sign at the beginning of each and every subdivision entrance notifying the public that the said street is not a public road or street but is a privately owned and maintained road or street. This notification shall be conspicuously displayed on a permanent sign that is at least two feet wide by one foot in height and is lettered in three inches or larger letters: "Private Roadway" or any similar notice that adequately notifies the public that this is a private, not public, road.
  - (2) 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 subdivisions and their improvements. Said subdivisions must meet all of the requirements of this chapter except the streets may be paved or gravel surfaced. Improvements in a private subdivision shall remain private improvements rather than public improvements.
  - (3) The responsibility for maintenance and upkeep of the improvements shall be vested in the developer and/or subdivision residents as spelled out in detail in the recorded subdivision restrictions and shall address the following issues:
    - a. School buses and emergency vehicle access;
    - b. Garbage and trash collection and disposal;
    - c. Public utilities access;
    - d. Maintenance of streets, drainage, and other improvements; and
    - e. Policing of parking restrictions.
  - (4) These subdivision restrictions shall be approved and filed prior to acceptance of the final plat.
  - (5) Subdivisions with streets which have been retained in private ownership subject to a servitude in favor of the public which must be shown on the recorded plat may be excluded from those provisions of chapter 42 specifying surface materials, provided the following requirements are met:
    - a. A program of continued maintenance of all streets shall be submitted to the parish planning commission. The submission shall include agreements, contracts, corporation documents, deed restrictions, sureties or other legal instruments to guarantee the construction and continued maintenance, with adequate funding provisions, of such streets.
    - b. Such program providing for continued maintenance shall become part of the deed restrictions.
    - c. A written declaration in authentic form is placed on record in the conveyance records of the parish and a certified copy filed with the parish planning commission stating that said street shall be maintained as set forth in the program submitted to the parish planning commission, and the parish council or other governing body shall not be required to maintain or resurface said streets.
    - ~~d. Minimum surface material standards for such roads shall be as follows:
 
      1. Six inches sand clay gravel, Class B;
      2. Two inches road gravel applied on dirt surface;
      3. Three inches clam or reef shell or a combination thereof;
      4. Two inches limestone; or
      5. Other materials to depths as provided and approved by the state department of transportation and development's standard specifications for roads and bridges.~~
    - e.d. All materials must meet or exceed minimum standards of the state department of transportation and development, as they may be revised from time to time.
- ~~(g) Property division fronting on a private road. (Existing private roadways as recorded with the parish 911 office, prior to the date of the adoption of the ordinance from which this chapter is derived.) A 35-foot wide easement dedicated for sewer leading to a publicly maintained waterway may be required to be identified on an existing private road. These proposed subdivisions as defined in this subsection shall meet the standards of section 36-89(d), subsection (a) of this section, and the following standards:~~
- ~~(1) A tract of land consisting of four to ten acres and fronting on an existing private road may be subdivided into parcels of 80,000 square feet with 200 feet of frontage on the private road.~~
  - ~~(2) A tract of land consisting of ten to 20 acres and fronting on an existing private road may be subdivided into no more than five parcels of at least four acres with each parcel having a~~

~~minimum of 200 feet of frontage on the private road. A 35-foot easement dedicated for sewer leading to a publicly maintained waterway may be required.~~

~~(3) A tract of land consisting of 20 to 35 acres and fronting on an existing private road may be subdivided into no more than seven parcels of at least five acres with each parcel having a minimum of 250 feet of frontage on the private road. A 35-foot wide easement dedicated for sewer leading to a publicly maintained waterway may be required.~~

~~(4) A tract of land consisting of 35 to 60 acres and fronting on an existing private road may be subdivided into no more than ten parcels of at least six acres with each parcel having a minimum of 300 feet of frontage on the private road. A 35-foot wide easement dedicated for sewer leading to a publicly maintained waterway may be required.~~

~~(5) A tract of land consisting of 60 acres and up fronting on an existing private road may be subdivided into no more than ten parcels of at least ten acres with each parcel having a minimum of 400 feet of frontage on the private road. A 35-foot wide easement dedicated for sewer leading to a publicly maintained waterway may be required.~~

~~(6) The survey must include a note saying, "After this property division, no further division is allowed until the private road is upgraded to parish construction standards."~~

~~(7) Roads in this type of partition may be paved or gravel surfaced. Prospective owners must be advised of public service restrictions as stated in section 36-89(d).~~

**BE IT FURTHER ORDAINED** that this Ordinance shall become effective immediately upon signature of the Parish President.

This ordinance having been submitted in writing, having been introduced at a public meeting of the Tangipahoa Parish Council, discussed at a public hearing of said council and was submitted to an official vote of the Tangipahoa Parish Council.

On motion by\_\_ and seconded by \_\_\_\_, the foregoing ordinance was hereby declared adopted on this 23<sup>rd</sup> day of January, 2023 by the following roll-call vote:

**YEAS:**

**NAYS:**

**ABSENT:**

**NOT VOTING:**

**ATTEST:**

\_\_\_\_\_  
Jill DeSouge  
Clerk of Council  
Tangipahoa Parish Council

\_\_\_\_\_  
Brigette Hyde  
Chairwoman  
Tangipahoa Parish Council

INTRODUCED: January 9, 2023

PUBLISHED: January 19, 2023 OFFICIAL JOURNAL Hammond Daily Star

ADOPTED BY TPC: January 23, 2023

DELIVERED TO PRESIDENT: \_\_\_\_\_ day of January, 2023 at \_\_\_\_\_

APPROVED BY PRESIDENT: \_\_\_\_\_  
Robby Miller Date

VETOED BY PRESIDENT: \_\_\_\_\_  
Robby Miller Date

RECEIVED FROM PRESIDENT: \_\_\_\_\_ day of January, 2023 at \_\_\_\_\_

## T. P. Ordinance No. 23-03

### AN ORDINANCE AMENDING AND ENACTING CHAPTER 42 – STREETS, ROADS, SIDEWALKS AND DRAINAGE, ARTICLE I – IN GENERAL, SECTION 42-4 – ACCEPTANCE OF EXISTING STREETS INTO PARISH ROAD SYSTEM, # (6) AND SECTION 42-21-ROAD SPECIFICATIONS, (F)(4), GRAVEL ROADS

#### **Chapter 42 STREETS, ROADS, SIDEWALKS AND DRAINAGE ARTICLE I.**

#### **ARTICLE I - IN GENERAL**

#### **Sec. 42-4. Acceptance of existing streets into parish road system.**

All existing roads and bridges to be considered for acceptance into the parish system shall meet the following requirements:

- (1) Be constructed and inspected according to the regulations herein or be in acceptable condition by the DPW.
- (2) Age of road shall be determined by the DPW based upon inspections, aerials, and other data.
- (3) Roads shall have been built and maintained for a minimum of two years.
- (4) Property owners must furnish a right-of-way agreement, if needed.
- (5) Required right-of-way is 60-foot minimum.
- (6) The road ~~may shall~~ be gravel asphalt or concrete. **The road and related infrastructure shall conform to the latest parish standards prior to acceptance. Gravel roads will not be accepted.** ~~but gravel roads built after the date of this section will not be accepted into the parish maintenance system until brought up to current standards.~~
- (7) All drainage structures shall be in good condition and of proper size with roadway ditches in place where needed (driveways, drains, etc.) as determined by DPW.
- (8) All buried utilities (waterlines, gas lines, electrical lines, telephone lines, cable lines, etc.) must be located behind the side drainage ditch throughout the entire roadway. If utilities are present, the property owner will be responsible for relocating the utilities prior to acceptance into the parish maintenance system.

#### **Sec. 42-21. Road Specifications. (See Appendix C)**

(f) **Other.**

- (1) Hydroseeded shoulder embankment shall be placed and dressed to 5% slope, 3 feet past surface, and compacted as per the Louisiana DOTD Standard Specifications for Roads and Bridges. If sod is placed, a 2" cut section shall be made for sod placement to prevent water ponding on the roadway.
- (2) Ditches shall be sloped 3:1 or flatter.
- (3) Longitudinal road grades shall conform in general to the terrain and shall be designed to ensure proper drainage.
- (4) Gravel roads will not be allowed **for acceptance into the parish maintenance system.** ~~in any parish approved subdivision or any newly constructed roads to be considered for parish maintenance.~~
- (5) Street jogs with centerline offsets of less than 125 feet are not allowed (See Appendix C)
- (6) A tangent at least 100 feet long shall be used between reverse curves (See Appendix C)
- (7) Streets will be laid out to intersect at right angles (See Appendix C)
- (8) Driveways and access points at intersections will be rounded with a radius of 30 feet or greater (See Appendix C)
- (9) Streets that have a left or right turn with a central angle of 80-100 degrees may incorporate a semi cul-de-sac (Appendix C)
- (10) Street names shall be approved by the 911 office.

**BE IT FURTHER ORDAINED** that this Ordinance shall become effective immediately upon signature of the Parish President.

This ordinance having been submitted in writing, having been introduced at a public meeting of the Tangipahoa Parish Council, discussed at a public hearing of said council and was submitted to an official vote of the Tangipahoa Parish Council.

On motion by\_\_ and seconded by \_\_\_\_, the foregoing ordinance was hereby declared adopted on this 23<sup>rd</sup> day of January, 2023 by the following roll-call vote:

**YEAS:**

**NAYS:**

**ABSENT:**

**NOT VOTING:**

**ATTEST:**

\_\_\_\_\_  
Jill DeSouge  
Clerk of Council  
Tangipahoa Parish Council

\_\_\_\_\_  
Brigette Hyde  
Chairwoman  
Tangipahoa Parish Council

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DELIVERED TO PRESIDENT: \_\_\_\_\_ day of January, 2023 at \_\_\_\_\_

APPROVED BY PRESIDENT: \_\_\_\_\_  
Robby Miller Date

VETOED BY PRESIDENT: \_\_\_\_\_  
Robby Miller Date

RECEIVED FROM PRESIDENT: \_\_\_\_\_ day of January, 2023 at \_\_\_\_\_



**T. P. RESOLUTION NO. R23-01**

**A RESOLUTION OF THE TANGIPAOHA PARISH COUNCIL-PRESIDENT  
GOVERNMENT SUPPORTING FEDERAL DISASTER FUNDING  
THROUGH THE LOUISIANA OFFICE OF COMMUNITY DEVELOPMENT  
DISASTER ALLOCATIONS**

WHEREAS, the LA Office of Community Development Hometown Revitalization Program and the Resilient Communities Infrastructure Program for community and infrastructure development will be accepting applications from the Parish for specified disaster related community development projects, and

WHEREAS, the Parish of Tangipahoa will be applying for funding approval for several eligible projects; and

WHEREAS, said applicant governing body Tangipahoa Parish will provide administrative support for submitting the applications to the State and signing the appropriate CEA agreements.

THEN, THEREFORE BE IT RESOLVED, that the Tangipahoa Parish Council does hereby approve the Tangipahoa Parish President, Robby Miller, as the authorized agent for the Tangipahoa Parish Government to execute and submit official documents including but not limited to the project applications, letters of commitment, amendments, and the CEA agreement with the State of Louisiana.

On a motion by \_\_ and seconded by \_\_, the foregoing resolution was hereby declared adopted on this 9<sup>th</sup> day of January 2023 by the following roll-call vote:

**YEAS:**

**NAYS:**

**ABSENT:**

**NOT VOTING:**

**ATTEST:**

\_\_\_\_\_  
Jill DeSouge, Clerk of Council  
Tangipahoa Parish Council

\_\_\_\_\_  
Brigette Hyde, Chairman  
Tangipahoa Parish Council

\_\_\_\_\_  
Robby Miller, President  
Tangipahoa Parish