



**CITY OF ST. GEORGE
MUNICIPAL SERVICES**

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Staff Report
Case No. T25-01

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Location: City-wide

Request: Amend the Unified Development Code and Ordinance No. 2024-002 to address the impacts of larger developments, tailor the UDC to the City of St. George, and provide for related matters

Zoning Commission:

February 3, 2025

City Council (tentative)

Introduction: February 11, 2025

Public Hearing: February 25, 2025

Staff Recommendation: Approval

See below for more detail

Background

1. The St. George City Council adopted the Unified Development Code on July 23, 2024 (Ord. No. 2024-002). It was the UDC in effect at the time for the City of Baton Rouge and Parish of East Baton Rouge.
2. The ordinance that adopted the UDC also amended it to:
 - a. Change terms referencing EBR to appropriate terms for St. George. (Staff has made these amendments to the UDC and has documented all changes in UDC Appendix I.)
 - b. Limit the City Council to only having the authority to review subdivisions and appeals as permitted by law.
 - c. Require that any proposed development of 15 or more residential units or proposed commercial development of ten or more acres must receive approval as a Planned Unit Development (PUD).
 - d. Not allow any new billboards for either one year or until a study is done, whichever occurs first.
3. The City is especially concerned about the impact of larger developments, and that is why the requirement to be a PUD (2c above) was adopted.
4. Members of the local development community have expressed that the requirement to be a PUD is overly burdensome and does not directly address the issues of larger developments that the City is concerned about.
5. After further review and discussion, staff feels that requiring developments of a certain size be PUDs is not the right solution, but instead recommends increased standards and new or enhanced review processes, further described on the next page.

Staff Recommendations

Staff recommends the following substantive amendments to address the impacts of larger developments:

- Remove the requirement that proposed development of 15 or more residential units or proposed commercial development of ten or more acres receive approval as a PUD
- Define “adequate public facilities” (Sec. 7:19.2)
- Amend Site Plan Review thresholds and criteria for approval (Sec. 7:4.2) to:
 - Lower the threshold requiring Zoning Commission approval for:
 - Residential from 100 to 15 units
 - Non-residential from 50,000sf of gross floor area to the lesser of either 30,000sf of gross floor area or 10 acres of developed site area
 - Require that public facilities be adequate before approval of a certificate of occupancy, with allowance for either an:
 - Adequate public facilities waiver; or
 - Extension through a Development Agreement
- Amend Subdivision Plats (Sec. 7:4.3) to:
 - Add a Concept Plan phase for major subdivisions, required only for subdivisions:
 - Creating 15 or more lots;
 - Developed in multiple phases; or
 - When abutting property is in common ownership
 - Add review criteria for subdivision concept plans and preliminary plats, which the Planning Commission can use as a reason for denial
 - Require that public facilities be adequate before approval of a final plat, with allowance for either an:
 - Adequate public facilities waiver; or
 - Extension through a Development Agreement
 - Assign to the developer responsibility for damage to existing public roads in recognized subdivisions that are used to access new subdivision construction
- Allow “Development Agreements” to give developers up to two additional years to complete on- and off-site improvements for adequate public facilities (new Sec. 7:4.4)
- Rename Chapter 13 as Transportation, instead of Streets and Sidewalks
- Add standards, applicable to all development, for:
 - Access to arterial streets (Sec. 7:13.3), including:
 - Access management to limit access points or require cross-access
 - Requirement for more than one point of access for larger developments
 - Limit on access directly from residential lots
 - Traffic Impact Analysis (TIA) (new Sec. 7:4.9)
 - Required for all development, with thresholds of review based on trip generation
 - Evaluation standards that establish what the TIA is evaluating
 - That the City will perform the TIA; and establish a fee for this
- Strengthen existing standard, applicable to all development, for continuation of existing streets and new street connections to adjoining land (Sec. 7:13.3)

Staff recommends the following amendments to tailor the UDC to the City of St. George:

- Specify that the Unified Development Code is Title 7 of the Code of Ordinances (Ord. No. 2024-002 adopted it without a Title number); reformat sections from "Section #.#" to "Sec. 7:#.#" to conform to section numbering in other titles
- Remove the restriction (adopted in Ord. No. 2024-002) that the City Council only has the authority to review subdivisions and appeals
- Amend Planning Commission (Sec. 7:2.2) and Board of Adjustment (Sec. 7:2.3) to reference Title 1, Chapter 5
- Remove requirement to coordinate with other municipalities (Secs. 7:3.1.4 and 7:4.1.2)
- Amend conditional use permit process to be Zoning Commission recommendation and City Council decision (Sec. 7:3.5)
- For Site Plan Review, clarify that the approval authority is the Zoning Commission and what developments are exempt (Sec. 7:4.2)
- Amend the definitions of minor and major subdivisions to comply with State law (Secs. 7:4.3.6 and 7:4.3.7)
- Amend waivers to distinguish between Planning and Zoning Commissions (Sec. 7:5.1.1)
- Delete the following Zoning Districts, which are not mapped in, or applicable to, St. George:
 - Commercial Gaming (Sec. 7:8.4.8.C)
 - General Airport (Sec. 7:8.4.8.D)
 - Highland Design District (Sec. 7:8.4.11.B, and Appendix G)
 - Government Use (Sec. 7:8.4.12.H)
- Delete the following Overlay Districts, which are not mapped in St. George:
 - Airport Overlay District (Sec. 7:10.2)
 - Downtown Design Overlay District (Sec. 7:10.3.4)
 - Drusilla Jefferson Design Overlay District (Sec. 7:10.3.5)
 - Florida Boulevard Design Overlay District (Sec. 7:10.3.6)
 - Government Street Design Overlay District (Sec. 7:10.3.7)
 - Jefferson Highway Design Overlay District (Sec. 7:10.3.8)
 - Nicholson Drive Design Overlay District (Sec. 7:10.3.9)
 - North Gate Design Overlay District (Sec. 7:10.3.10)
 - Oak Villa Design Overlay District (Sec. 7:10.3.11 and Appendix G)
 - Old Hammond Highway Design Overlay District (Sec. 7:10.3.12)
 - Drehr Place Historic Overlay District (Sec. 7:10.4.2 and Appendix G)
 - Spanish Town Historic Overlay District (Sec. 7:10.4.3 and Appendix G)
 - Hundred Oaks Overlay (Sec. 7:10.5)
 - Old Town Redevelopment Overlay District (Sec. 7:10.6 and Appendix G)
- Allow Planning Director to correct non-substantive errors (new Sec. 7:1.7)

Public Notification

- Legal advertisement was published on January 17, 24, and 31, 2025.

Proposed Amendments to the Code of Ordinances

NOTE: Underlined text is new. ~~Strike-through text is deleted.~~ [notes provide instructions]

Title 7
UNIFIED DEVELOPMENT CODE

Chapter 1
GENERAL PROVISIONS

* * *

Sec. 7:1.7 ~~_____~~ **Non-Substantive Errors**

The Planning Director may correct typographical errors, numerical reference errors, spelling errors, errors in section or page numbering, and similar non-substantive changes to the text of this Unified Development Code without a public hearing, provided the changes necessary to correct any errors do not change the meaning of the UDC, and any changes made are documented to the Zoning Commission and made a part of its regular meeting minutes.

Chapter 2
ADMINISTRATION

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Sec. 7:2.2 **Planning and Zoning Commissions**

The Planning Commission and Zoning Commission are established in Title 1 City Organization, Chapter 5 Boards and Commissions of this Code.

Sec. 7:2.2.1 ~~_____~~ **Membership**

[Delete this section in its entirety, including the section number.]

Sec. 7:2.2.2 ~~_____~~ **Organization**

[Delete this section in its entirety, including the section number.]

Sec. 7:2.2.3 ~~_____~~ **Authority**

[Delete this section in its entirety, including the section number.]

Sec. 7:2.3 **Board of Adjustment**

The Board of Adjustment is established in Title 1 City Organization, Chapter 5 Boards and Commissions of this Code.

Sec. 7:2.3.1 ~~_____~~ **Membership**~~Reserved~~

[Delete this section in its entirety, and reserve the section number.]

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Chapter 3

PROCESSES

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Sec. 7:3.1 General

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Sec. 7:3.1.4 Coordination with Others

[Delete A. Central, B. Zachary, and C. Baker in their entirety, including the letters.]

~~D.~~—*The Recreation and Parks Commission.* The plans for all projects and developments to be constructed within 1,000 feet of a Recreation and Park Commission for the Parish of East Baton Rouge (BREC) designated park shall be submitted to the BREC Planning and Engineering Office at least 30 days prior to Planning or Zoning Commission action.

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Sec. 7:3.5 Conditional Use Permits

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Sec. 7:3.5.2 Types

A. *Conditional Use Permits.* These are uses that may only be allowed in a designated zoning district if approved through the granting of a conditional use permit by the St. George City Council following a recommendation from the Zoning Commission. Such uses are subject to all other applicable requirements of this ordinance, as well as the limiting conditions associated with the use in the zoning district.

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Sec. 7:3.5.4 Issuance of a Conditional Use Permit

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C. The Zoning Commission shall conduct a public hearing on all conditional use permits and make a recommendation to. ~~In addition to the required hearing by the Zoning Commission, the St. George City Council, who shall conduct a public hearing before making a decision via passage or denial of an ordinance on major conditional use permits.~~

~~D. Notwithstanding any other provision of this ordinance, at the first regular St. George City Council meeting (not a St. George City Council zoning meeting) following the decision of the Zoning Commission any member of the St. George City Council may introduce an appeal of the decision of the Zoning Commission. If the St. George City Council introduces the appeal of the conditional use, the item shall be heard at the next regularly scheduled St. George City Council zoning meeting. Failure to introduce an appeal of the conditional use will make the Zoning Commission decision final.~~

ED. No conditional use permit for construction or license for occupation shall be issued by the City of St. George until all appeal periods have expired and copies of the approved site plan required as part of the permit have been distributed.

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Chapter 4 SITE PLANS AND PLATS

Sec. 7:4.1 General

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Sec. 7:4.1.2 Coordination with Others

[Delete A. Central and B. Zachary in their entirety, including the letters.]

€.—*The Recreation and Parks Commission.* The plans for all projects and developments to be constructed within 1,000 feet of a Recreation and Park Commission for the Parish (BREC) designated park shall be submitted to the BREC Planning and Engineering Office at least 30 days prior to the Planning or Zoning Commissions public hearing.

Sec. 7:4.1.3 Notice Requirements

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**Table 7:4.A
Notice Requirements**

Procedure	Published	Posted	Mailed	Mailed Notification Distance
Site Plan	X	X	X	300 ft.
<u>Subdivision Concept Plan</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>300 ft.</u>
Subdivision <u>Preliminary Plat</u>	X	X	X	300 ft.

C. Notice Requirements

1. Published Notice.

(a) Any site plan requiring published notice shall be advertised in accordance with law in the official journal of the City of St. George at least 15 days prior to approval.

(b) Any subdivision plat requiring published notice shall be advertised in accordance with law in the official journal of the City of St. George at least ten days prior to approval.

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Sec. 7:4.2 Site Plans

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Sec. 7:4.2.2 Thresholds for Approval

A. Approval Authorities

1. The approval authority of projects shall be determined by the intensity of development, as described in Table 7:4.B, Site Plan Thresholds for Approval.
 - (a) Site plans not listed in Table 7:4.B shall be approved by the Planning Department.
 - (b) Site plans shall not be required for the following residential uses when there is only one principal building on a lot:
 - (1) Single-family detached;
 - (2) Semi-detached;
 - (3) Two-family; or
 - (4) Zero lot line.
2. In determining approval authority, the development of contiguous sites under common ownership, whether simultaneously or in phases, shall be considered one project.

**Table 7:4.B
Site Plan Thresholds for Approval**

Type of Project	Threshold	Approval Authority
Multi-Family Residential	75 units or less	Planning Department staff
	76 – 99 units	Planning Department staff
	100 15 units or more	Zoning Commission
Additions to Multi-Family Residential	See 7:4.2.2.B., Additions to Multi-Family Residential	
Manufactured Home Park	all	Zoning Commission
RV Park	all	Zoning Commission
Commercial Recreation	Less than ½ acre	Planning Department staff
	½ acre – one acre	Planning Department staff
	More than one acre	Zoning Commission
All Other New Non-Residential	30,000 sf or less	Planning Department staff
	More than 30,000 sf but less than 50,000 sf	Planning Department staff
	5 30 ,000 sf or more <u>of gross floor area OR 10 acres or more of developed site area, whichever is less</u>	Zoning Commission

Type of Project	Threshold	Approval Authority
Additions to All Other Non-Residential (resulting in a 20% or more increase in gross floor area)	30,000 sf or less	Planning Department staff
	More than 30,000 sf but less than 50,000 sf	Planning Department staff
	50,000 sf or more	Zoning Commission
	See 7:4.2.2.B., Additions	

B. *Additions to Multi-Family Residential*

1. An addition increase in the number of units in a multi-family residential development that results in the cumulative number of units at the site reaching the threshold for approval by a different approval authority shall require the approval of that new approval authority.
2. *Exception.* A multi-family development that was previously approved by the Zoning Commission following a public hearing shall only require a new public hearing if ~~the cumulative number of units as a result of the addition represents 20% or more of the number of units, gross floor area, or developed site area previously approved by the Zoning Commission following a public hearing.~~

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Sec. 7:4.2.5 Criteria for Approval

In order to be approved, a site plan shall:

- A. Meet all of the requirements of the Unified Development Code, including the requirements for:
 1. ~~The provisions of any overlay district after review by the Zoning Commission, as described in Chapter 10, Overlay Districts;~~
 2. ~~The dimensions of all aspects of the development, as described in Chapter 11, Dimensions;~~
 3. ~~Open space, as described in Chapter 12, Open Space;~~
 4. ~~Sidewalks, as described in Chapter 13, Streets and Sidewalks;~~
 5. ~~Drainage, as described in Chapter 15, Floodways, Floodplains, Drainage and Water Quality;~~
 6. ~~Signage, as described in Chapter 16, Signs;~~
 7. ~~Parking, as required in Chapter 17, Parking;~~
 8. ~~Buffers and landscaping, as required in Chapter 18, Landscape; and,~~
 9. ~~With regard to utilities, adequate facilities, including treatment and disposal facilities for sanitary waste.~~
- B. Demonstrate, with sufficient and verifiable information and data, that public facilities are, or will be before approval of a certificate of occupancy, adequate to support and service the proposed development, unless the applicant requests and the Zoning Commission approves an adequate public facilities waiver as provided in Sec. 7:5.1.1, or the applicant

agrees to enter into a Development Agreement with the City before the certificate of occupancy as provided in Sec. 7:4.4. To provide adequate public facilities for the proposed development, the developer may be required to provide off-site improvements; and

BC. Be in the public interest by not resulting in:

1. ~~Undue congestion of Unsafe streets and or~~ traffic access;
2. Overcrowding of land;
3. Overburdening of public facilities including, among others, transportation, sewage, solid waste, drainage, schools, and parks; or,
4. Impairment of water quality; or
5. Significant negative effects on the use, enjoyment, and value of neighboring properties caused by incompatibility of use, layout, or bulk.

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Sec. 7:4.3 Subdivision Plats

Sec. 7:4.3.1 Purpose

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B. Every subdivision of land or site or tract development within the jurisdiction of the City; ~~except industrial areas as defined in the Plan of Government,~~ shall be shown upon a plat and submitted to the Planning Commission for approval or disapproval. Any plat which has been approved by the Planning Commission shall be recorded in the office of the Clerk of Court and Recorder of the Parish, and no lots shall be sold from such plat unless and until approved as required by the Unified Development Code. No street number or building permit shall be issued for the erection of any building in the above limits on any property other than on an original or re-subdivided lot in a duly approved and recorded subdivision without the written approval of the Planning Commission, or its authorized representative. Public money shall not be expended for the maintenance of streets, sewers, or other improvements until those improvements have been accepted and the plan, plot, or replot of such land shall have been approved by the Planning Commission and recorded in the office of the Clerk of Court and Recorder of the Parish.

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Sec. 7:4.3.2 Subdivision Plats - Generally

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C. *Adequate Public Facilities.* No preliminary plat shall be approved unless the applicant demonstrates, with submits sufficient and verifiable information and data, to allow the appropriate City departments to determine that public facilities are, or will be before approval of a final plat, adequate to support and service ~~the area of~~ the proposed subdivision, unless the applicant requests and the Planning Commission approves an adequate public facilities waiver as provided in Sec. 7:5.1.1, or the applicant agrees to enter into a Development Agreement with the City before final plat approval as provided in Sec. 7:4.4. To provide adequate public facilities, the developer may be required to

provide off-site improvements. Public facilities and services to be examined for adequacy shall include: roads and public transportation facilities, water and sanitary sewerage service, stormwater, fire protection facilities, schools, police stations, and health clinic

1. Roads/Transportation. Transportation improvements shall comply with Chapter 13 Transportation of this UDC. Additionally:

- a. No subdivision shall be approved unless the area to be subdivided has frontage on an existing public or private street or road meeting the standards of Chapter 13, Streets and Sidewalks/Transportation, or on a proposed and named street. In cases where the subdivision includes or adjoins an existing street of less width than the minimum widths established in Chapter 13 and the Engineering Department determines that the subdivision creates a need for additional setbacks, the Planning Commission may require the dedication of sufficient setback width to conform to the standards set forth in Chapter 13.
- b. Proposed roads within the subdivision shall provide a safe, convenient, and functional system for vehicular, pedestrian, and ~~may provide~~ bicycle circulation. They shall reflect the requirements of the Major Street Plan and shall meet the requirements of Chapter 13, Streets and Sidewalks, of the Unified Development Code:

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F. Review Criteria. The applicant shall provide, and the approval authority shall consider, information to demonstrate whether the proposed subdivision meets the criteria in Table 7:4.3.2.A, as applicable to each type of subdivision request. Failure to meet any of the criteria, as reasonably determined by the approval authority, may be a reason to deny an application and shall be documented in the decision.

**Table 7:4.3.2.A
Subdivision Review Criteria**

Concept Plan (7:4.3.3)	Preliminary Plat (7:4.3.4)	Review Criteria
Y	Y	1. <u>Consistency with the comprehensive plan and other applicable planning documents</u>
Y	Y	2. <u>Consistency with existing or proposed zoning of the property</u>
Y	Y	3. <u>Existing or proposed availability of adequate facilities and services</u>
Y	Y	4. <u>Suitability of the site for the proposed development</u>
Y	Y	5. <u>Compatibility with existing and planned land use patterns</u>
=	Y	6. <u>Compatibility with the neighborhood norm (1)</u>

Concept Plan (7:4.3.3)	Preliminary Plat (7:4.3.4)	Review Criteria
=	Y	7. Whether the proposed development is premature as evidenced by: the <u>lack of adequate public facilities within a reasonable distance to the site; or extraordinary public facility delivery costs due to the remote location or poor access to the site</u>
=	Y	8. Whether proposed rights-of-way and servitudes are adequate to serve the property and are consistent with adopted plans
=	Y	9. Whether the traffic impacts from the proposed development can be <u>adequately mitigated in accordance with a traffic impact analysis, if required</u>
=	Y	10. Whether the proposed development is consistent with an applicable <u>concept plan approval</u>

(1) Neighborhood norm:

- (a) Only applies to the resubdivision of lots in recognized residential subdivisions;
- (b) Is established to maintain the stability and uniqueness of residential neighborhoods, which are areas possessing identifiable characteristics that are common to the properties or lots within a subdivision or portion thereof, that may be demarcated by a street, highway, canal, or water course; and
- (c) Shall be determined based on the characteristics of existing lots in the immediate area, consisting of two (2) street blocks on either or both sides of a street and not less than six hundred (600) feet from the subject property, including the:
 - i. General purpose or intent of the original lot layout;
 - ii. Predominant and average lot width, area, and depth;
 - iii. Orientation of lots; and
 - iv. Neighborhood stability relative to the frequency of re-subdivision of lots.

Sec. 7:4.3.3 Subdivision Concept Plans

- A. Purpose. The purpose of the subdivision concept plan is to provide assurance to the applicant and the City that proposed land uses, development intensities, and street layouts are acceptable prior to or in conjunction with action on a preliminary plat.
- B. Applicability. The subdivision concept plan is optional, except it is required for subdivisions:
 - 1. That will result in a net increase of fifteen (15) or more lots;
 - 2. That will be developed in multiple phases; or
 - 3. Of contiguous land under common ownership.

C. Composition. The subdivision concept plan shall:

1. Show and describe, on a map at a conceptual level:
 - a. Land uses and development intensities; and
 - b. Street layouts; and
2. Indicate any development phases, with the proposed location and schedule of each phase.

D. Process.

1. The Planning Department shall review all subdivision concept plans and forward the application to the Planning Commission for a public hearing and decision.
2. The application for a subdivision concept plan may be filed, processed, and heard concurrently with the preliminary plat for all or a portion of the land shown within the concept plan.
3. Approval of the concept plan shall constitute consent to proceed with the subdivision process subject to any conditions of approval, which may address the:
 - a. Mix and intensity of proposed land uses;
 - b. General street layout; or
 - c. Phasing of development.

E. Changes. Adjustments to the concept plan may be authorized by the Planning Commission concurrently with subsequent preliminary plat submittals.

F. Period of Validity.

1. Unless specifically stated in the Planning Commission approval, the concept plan approval shall lapse:
 - a. Two (2) years after approval if the applicant has not submitted a request for a preliminary plat for the first phase of development; or
 - b. At any time during the approved development period when development lags one (1) year behind the approved phasing plan.
2. Prior to lapse of approval, the applicant may file a written request with the Planning Director to adjust the phasing plan.
3. Re-approval of a lapsed concept plan shall follow the same procedure as the initial approval of a concept plan.

Sec. 7:4.3.34 Preliminary Plats

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Sec. 7:4.3.45 Construction Plans and Construction of Improvements

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D. *Construction of Improvements.* After construction plans have been approved by the Engineering Department and prints filed, the applicant shall request a preconstruction meeting with the Engineering Department in writing. The applicant, testing laboratory, and representatives from the applicant's appropriate licensed design professional of record and contractor shall be present at this meeting, and a permit will be issued to the contractor. Construction shall be performed under the standards of the Engineering Department, and

shall at all times be subject to inspection by that department. The applicant, his appropriate licensed design professional of record, and the testing laboratory shall be responsible for close field supervision and final compliance with approved plans and specification.

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- 6. If construction vehicles must access the development through an existing recognized subdivision that has public streets, the developer shall:
 - (a) Submit to the City a construction route access plan showing the public streets that construction vehicles will be required to use;
 - (b) Establish the pre-construction condition of those public streets, using a method acceptable to the developer and to the City; and
 - (c) Post a maintenance bond or irrevocable letter of credit:
 - (1) In an amount equal to ten (10%) percent of the value, as determined by the Engineering Director, of those construction route streets;
 - (2) In a form approved by the City Attorney; and
 - (3) Which will be released after:
 - a. The developer establishes the post-construction condition of the streets using the same method as that for the pre-construction condition; and
 - b. Final inspection and acceptance of improvements in the development.

If the above procedures are not followed, the Engineering Department may close down the job after written notice to the applicant and the appropriate licensed design professional of record.

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Sec. 7:4.3.56 Final Plats

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Sec. 7:4.3.67 Minor Subdivisions

- A. ~~Defined. Any subdivision of five or fewer lots that does not require the construction of a public or private street that meets all the following criteria shall be considered a minor subdivision:-~~
 - 1. No more than two acres of land;
 - 2. No more than five lots;
 - 3. No dedication or revocation of public right-of-way or private access servitude (may involve utility servitudes);
 - 4. No creation of any public improvement, or public or private street; and
 - 5. Meets all development regulations and may not request a variance to lot area or width.

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Sec. 7:4.3.78 Major Subdivisions

- A. ~~Defined. Any subdivision of six or more lots or that requires the construction of a public or private street that is not minor shall be considered a major subdivision.~~

B. *Approval Authority.*

1. Subdivision Concept Plan. The Planning Commission shall hold a public hearing and render a decision on all subdivision concept plans. The Planning Commission shall state the basis of any denial as part of any motion to deny the subdivision concept plan.
2. Preliminary Plat. The Planning Commission shall hold a public hearing on all major subdivision preliminary plats and render a decision to approve or disapprove the preliminary plat within sixty days of it having been determined to meet all of the requirements described in Sec. 7:4.3.3, 4 Preliminary Plats, unless the applicant waives this time limit and consents to a longer period. The Planning Commission shall state the basis of any denial of a subdivision plat as part of any motion to deny the plat.
3. Construction Plans. See Sec. 7:4.3.5.C.
4. Final Plat. The Planning Director has the authority to approve final plats. See Sec. 7:4.3.6.D.

C. *Requirements*

1. Major subdivisions shall comply with all of the requirements of Secs. 7:4.3.3 Subdivision Concept Plans, 4.3.3, 4 Preliminary Plats, 4.3.4, 5 Construction Plans and Construction of Improvements, and 4.3.5, 6 Final Plats.

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Sec. 7:4.3.89 Specialized Subdivisions

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B. *Flag Lots*

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2. Creation of a flag lot shall require a ~~conditional use permit~~ approved by the ~~Zoning~~ Planning Commission.

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Sec. 7:4.3.910 Violation and penalty

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Sec. 7:4.4 Development Agreements

A. Purpose. The purpose of a Development Agreement is to ensure completion of public improvements and facilities, to assign responsibility for construction and funding of on and off-site improvements, to provide assurances to the applicant that the development may proceed under the terms of the development agreement, and to document all agreements between the parish and the applicant relating to a development.

B. Conditions. When an applicant is allowed and chooses to enter into a Development Agreement, the applicant shall provide Performance Security set forth in E below in favor of the City to assure the construction of on- and off-site public improvements identified in the development approval and documented in the Development Agreement. This surety shall remain in effect until the earlier of the expiration or termination of the Development

Agreement or once the City has accepted all on- and off-site public improvements identified in the subdivision or site plan approval. In the event the applicant is unable to complete the required improvements, and such improvements are deemed necessary for the preservation of the public health and safety, the City may use the guarantee to complete the improvements as required or pursue other remedies authorized by state law.

C. Guarantee of Completion

1. The City Council, on recommendation of the Planning or Zoning Commission after a public hearing, may defer the requirement to complete required public improvements if the applicant enters into a Development Agreement by which the applicant guarantees completion of all required public improvements no later than two (2) years from approval of the final plat or issuance of the final certificate of occupancy or completion.
2. The City Council may authorize an agreement providing for multi-phase development over a longer period of time, provided that the agreement includes a phasing schedule and that provisions are made for guaranteeing completion of improvements required to serve each phase as it is subdivided or, in the case of a site plan, developed. The City Council may require the applicant to complete or dedicate some required public improvements for subsequent development phases prior to approval of the final plat or issuance of the final certificate of occupancy or completion for any phase of a multi-phase development.
3. For public improvements serving multiple developments, the City Council may accept a pro rata contribution towards the funding of required public improvements.
4. The City Attorney's approval of the form and legality of any Development Agreement is required prior to its execution.
5. The Engineering Director shall verify that improvement costs provided by the applicant reasonably reflect the costs of required improvements prior to execution of the Development Agreement.

D. Runs with the Land. The Development Agreement shall run with the land and bind all successors, heirs, and assignees of the applicant. The Development Agreement shall be recorded with the Clerk of Court in conjunction with the applicable final plat or at the time of site plan approval. Applicants shall be required to have all existing lien holders subordinate their liens to the Development Agreement.

E. Performance Security. The applicant shall provide sufficient security to ensure completion of the required public improvements.

1. Form. The security shall be provided pursuant to a performance bond, trust agreement, cash escrow, surety bond, or an unconditional letter of credit from a bank with a physical branch in the Baton Rouge metropolitan area, in a form acceptable to the City attorney.
2. Amount of security. The performance bond, trust agreement, letter of credit, cash escrow, or surety bond shall be in an amount estimated by the Engineering Director as reflecting one-hundred ten (110) percent of the cost of the improvements in the

approved construction plan or site plan as calculated using prevailing wage rates, and shall be sufficient to cover all promises and conditions contained in the development agreement.

Chapter 5 WAIVERS

Sec. 7:5.1 Waivers

Sec. 7:5.1.1 Waivers Granted by the Planning or Zoning Commissions

A. The Planning Commission may consider requests for and grant approval of waivers to:

- ~~1. The minimum parking requirements of Chapter 17, Parking and Loading, within the Florida Boulevard Design Overlay where the requirements cannot be met due to the size, shape, topographical constraints, or historical character of the neighborhood pursuant to Sec. 7:10.3.6.C, Waivers, Variations, and Exceptions;~~
- ~~2. The minimum parking requirements of Chapter 17, Parking and Loading, within the Nicholson Drive Design Overlay if compliance with other provisions of the overlay are not feasible due to parking requirements pursuant to Sec. 7:10.3.9.1.1.s;~~
- ~~3. The minimum parking requirements of the Old Town Redevelopment Overlay where the requirements cannot be met due to the size, shape, topographical constraints, or historical character of the neighborhood pursuant to Sec. 7:10.6.4, Parking;~~
- ~~4. The location of sidewalks pursuant to Sec. 7:13.8. C, Waivers, in:
 - ~~a1. Single family residential development of five lots or less that is more than ¼ mile from an existing accessible sidewalk, multi-use path, commercial node, school, park, community center, or library in the Suburban Character Area; or,~~
 - ~~b2. In any character area if an alternative location or surface for a pedestrian way is proposed in order to save significant trees, maintain drainage ways, or when the alternative location provides connections throughout the development.;~~~~
- ~~5. The setbacks for wireless communication towers established in Sec. 7:14.2.2, Wireless Tower Communications;~~
- ~~6. The height of wireless communication towers to a maximum of 300 feet in the Rural zoning district provided that the tower is designed to accommodate additional antennae and wireless transmission and relay equipment equal in number to applicant's present and future requirements or the needs of another provider of similar telecommunication services pursuant to Sec. 7:14.2.3.A; and;~~
- ~~7. The separation requirements of wireless communication towers established in Sec. 7:14.2.1, if the applicant certifies that the existing tower, a permitted Communication Tower site, or an existing building of equal or greater height does not meet applicant's structural specifications and applicant's technical design requirements, or that a collocation agreement could not be obtained.~~

- B. The Zoning Commission may grant approval of waivers for wireless telecommunications towers for:
1. Setbacks established in Secs. 7:14.2.2 and 7:14.2.3;
 2. Height to a maximum of 300 feet in the Rural zoning district provided that the tower is designed to accommodate additional antennae and wireless transmission and relay equipment equal in number to applicant's present and future requirements or the needs of another provider of similar telecommunication services pursuant to Sec. 7:14.2.3.A; and
 3. Separation requirements established in Sec. 7:14.2.1, if the applicant certifies that the existing tower, a permitted Communication Tower site, or an existing building of equal or greater height does not meet applicant's structural specifications and applicant's technical design requirements, or that a collocation agreement could not be obtained.

C. Adequate public facilities. The Planning or Zoning Commission, as appropriate, may approve an adequate public facilities waiver when the applicant can demonstrate that the provision of adequate public facilities will require unreasonable expenditure, subject to the following conditions:

1. Reasons. Either:
 - a. The subdivision:
 - (1) Is for the purpose of inheritance, sale, or similar act without intention of development within five (5) years, provided that a statement to this effect is recorded on the plat; and
 - (2) Involves no more than ten (10) lots, with each lot being:
 - (a) Undeveloped; and
 - (b) At least ten (10) acres; or
 - b. Other similar or justifiable reasons.
2. Findings. The Planning or Zoning Commission may grant a waiver of adequate public facilities only upon finding that:
 - a. The waiver will not conflict with the purposes of this UDC or the comprehensive plan;
 - b. Granting the waiver will not confer on the applicant any special privilege that is denied by the UDC to other lands that are similar situated and configured;
 - c. Granting the waiver will not:
 - (1) Be contrary to the public interest;
 - (2) Adversely affect property values; or
 - (3) Adversely affect other property in the vicinity; and
 - d. The waiver is the minimum necessary to accommodate the situation.

BD. Appeals. At the first regular meeting of the St. George City Council following the decision of the Planning or Zoning Commission regarding requests for all such waivers, any member of the St. George City Council may introduce an appeal of said decision, with the appeal to be heard to the next zoning meeting of the St. George City Council. Failure to appeal will make the Planning or Zoning Commission decision final.

* * *

Chapter 8 ZONING DISTRICTS

Sec. 7:8.1 Districts Are Established

* * *	
Special Purpose Districts	
* * *	
Commercial Gaming	CG
General Airport	GA
* * *	
Design Districts	
* * *	

Highland Design District	HDD
Inactive Districts	
* * *	
Government Use	GU
* * *	

* * *

Sec. 7:8.4 Zoning Districts

* * *

Sec. 7:8.4.8 Special Purpose Districts

* * *

[Delete C. Commercial Gaming (CG) and D. General Airport (GA) in their entirety, and reserve the letters.]

* * *

Sec. 7:8.4.11 Design Districts

* * *

[Delete B. Highland Design District (HDD) in its entirety, including the letter.]

Sec. 7:8.4.12 Inactive Districts

* * *

[Delete H. Government Use (GU) in its entirety, and reserve the letter.]

* * *

Chapter 10 OVERLAY DISTRICTS

* * *

Sec. 7:10.2 ~~Airport Overlay District~~ Reserved

[Delete this section in its entirety and reserve the section number.]

Sec. 7:10.3 Design Overlay Districts

* * *

Sec. 7:10.3.4 — ~~Downtown Design Overlay~~

[Delete this section in its entirety, including the section number.]

Sec. 7:10.3.5 — ~~Drusilla Jefferson Design Overlay~~

[Delete this section in its entirety, including the section number.]

Sec. 7:10.3.6 — ~~Florida Boulevard Design Overlay~~

[Delete this section in its entirety, including the section number.]

Sec. 7:10.3.7 — ~~Government Street Design Overlay~~

[Delete this section in its entirety, including the section number.]

Sec. 7:10.3.8 — ~~Jefferson Highway Overlay~~

[Delete this section in its entirety, including the section number.]

Sec. 7:10.3.9 — ~~Nicholson Drive Design Overlay~~

[Delete this section in its entirety, including the section number.]

Sec. 7:10.3.10 — ~~North Gate Design Overlay~~

[Delete this section in its entirety, including the section number.]

Sec. 7:10.3.11 — ~~Oak Villa Boulevard Design Overlay~~

[Delete this section in its entirety, including the section number.]

Sec. 7:10.3.12 — ~~Old Hammond Highway Design Overlay~~

[Delete this section in its entirety, including the section number.]

Sec. 7:10.4 ~~Historic Overlay Districts~~

* * *

Sec. 7:10.4.2 — ~~Drehr Place Historic Overlay~~

[Delete this section in its entirety, including the section number.]

Sec. 7:10.4.3 — ~~Spanish Town Historic Overlay~~

[Delete this section in its entirety, including the section number.]

Sec. 7:10.5 — ~~Hundred Oaks Overlay~~

[Delete this section in its entirety, including the section number.]

Sec. 7:10.6 — ~~Old Town Redevelopment Overlay~~

[Delete this section in its entirety, including the section number.]

* * *

Chapter 13

STREETS AND SIDEWALKS TRANSPORTATION

* * *

Sec. 7:13.3 Location of new streets in relation to existing and proposed streetsAccess and Connectivity

A. Purpose. The purpose of regulating the amount and nature of vehicular access and connectivity is to:

1. Balance the need for providing access to individual private properties with the need to preserve an adequate level of safety and capacity on the streets providing access; and
2. Ensure adequate vehicular connections for the safe and efficient movement of people and goods, and for public safety and emergency response.

B. Access to Arterial Streets

1. Management. To support the function of arterial streets which grants priority to the movement of through traffic, the Engineering Director is authorized to manage access to arterial streets, including by:
 - a. Limiting the number of access points from a single development; or
 - b. Requiring cross-access between adjacent developments with public streets.
2. Secondary Access. For public safety and convenience, and to the extent permitted by the arterial's owner, more than one (1) access shall be provided to an arterial for any:
 - a. Single family residential development with thirty (30) or more homes; or
 - b. Other development projected to generate more than three-hundred (300) trips per day.
3. Residential Subdivisions. Where a residential subdivision borders on or contains an existing or proposed arterial, the Engineering Director may require that access to the arterial be limited by any means deemed appropriate by the Engineering Director to protect the public healthy, safety, and welfare, with the following as examples:
 - a. Lots backing onto the arterial and fronting onto a parallel street, with no access provided from the arterial; or
 - b. A marginal access or service road separated from the arterial by a planting strip and having access at suitable points.

C. New Streets. Major subdivisions, site plans requiring Zoning Commission approval, and Planned Districts shall:

1. Major Street Plan. Consider donating right-of-way for new street alignments as shown on the Major Street Plan, unless the Engineering Director determines that this is not feasible or desirable.
2. Continuations and New Connections. The arrangement of new streets in new subdivisions and in new site or tract developments shall make provisions for the continuation of the existing streets in from adjoining areas and (or the proper projection of new streets to adjoining areas, either by construction of the street or dedication of public right-of-way as determined by the Engineering Director where adjoining land is not subdivided with lots less than 1/2 acre, or cannot be further subdivided, or natural features or development prohibitions preclude the future extension of the street) on each side of the development, as deemed necessary by the Planning Commission to ensure access throughout the city. The streets and alley

arrangements must also be such as to cause no hardship to owners of adjoining property when they plat their own land and seek to provide convenient access. In general, provisions should be made for through streets at intervals generally consistent with those shown in Table 7:13.3.A, Required Street Connections; except that the Planning or Zoning Commission may choose to not require new connections when:

- a. Adjoining land is already subdivided with lots less than a half acre or otherwise cannot be further subdivided; or
- b. Natural features or development restrictions preclude the future extension of the new street connection.

**Table 7:13.3.A
Required Street Connections**

Character Area	Minimum Interval Between Potential Connections
Rural	0.50 miles
Suburban	0.25 miles
Urban/Walkable	0.20 miles

* * *

Sec. 7:13.9 Traffic Impact Analysis

A. Intent. The intent of this Section is to provide the information necessary to allow decision-makers to assess the transportation implications of traffic associated with a proposed development, to address the transportation-related issues associated with development proposals that may be of concern to neighboring residents, business owners and property owners, and to provide a basis for negotiation regarding improvements and funding participation in conjunction with an application for development.

B. Purpose of a TIA. The purpose of a traffic impact analysis (TIA) is to:

1. Evaluate traffic operations and impacts at site access points under projected peak period traffic loads;
2. Evaluate the impact of site-generated traffic on affected intersections in the vicinity of the development site;
3. Evaluate the impact of site-generated traffic on the quality of traffic flow within a reasonable distance of the site of development;
4. Evaluate the impact of the proposed development on neighborhood collector or local streets in the vicinity of the site;
5. Ensure that site access and other improvements needed to mitigate the traffic impact of the development meet commonly accepted engineering design standards;
6. Ensure that adequate facilities for pedestrians, transit users and bicyclists have been provided; and
7. Identify transportation infrastructure needs and related costs created by the development and cost sharing on needed improvements.

C. TIA Required. A TIA:

1. Shall be required when there are:
 - a. Threshold 1. Less than 40 peak hour trips, AM or PM, and shall include:
 - (1) The proposed trip generation and distribution with source of information; and
 - (2) Sight distance evaluation at proposed driveway or road intersection locations;
 - b. Threshold 2. 40 or more peak hour trips, AM or PM, and shall include:
 - (1) The proposed trip generation and distribution with source of information;
 - (2) Sight distance evaluation at proposed driveway or road intersection locations;
 - (3) Capacity analysis for existing and proposed conditions at intersections within the study area established during a traffic scoping meeting;
 - (4) Left turn lane, right turn lane, and signal warrants at the development driveways or road intersections;
 - (5) Recommendations for mitigating improvements to maintain or improve the existing Level-of-Service, as well as recommendations for driveway or road intersection locations and configurations; and
 - (6) Summary of the crash history within the study area and recommendations to improve safety conditions; or
 - c. Higher thresholds. At the discretion of the Engineering Director, a higher TIA threshold of study may be required if other factors significantly influence traffic movements or safety, including:
 - (1) High-crash areas;
 - (2) Areas currently experiencing excessive traffic congestion;
 - (3) Areas currently undergoing substantial growth;
 - (4) High volumes on surrounding roads affecting access to a proposed development;
 - (5) Lack of existing left turn lanes on adjacent roadways;
 - (6) Inadequate sight distance at access points;
 - (7) Proximity of proposed access points to existing drives or intersections; or
 - (8) Developments that include drive-through operations.
2. May be waived by the Engineering Director when it is determined that a TIA is not necessary to determine needed transportation improvements or that no unsafe or hazardous conditions will be created by the development as proposed.

D. Evaluation Standards. The following standards shall be used to evaluate the findings of a TIA:

1. Safety. Access points shall be designed to provide adequate sight distances and appropriate facilities to accommodate acceleration and deceleration of site traffic.
2. Number of access points. The spacing of access points shall comply with applicable parish, state and American Association of State Highway and Transportation Officials ("AASHTO") standards.
3. Curb space use plan. Details shall be provided on curb space use on public streets along the edge of the development site when it is intended that such areas be used for parking, parking space access, delivery and loading zones, passenger zones, taxi cab stands, bus stops, fire zones and/or other official/emergency zones. This review shall include a description of existing conditions prior to development, and proposed

changes resulting from the development, including a description of any loss or gain in curb space use by the activities intended.

4. Internal circulation. On-site vehicle circulation and parking patterns shall be designed so as not to interfere with the flow of traffic on any public street and shall accommodate all anticipated types of site traffic.
5. Neighborhood collector or local street impact. Average daily traffic ("ADT") on neighborhood collector or local streets shall be within the ranges spelled out in the thoroughfare plan for the class of street involved. No non-residential development shall increase the traffic on a neighborhood collector or local street with at least three-hundred (300) average daily trips by more than twenty-five (25) percent.
6. Level of service. For collector or local streets, a level of service ("LOS") "C" or better shall be maintained. On any arterial or higher order street a LOS "D" or better shall be maintained. Where the existing LOS is below these standards, the TIA shall identify those improvements required to ensure that development related traffic demands result in no net reduction in LOS, and identify additional improvements needed to raise the level of service to the standards on the arterial or higher order street to the adopted LOS standard.

E. Process. The following steps provide a general expectation for the preparation, review, and consideration of a TIA in the development process:

1. The Engineering Director shall determine when a TIA is required, based on the criteria in C above and the stage of development.
2. The City shall perform all TIAs to ensure consistency and comprehensiveness, and for this shall charge a fee as adopted in this UDC.
3. The Engineering Department shall review the TIA, generally in accordance with the evaluation standards in D above, and shall recommend either:
 - a. Approval of the application for development, which may be contingent on the applicant making improvements or addressing items required to mitigate traffic and access issues and impacts, which may include:
 - (1) Reducing the size, scale, scope or density of the development to reduce traffic generation;
 - (2) Dividing the project into phases and authorize only one (1) phase at a time until traffic capacity is adequate for the next phase of development;
 - (3) Dedicating right-of-way for street improvements;
 - (4) Constructing new streets and intersection improvements;
 - (5) Expanding the capacity of existing streets;
 - (6) Redesigning ingress and egress to the project to reduce traffic conflicts;
 - (7) Altering the use and type of development to reduce peak hour traffic;
 - (8) Reducing background (existing) traffic;
 - (9) Eliminating the potential for additional traffic generation from undeveloped properties in the vicinity of the proposed development; or
 - (10) Integrating non-vehicular design components (e.g., pedestrian and bicycle paths or transit improvements) to reduce trip generation; or
 - b. Denial of the application for development.

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Chapter 19

DEFINITIONS

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Section 19.2 Defined Terms

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Adequate public facilities: water, sewer, transportation, and stormwater management facilities, whether publicly or privately owned, determined to be capable of supporting and serving existing and approved development at required service levels, as determined by, for:

- (a) Water, the applicable water utility provider and the City of St. George Fire Department;
- (b) Sewer, the applicable sewer utility provider or approval authority;
- (c) Transportation, the applicable transportation authority using the evaluation standards for a Traffic Impact Analysis; and
- (d) Stormwater management, the City of St. George using the Stormwater Management Plan, Drainage Impact Study, Water Quality Impact Study, and Offsite Drainage Assessment, as appropriate.

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Peak hour trips: a calculation in accordance with the most current versions of the Institute of Transportation Engineers ("ITE") Trip Generation Informational Report or comparable research data published by a public agency or institution.

* * *

Appendix B

APPLICATION FEE SCHEDULE

Description	Processing	Public Notice
* * *		
Combination of Lots	\$100 plus \$25/each original lot	N/A
Subdivision Concept Plan	<u>\$300 plus \$100/acre or fraction thereof over one</u>	1
Preliminary Plat	\$300 plus \$25/lot	\$200
* * *		
Miscellaneous		
* * *		
Street Name Change	\$200	\$200
Traffic Impact Analysis, Threshold 1	\$1,000	N/A

Description	Processing	Public Notice
<u>Traffic Impact Analysis, Threshold 2</u>	\$5,000 plus \$125/acre over 30 acres	N/A
<u>Traffic Impact Analysis, Higher Threshold</u>	As determined by the Engineering Director	N/A
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Appendix G DISTRICT MAPS

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- [Delete map for Urban Design District 2 Highland Road.]
- [Delete map for Urban Design District 3 Oak Villa Boulevard.]
- [Delete map for Drehr Place Local Historic District.]
- [Delete map for Spanish Town.]
- [Delete map for Old Town Redevelopment Overlay District.]