

NEW ORLEANS, LOUISIANA

SUBDIVISION  
REGULATIONS

CITY PLANNING  
COMMISSION

February 2, 1950  
Effective May 6 1950

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REGULATIONS  
GOVERNING THE  
SUBDIVISION OF LAND  
IN  
NEW ORLEANS, LOUISIANA

OFFICIALLY ADOPTED

by

THE CITY PLANNING COMMISSION

of New Orleans

At a meeting held on Thursday, February 2, 1950

Effective May 6, 1950



CITY OF NEW ORLEANS

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## F O R E W O R D

The need for the adoption of clearer and more adequate "Regulations Governing the Subdivision of Land in New Orleans, Louisiana" was given much consideration in past years by members of the City Planning Commission; but the adoption was unavoidably delayed. However, the adoption of a new City Planning Enabling Act 300 of 1946 by the Legislature of the State of Louisiana called for new procedure on Land Subdivision.

The City Planning Commission upon taking office on Tuesday, September 3, 1946, appointed its Executive Committee for a special study for adequate regulations. This Committee, which variously included Messrs. Parham, Favrot, Walker, Parker, Owen and Perez, after considerable preliminary research, continued study on this subject in years 1946 and 1947 and continued in 1948 and 1949 with added technical advice from its Consultants, Harland Bartholomew and Associates, to include Mr. Russell H. Riley. Preliminary consultations were held with, and advice was received from Messrs. Albert G. Wyler, City Engineer, and his staff; from Messrs. Baldwin Wood, Patrick H. Quinlan and Alexander Allison (of the Sewerage and Water Board); and James L. Champagne (of the City's Real Estate Ownership Survey Department); Kenneth M. King and David F. Dabney (of the Traffic Engineering Division); Victor StBlanc (New Orleans Board of Health); and of this Commission's Counsel, George J. Haylon (of the City's Legal Department).

The City Planning Commission on Tuesday, September 20, 1949 approved the tentative text for the Regulations Governing the Subdivision of Land for release for Public Hearing.

On Friday, September 23, 1949 due notice of the Public Hearing was published in the New Orleans Item, the official journal of the City of New Orleans; and on Wednesday, October 5, 1949 the Public Hearing was held concerning the adoption of these Regulations.

The adoption of these Regulations was then delayed for the purpose of receiving further suggestions for amendments, and a number of informal meetings were held during the latter part of the year 1949 and early part of the year 1950 to discuss these matters.

This Commission desires to extend its grateful acknowledgement for assistance to its Consultant, its members, to the officials of this City and to the various citizens-at-large, representing Real Estate, Homestead, Building and Financial Groups, including



in particular Messrs. Stewart Gast, Harold Paillet, Miltner Goll and Jack Helm, who all gave generously of their time and efforts during these later months of concluding studies which followed the Public Hearing held on October 5, 1949.

The Executive Committee of the City Planning Commission then submitted to the Commission its final report relative to the text of the Regulations, and the City Planning Commission at a meeting held on Thursday, February 2, 1950, after due consideration, officially adopted the "Regulations Governing the Subdivision of Land in New Orleans, Louisiana."

It was the intent and purpose of this Commission to provide modern and adequate land subdivision regulations in harmony with the governing Planning Enabling Act 300 of 1946.

This Commission hopes that this has been accomplished. However, any change or revision to this text, when needed for general welfare, can be made after the required 10-day notice of a Public Hearing with later consideration and adoption.

REGULATIONS  
GOVERNING THE SUBDIVISION OF LAND  
IN NEW ORLEANS, LOUISIANA

In accordance with the provisions of the Louisiana Revised Statutes of 1950 Title 33:101 through 33:119 and the 1954 Home Rule Charter, and in order to promote the health, safety, convenience and general welfare of the inhabitants of the City of New Orleans and the Parish of Orleans, and to assist in bringing about the coordinated, efficient and economical development of the city and parish, the following regulations and minimum standards are hereby adopted this Thursday, February 2, 1950 by the City Planning Commission of New Orleans, Louisiana:

(Effective May 6, 1950)

SECTION 1. GENERAL:

It is suggested that each subdivider of land confer with the City Planning Commission, or its staff, before preparing the preliminary plan, in order to become thoroughly familiar with subdivision requirements and with the proposals of the master plan, especially the major street plan affecting the territory in which the proposed subdivision lies.

SECTION 2. DEFINITIONS:

- (a) Subdivision - For the purpose of these regulations, a subdivision of land is
- (1) the division of land into 2 or more lots, tracts, sites or parcels any one of which has an area of less than 3 acres, or
  - (2) the dedication of a road, highway or street through a tract of land regardless of area, or
  - (3) the re-subdivision of land heretofore divided into lots, tracts, sites or parcels;

provided, however, that these regulations shall not apply to

- (4) a subdivision legally established and recorded prior to the adoption of these regulations, or
  - (5) small parcels of land sold or exchanged to or between adjoining property owners upon certification by the City Planning Commission that such sale or exchange does not create additional lots and does not conflict with the area requirements of the Comprehensive Zone Law, No. 11,302 C.C.S.
- (Note: See Section 10 regarding transfer or sale from unapproved plats by metes and bounds, and penalties therefor)
- (b) Whenever the word "Commission" is used in these Rules and Regulations, it shall be deemed to refer to the City Planning Commission of the City of New Orleans, Louisiana.
- (c) Major Street - a street shown on the Major Street Plan adopted by the Commission on December 17, 1947, or a revision or extension thereof.

- (d) Parkway - a route intended to be used primarily by passenger vehicles which may have a varying width or right-of-way and which right-of-way is or is intended to be developed with a parklike character.
- (e) "Lot, Tract, Plot, Plat or Plan" or any area with similar designation all mean the same for the general purpose of these Regulations.

### SECTION 3. JURISDICTION AND PROCEDURE:

#### (a) Jurisdiction

Every subdivision of land within the area embraced within the Major Street Plan adopted by the Commission on December 17, 1947 or any revision or extension thereof, shall be shown upon a plat and submitted to the Commission for approval or disapproval. Any final plat which has been approved by the Commission and endorsement shown thereon shall be recorded in the office of the Clerk of Court of Orleans Parish not later than thirty (30) days following date of approval or said approval shall be deemed void. It shall be the duty of the Real Property Survey Department to see that this recording is completed within the 30-day period. No plan or plat shall be recorded in the office of the Clerk of Court of Orleans Parish, and no lots shall be sold from such plat unless and until approved as hereinabove provided.

#### (b) Procedure

The subdivider shall submit a preliminary subdivision plan directly to the office of the Commission.

The plan should be a preliminary sketch showing the general details and character of the proposed development which shall be checked against the minimum standards and requirements hereinafter provided. If such preliminary subdivision plan conforms to all such standards, or after the subdivider and the Commission agree upon any revisions, the said plan shall be approved by the Commission, the revised copy shall be filed with the Commission and the subdivider may proceed with the staking of the streets and lots and with the installation of the necessary physical improvements.

After the improvements shall have been installed and approved or after surety bond, securing to the City of New Orleans an amount adequate to cover the cost of the improvements,

shall have been filed with the Commission, the subdivider may bring his final plat to the Commission for final approval. If the improvements are approved by the Commission and if the final plat conforms with the preliminary plan filed in the office of the Commission, such final plat shall be approved at either a regular or special meeting of the Commission. Said final plat may then be filed with the Clerk of Court of Orleans Parish.

#### SECTION 4. STANDARDS OF DESIGN:

##### (a) Acre Subdivision

Whenever the area is divided into lots containing one or more acres and there are indications that such lots will eventually be resubdivided into smaller building plots, consideration must be given to the street and lot arrangement of the original subdivision so that additional minor streets can be opened which will permit a logical arrangement of smaller lots.

##### (b) Relation to Adjoining Street System

The arrangement of streets in new subdivisions shall make provision for the continuation of the principal existing streets in adjoining area (or their proper projection where adjoining land is not subdivided) insofar as they may be deemed necessary by the Commission for Public requirements, and streets, alleys or servitudes shall be provided for the continuation of the existing utility mains and lines in adjoining areas. The width of such streets in new subdivisions shall not be less than the minimum street widths established herein. The street and alley arrangement must also be such as to cause no hardship to owners of adjoining property when they plat their own land and seek to provide for convenient access to it. In general, provisions should be made for through streets at intervals of approximately one-half mile or less. Offset streets should be avoided.

Streets that are obviously in alignment with others already existing shall bear the names of the existing streets.

The Commission shall cause to be assigned municipal numbers to all lots and shall disapprove duplicating street names.

(c) Streets in Relation to Railroads, Expressways and Parkways

When the area to be subdivided adjoins or contains, for a considerable distance, a railroad right-of-way, an expressway or a parkway, a street should be dedicated approximately parallel to the side of such right-of-way and in determining the distance of such parallel street from the right-of-way of the railroad, expressway or parkway, consideration should be given to the distance required for approach grades and interchanges to future grade separations.

(d) Street and Alley Widths

- (1) The widths for major streets shall conform to the widths designated on the Major Street Plan, as adopted by the Commission on December 17, 1947 and to all subsequent amendments and additions thereto.
- (2) The minimum width for secondary or minor streets shall be fifty (50) feet, except that in cases where special conditions make a street of less width more suitable, the Commission may waive the above requirements.
- (3) Where it is desirable to subdivide a tract of land, which because of its size or location, does not permit an allotment directly related to a normal street arrangement, there may be established one or more "Places". Such a "Place" may be in the form of a court, a deadend street, or other arrangement; provided, however, that proper access shall be given to all lots from a dedicated "Place" (Street or court). Such a "Place" shall terminate in an open space (preferably circular) having a minimum radius of fifty (50) feet. Except in unusual instances no deadend street or "Place" shall exceed one thousand (1000) feet in length.
- (4) The minimum width of an alley in a residential block shall be fifteen (15) feet, but such alleys are not recommended except under unusual conditions. Alleys shall be required in the rear of all business lots and shall be at least twenty (20) feet in width. A minimum five-foot cutoff shall be made at all acute angle alley intersections, and at especially acute angle alley intersections a greater than 5-foot cutoff may be required. Adequate provision for off-street parking

is to be made in connection with all platted business lots. Under normal conditions, the subdivider of commercial property shall provide twice as much area for parking as is to be devoted to the ground floor of commercial buildings. In areas where apartment housing is proposed for three or more families, provisions shall be made for off-street parking so that a minimum of 65% of the living units are cared for on the basis of one car per family. Where public parking facilities are available within 600 feet of such multiple family dwellings, the Commission may permit a reduction of the off-street parking area heretofore provided. Proper provisions shall be made for off-street parking in areas occupied by churches, schools and other places of public congregation.

- (5) Where alleys are not provided, non-exclusive easements of not less than five (5) feet in width shall be provided on each side of all rear lot lines within the subdivision to provide access for the installation and maintenance of poles, wires, conduits and other utilities, which easements shall be part of the yard area and shall remain unobstructed except for fences. Easements of greater width may be required along or across lots where necessary for the extension of main storm and sanitary sewers and other utilities and where both water and sewer lines are located in the same easement.
- (6) Where all utilities, either publicly or privately owned, are to be installed underground in street rights-of-way, the Commission shall waive the preceding requirements for easements. Where privately owned utilities are to be installed underground along rear lot lines, the Commission shall, with the written consent of the owners of such utilities and the subdividers, reduce the preceding requirement for easements.

(e) Blocks

- (1) No block shall be longer than fifteen hundred (1500) feet between street lines.

In blocks over seven hundred and fifty (750) feet in length the Commission may require a cross-walk

near the center of the block. The right-of-way for such walks shall not be less than ten (10) feet in width.

- (2) In platting normal residential lots containing an area of from 6,000 to 15,000 square feet, it is recommended that the depth of the block not exceed three hundred (300) feet.

(f) Lots

- (1) All side lines of lots should be at right angles to straight street lines, or radial to curved street lines unless a variation to this rule will give a better street and lot plan. Lots with double frontage should be avoided.
- (2) Except as provided in Paragraph "g" of this Section the average minimum width of residential lots within each block shall be fifty (50) feet at the building line and a rectangular or irregular-shaped lot that is to be used for residential purposes shall contain an area of not less than four thousand (4000) square feet; provided, however, that where the lot area regulations of the zoning ordinance require a larger lot area, then the minimum area requirement of the zoning ordinance shall govern.
- (3) Corner lots should have extra width to permit the establishment of front building lines on both the front and the side of the lots adjoining the streets where the rear property lines of said corner lots abut lots fronting on the side street. Extra widths should be provided on all corner lots irrespective of whether the rear lot lines of said corner lots abut lots fronting on the side streets.
- (4) Lots on major street intersections and at all other acute angle intersections which, in the opinion of the Commission, are likely to be dangerous to traffic movement shall have a radius of twenty (20) feet at the street corner. On business lots a chord may be substituted for the circular arc. Where grade separation structures are proposed at the intersection of major streets, the lots and improvements in the subdivision shall be arranged so as to make adequate provision for such structures.



(g) Exceptions in Neighborhood Unit Developments

Whenever a subdivision is developed as a neighborhood unit, wherein adequate park or playground is provided, through traffic is adequately cared for and the majority of the minor streets are of the cul-de-sac type, the Commission may vary the requirements of Paragraphs "d", "e", and "f", of this Section in order to allow the subdivider more freedom in the arrangement of streets and lots; however, the Commission shall insure that the convenience, health, welfare and safety of the probable future residents of the subdivision as well as the character of the surrounding property and the general welfare of the entire parish are protected. The average lot area per family shall not be less than the requirement of the zoning regulations in the area being subdivided and in no event shall it be less than four thousand (4000) square feet per family.

(h) Building Lines

Building lines shall not be less than those required by the zoning ordinance.

(i) Character of Development

Where the subdivision contains sewers, sewage treatment plants, water supply systems, park areas, street trees or other physical facilities necessary or desirable for the welfare of the area or that are for common use or benefit which are not or cannot be satisfactorily maintained by any existing public agency, provision shall be made by trust agreement, which shall become a part of the deed restrictions, acceptable to any agency having jurisdiction over the location and improvement of such facilities, for the proper and continuous maintenance and supervision by the subdivider of such facilities.

(j) Parks, School Sites, etc.

In subdividing property, consideration shall be given to suitable sites for schools, parks, playgrounds, and other common areas for public use so as to conform to the recommendations of the Commission. Any provisions for schools, parks and playgrounds shall be indicated on the preliminary plan in order that it may be determined when and in what manner such areas will be dedicated to, or acquired by the

appropriate agency. When this is determined it shall be the duty of the Real Property Survey office to see that the necessary recording of sales and/or dedications of public areas has been completed.

(k) Stream Improvements and Easement Along Streams

- (1) No individual, partnership, or corporation shall deepen, widen, fill, reroute, or change the location of any existing ditch, stream, drain or drainage canal without first obtaining permission from the Sewerage and Water Board or any other agency having jurisdiction thereover. Plans for such deepening, widening, filling, rerouting or changing the location of any existing ditch, stream, drain or drainage canal shall comply with the specifications of the Sewerage and Water Board or any other agency having jurisdiction thereover, and shall be constructed under their supervision.
- (2) Whenever any existing canal or important surface drainage course is located in an area that is being subdivided the subdivider shall dedicate a servitude of not less than 50' in width along such canal or important surface drainage course.

(1) Land adjacent to Open Drainage Canals, Open Ditches, Borrow Pits, etc.

Whenever there is proposed a subdivision of land adjacent to open drainage canals, open ditches, borrow pits, etc., the development of such land as a subdivision for residential purposes shall not be permitted without adequate safeguards against the dangerous conditions created by such residential subdivision use. Such safeguards shall be maintained by the property owners.

SECTION 5. IMPROVEMENTS:

Plans for the improvements required in this section shall be prepared by a licensed and registered engineer or surveyor, as applicable. The improvements listed below in paragraphs (a), (b), (c), (d), and (e) of this section shall be installed prior to the approval of the final plat, which is prepared for recording purposes. In lieu of the completion of such improvements the subdivider shall file a surety bond with the Commission to secure

to the City of New Orleans the actual construction of such improvement in a satisfactory manner, within a period not exceeding two years. Such bond shall be an amount adequate to cover the cost of the improvements as determined by the Commission and with surety and conditions satisfactory to the Commission.

The owner of the tract may prepare and secure tentative approval of a final subdivision plat of the entire area and may install the above improvements only in a portion of such area, but the improvements must be installed or bond posted to cover such installations in any portion of the area for which a final plan is approved for recording, and the owner may sell or lease or offer for sale or lease lots only in the improved portion of said property, provided, however, that trunk sewers and sewage treatment plants and other utilities be designed and built to serve the entire area or designed and built in such a manner that they can easily be expanded, or extended, as the case may be, to serve the entire area.

(a) Permanent Markers

All intersections of the subdivision boundary property line and all intersections of street property lines within the subdivision shall be marked with permanent monuments. A permanent marker shall be deemed to be  $\frac{1}{4}$  inch or larger brass rod cast in a concrete post with a minimum dimension of four (4) inches extending a minimum of three (3) feet below the ground line or steel pipe firmly imbedded in concrete which extends a minimum of three (3) feet below the ground line. Should conditions prohibit the placing of monuments in line, off-set marking will be permitted, provided, however, that exact off-set courses and distances are shown on the subdivision plat.

Where a benchmark is not existing within reasonable distance a permanent benchmark shall be accessibly placed, the elevation of which shall be based on sea level datum as determined by the U. S. Coast and Geodetic Survey, and accurately noted on the subdivision plat.

(b) Street Improvements

All streets must be graded, the roadway improved by surfacing and sidewalks installed. Roadway surfacing and sidewalk construction shall be in accordance with standard specifications of the City of New Orleans entitled "General

Specifications and Standard Plans for Street Paving and Temporary Surfacing". The type of surfacing shall be determined by the City Engineer and his approval shall be stamped and signed on all such plans. On all streets which have been offered to the City of New Orleans for dedication, all grading, surfacing and sidewalk construction shall be done under the supervision of an approval by the City Engineer. On streets not offered for dedication, it shall be the duty of the subdivider to furnish to the Commission a certificate from a competent engineer certifying that such streets have been constructed in accordance with the specifications furnished by the City Engineer.

(c) Water Lines

- (1) Where the public water supply is already reasonably accessible, the subdivider shall enter into an agreement with the Sewerage and Water Board of New Orleans for the extension of the said public water system, including the Sewerage & Water Board's standard installation of valves, fire hydrants, etc., so that public water service shall be available for each lot within the subdivided area.
- (2) Pending availability of a public water supply, the subdivider shall construct a private water supply system in such a manner that an adequate supply of potable water will be available to every lot within the subdivision. The source of water supply and the distribution system shall comply with the requirements of the Sanitary Code of the State of Louisiana for a public water supply system and must be approved by the Board of Health for the Parish of Orleans and the City of New Orleans. It is understood, however, that there shall be no obligation on the part of the Sewerage and Water Board to incorporate the said private system of water supply, or any part thereof, into any public system of water supply that may be built in the future.

(d) Sewers

- (1) If the subdivision is so located that it can reasonably be served by the extension of an existing public sanitary sewer, the subdivider shall enter into an agreement with the Sewerage & Water Board of New Orleans

for the extension of the said sewer so that sanitary sewer service shall be available for each lot within the subdivided area.

(2) Where no sewers are accessible the subdivider may, upon securing a written permit from the Louisiana State Board of Health, install septic tanks or other mechanical means of sewage disposal for each lot or group of lots, provided that such septic tanks or similar mechanical means of sewage disposal must be approved by the Board of Health of the City of New Orleans, and shall be installed in accordance with the Sanitary Code of the State of Louisiana.

(3) Adequate provision shall be made for the disposal of storm water subject to the approval of and under the supervision of the Sewerage and Water Board and the City Engineer.

(e) Fences adjacent to Open Drainage Canals, Open Ditches, Borrow Pits, etc.

Whenever fences are required adjacent to an open drainage canal, ditches, or borrow pits, the subdivider shall be required to construct a galvanized chain link fence (not less than 7 feet in height) topped with three strands of barbed wire and containing removable sections located and constructed in such a manner that is acceptable to the Sewerage and Water Board, or the Department of Streets, or other Governmental Agency having jurisdiction thereover.

## SECTION 6. PRELIMINARY PLAN

In seeking to subdivide land into building lots, or to dedicate streets, alleys, or land for public use, or to subdivide land into building lots, together with the dedication or reservation of public or private streets respectively, the owner shall submit seven (7) black-and-white copies of the preliminary sketch plan to the Commission before submission of the final plat. Plats containing five (5) lots or less may be exempted from the provisions of this Section.

The preliminary plan is to be drawn to a scale of 100 feet to the inch, but if the subdivision contains more than 160 acres the plan may be at a scale of 200 feet to the inch, and shall show:

- (a) The location of present property, section, township and parish lines and lines of incorporated areas, and other legally established districts, streets, buildings, water courses, and other features within the area to be subdivided and similar facts regarding existing conditions on land immediately adjacent thereto.
- (b) The proposed location and width of streets, alleys, lots, and servitudes and the location and extent of any fences required under Section 4, paragraph (1) and Section 5, paragraph (e).
- (c) Existing sanitary and storm sewers, water mains, culverts and other underground structures within the tract and immediately adjacent thereto. The location and size of the nearest water main and sewer or outlet are to be indicated in a general way upon the plan.
- (d) The title under which the proposed subdivision is to be recorded, appropriate evidence of ownership of tract to be subdivided, the name of the subdivider, and the name of the engineer, or surveyor, if any, platting the tract.
- (e) The names of all common boundary corners of all adjoining subdivisions and the names of record owners of all property immediately adjoining the subdivision.
- (f) Contours with intervals of two feet or less referred to sea level datum as determined by the U. S. Coast and Geodetic Survey.
- (g) North point, scale and date.
- (h) The zoning classification of the property to be subdivided.
- (i) Plans or written and signed statements regarding the grades of proposed streets, and the width and type of pavements; location, size, type of sanitary sewers or other sewage disposal facilities, gas mains, water mains and hydrants, street lighting and other utilities; storm water drainage facilities, and other proposed improvements, such as sidewalks, planting and parks, and any grading of individual lots.

No preliminary plan of a subdivision shall be acted on by the Commission without affording a hearing thereon. After receipt of the application for tentative approval of the preliminary plan and the seven copies thereof, the Secretary of the Commission shall fix the date for a hearing on the proposed subdivision. No quorum of the Commission shall be required for such hearing.

Notice of the time and place of such hearing shall be sent to the owner or owners, whose names and addresses must appear on the preliminary plan, by registered mail, not less than five days before the date fixed for the hearing. Similar notice shall be mailed to the subdivider and to the owners of land immediately adjoining the land proposed to be subdivided as their names and addresses appear upon the plan. These names and addresses shall be checked from the records of the Real Property Survey office before any mail is forwarded.

Approval of the tentative preliminary plan does not constitute final acceptance of the subdivision by the Commission. One copy of the approved tentative preliminary plan, signed by the Chairman of the Commission, shall be retained in the office of the Commission and one signed copy shall be given to the subdivider.

Receipt of this signed copy is authorization for the subdivider to proceed with the preparation of plans and specifications for the minimum improvements required in Section 5 of these Rules and Regulations and with the preparation of the final plat. Prior to the construction of any improvements required in Section 5, or to the submission of any bond, the subdivider shall furnish the Commission with general plans, information and data necessary for said improvements. These plans shall be examined by the Commission and will be approved if in accordance with the requirements of Section 5 of these Rules and Regulations. Following this approval of the preliminary plan, construction can be started or the amount of bond determined.

If the final plat conforms to the approved preliminary plan, and if the necessary improvements are constructed in accordance with the approved plans, or a satisfactory bond submitted assuring their construction in accordance with the approved plans, the final plat shall be approved by the Commission.

#### SECTION 7. FINAL PLAT:

The final plat on tracing cloth and seven (7) black-and-white

prints thereof, and three (3) prints of certified plans showing the improvements that have been constructed within the subdivision (or, in case a bond has been furnished assuring construction of said improvements, three (3) prints of certified plans showing the improvements which are to be constructed) shall be submitted to the Commission. Before approving the plan of all or part of a proposed subdivision, the Commission will require proof that the improvements and revisions thereof, required in Section 5, have been satisfactorily completed, or that a bond has been furnished assuring their completion. The Commission shall act upon the final plat within sixty (60) days after it has been submitted unless the subdivider agrees to an extension of this period. The approval of the Commission shall be shown on the plat with the date of such approval and over the signature of the Chairman of the Commission.

The final plat is to be drawn at a scale of 100 feet or less to the inch from an accurate survey. Where the subdivided area is of unusual size or shape, the Commission may permit a variation in the scale. If more than two (2) sheets are required, an index sheet of the same dimensions shall be filed showing the entire subdivision on one sheet together with all areas shown on other sheets.

The final plat shall show:

- (a) The boundary lines of the area being subdivided with accurate distances and bearings; also all section, township and parish lines.
- (b) The property lines of all proposed streets and alleys, with their widths and names, and the location and extent of any fences required under Section 4, paragraph (1) and Section 5, paragraph (e).
- (c) The accurate boundary line of any property which is offered for dedication for public use.
- (d) The line of departure of one street from another.
- (e) All common boundary corners of all adjoining lands and the limits of adjacent streets and alleys with their widths and names.
- (f) All lot lines and an identification system for all lots and blocks and other areas.



- (g) Easements for rights-of-way provided for public use, services or utilities with figures showing their dimensions.
- (h) All dimensions, both linear and angular, necessary for locating boundaries of subdivisions, lots, streets, alleys, easements and of any other areas for public or private use, the linear dimensions are to be expressed in feet and decimals of a foot.
- (i) Radii, arcs and chords, points of tangency, central angles for all curvilinear streets, and radii for all rounded corners.
- (j) Name of subdivision and description of property subdivided, showing its location and extent, points of compass, scale of plan, and name of owner or owners and the subdivider, together with appropriate evidence of ownership of the area being subdivided.
- (k) Certification by a civil engineer or surveyor licensed and registered in the State of Louisiana to the effect that the plan represents a survey made by him and that all the necessary survey monuments are correctly shown thereon.
- (l) Trusteeships and their periods of existence to apply to lots in the subdivision shall be printed on the plat for recording. Should such trusteeships be of such length as to make the lettering of same on plat impracticable and thus necessitate the preparation of a separate instrument, reference to such instrument shall be made on the plat. Plats shall contain proper acknowledgements of owners and the consent by the mortgagee to said plat and restrictions.
- (m) Before it is recorded a certificate shall accompany the final plat, showing that all taxes payable have been previously paid in full. Where a preliminary plan is not required in accordance with Section 6, the final plat shall not be approved without a hearing thereon.

SECTION 8. VARIATIONS AND EXCEPTIONS:

Whenever the tract to be subdivided is of such unusual size or

shape or is surrounded by such development or unusual conditions that the strict application of the requirements contained in these regulations would result in real difficulties and substantial hardships or injustices, the Commission may vary or modify such requirements, so that the subdivider is allowed to develop his property in a reasonable manner, but so that, at the same time, the public welfare and interests of the city are protected and the general intent and spirit of these regulations are preserved.

SECTION 9. ADMINISTRATION AND AMENDMENT:

The Commission may, from time to time, adopt, amend and publish rules and instructions for the administration of these regulations to the end that the public be informed and that approval of plats be expedited. These regulations may be changed or amended by the Commission after public hearing, due notice of which shall be given as required by law.

SECTION 10. VIOLATION AND PENALTY:

Section 14 of State Act 300 of the 1946 Legislature of the State of Louisiana reads as follows:

"SECTION 14. Penalties for transferring lots in unapproved subdivisions.

Whoever, being the owner or agent of the owner of any land located within a subdivision, transfers or sells or agrees to sell any land by reference to or exhibition of or by other use of a plat of a subdivision, before such plat has been approved by a planning commission and recorded or filed in the office of the Clerk of Court of the Parish, shall forfeit and pay a penalty of One Hundred Dollars (\$100.00) for each lot or parcel so transferred or sold or agreed to be sold, and the description of such lot or parcel by metes and bounds in the instrument of transfer or other document used in the process of selling or transferring shall not exempt the transaction from such penalties or from the remedies herein provided. The municipality may enjoin such transfer or sale or agreement by suit for injunction brought in any court of competent jurisdiction or may recover the said penalty by a civil action in any court of competent jurisdiction."

SECTION 11. WHEN EFFECTIVE:

These rules and regulations shall become effective after adoption

by the Commission and certification to the City Council and the Clerk of Court as provided by law.

SECTION 12. VALIDITY:

If any section, clause, paragraph, provision or portion of these regulations shall be held invalid or unconstitutional by any court of competent jurisdiction, such holding shall not affect any other section, clause, paragraph, provision or portion of these regulations.

\*\*\*\*\*

R E S O L U T I O N

WHEREAS, the City Planning and Zoning Commission, pursuant to Act 300 of 1946, adopted a Major Street Plan on Wednesday, December 17, 1947, and

WHEREAS, pursuant to the authority contained in the aforesaid Act, said City Planning and Zoning Commission is authorized to adopt Regulations Governing the Subdivision of Land in the City of New Orleans after the adoption of said Major Street Plan, and

WHEREAS, due notice of a public hearing was published in the New Orleans Item, the official journal of the City of New Orleans, on Friday, September 23, 1949 stating that a hearing would be held on Wednesday, October 5, 1949 concerning the adoption of the Regulations Governing the Subdivision of Land in the City of New Orleans, and

WHEREAS, on the date of Wednesday, October 5, 1949 such a hearing was held in the Commission Council Chamber of the City of New Orleans in accordance with the published notice.

NOW, THEREFORE, BE IT RESOLVED by the City Planning and Zoning Commission of the City of New Orleans that said Commission does hereby approve and officially adopt Regulations Governing the Subdivision of Land in the City of New Orleans and the descriptive matter contained in the document identified as "Regulations Governing the Subdivision of Land in New Orleans, Louisiana, officially adopted by the City Planning and Zoning Commission of New Orleans at a meeting held on Thursday, February 2, 1950," which is annexed hereto and made a part hereof, and is further identified by the signature of the Chairman of this Commission.

BE IT FURTHER RESOLVED, That the Chairman of the City Planning and Zoning Commission of the City of New Orleans, acting through the attorney for said Commission, be and he is hereby authorized and directed to record a certified copy of said regulations entitled "Regulations Governing the Subdivision of Land in New Orleans, Louisiana" with the Commission Council of the City of New Orleans and with the Clerk of the Civil District Court, Parish of Orleans.

I hereby certify that the above and foregoing is a true and

correct copy of a Resolution duly adopted by a duly called meeting of the City Planning and Zoning Commission of New Orleans, held on the second day of February, 1950 at 4:00 P. M. at the offices of the City Planning and Zoning Commission, located at 535 St. Charles Street, at which meeting a quorum was present and voted throughout.

/s/ Gervais F. Favrot

Chairman

Subsequent Resolutions have been adopted and recorded incorporating all revisions of Regulations Governing the Subdivision of Land in the City of New Orleans through March, 1962.

See C.O.B. 627, Folio 239  
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First Edition - - - March 1950  
 Second Edition - - - December 1959  
 Third Edition - - - March 1962

(Copies may be obtained at City Planning Commission office  
4W04, City Hall, Civic Center, without cost.)

## ADDENDA

Subsequent to adoption by the (then) City Planning and Zoning Commission, an effort was made to simplify and streamline the administration of subdivision procedure. The Commission determined that, in certain instances, the staff of the Commission should have the authority to process subdivisions and to grant administrative approval subject to ratification by the Commission at its next regular meeting.

The most frequent types of small subdivisions were categorized and the Director-Secretary was authorized to certify approval. The categories of subdivisions qualifying for administrative approval are described in the adopted "Subdivision Policies" which follow below. Upon the effective date of the Home Rule Charter for the City of New Orleans, the name of the City Planning and Zoning Commission was changed to "City Planning Commission" and the same policies remained in effect.

### POLICY A

The Director-Secretary of the City Planning Commission shall have the authority to sign certification, without a public hearing, on subdivision applications involving the shifting of a side or rear line, provided the application complies with the requirements of the Comprehensive Zoning Ordinance, and does not involve the creation of additional lots. This authorization is limited to five (5) lots, frontages of not less than 40 feet, and general improvement of existing conditions.

### POLICY B

This policy waives public hearing and authorizes certification by the Director-Secretary of subdivision plans provided the plans meet the following conditions:

- (a) No lot size is reduced in area.
- (b) The new condition creates a general improvement of the original plot by increased lot width, etc., although the plan may be slightly below minimum lot widths and area standards which are required in these regulations.
- (c) Improvements exist upon the property, antedating adoption of Subdivision Regulations.

As a part of this policy, all doubtful cases MUST be referred to the Commission.

#### POLICY C

In instances involving more than five (5) lots but not involving any changes in street patterns, the Director-Secretary may sign approval to the plan after a public hearing, which may be conducted by the staff without the presence of the Commission. This authority is limited to two (2) squares and must be ratified by the Commission. All requirements of the Subdivision Regulations as to frontage and lot area must be met.

#### POLICY D

Subdivisions involving changes in street patterns must be processed by the Commission and are not eligible for administrative approval.

#### POLICY E

Subdivision requests involving the establishment of lot lines to separate buildings constructed prior to 1929 (the date of adoption of the first Comprehensive Zoning Ordinance) may be certified, provided:

- (a) Satisfactory evidence is submitted indicating existence of structures prior to 1929. Such evidence is to be provided by the owner or subdivider and should consist of a letter from the appropriate Tax Assessor or other documents deemed acceptable by the Director-Secretary.
- (b) The request to separate buildings involves only principal buildings.
- (c) Proposed side lot lines comply as nearly as possible with Subdivision Regulations and the Comprehensive Zoning Ordinance.

#### POLICY F

Subdivisions of land in commercial or industrial classifications shall observe the same minimum requirements as lots in a residential classification, with the Commission having authority to waive such requirements when justified.

#### POLICY G

Reconsideration will not be granted to a subdivision which has already been acted upon by the Commission unless:

- (a) Circumstances and conditions have changed.
- (b) Inaccurate data was used in analyzing the case.
- (c) Additional information is available which justifies re-examination.

It is understood that the subdivider may appeal to City Council from any adverse decision of the City Planning Commission relative to a subdivision acted upon by the Commission in accordance with these Subdivision Regulations.

**SUBDIVIDER**  
WITH  
TENTATIVE LAYOUT, OWNERSHIP APPROVAL, MORTGAGE CLEARANCE

CITY  
PLANNING  
COMMISSION

SUBDIVISIONS INVOLVING STREETS

SUBDIVISIONS NOT INVOLVING STREETS

PLANNING  
ADVISORY  
COMMITTEE

PLANNING  
COMMISSION  
STAFF

PLANNING  
COMMISSION  
STAFF

PLANNING  
COMMISSION  
STAFF

CITY  
PLANNING  
COMMISSION

CITY  
PLANNING  
COMMISSION

POLICIES  
(SEE ADDENDA)

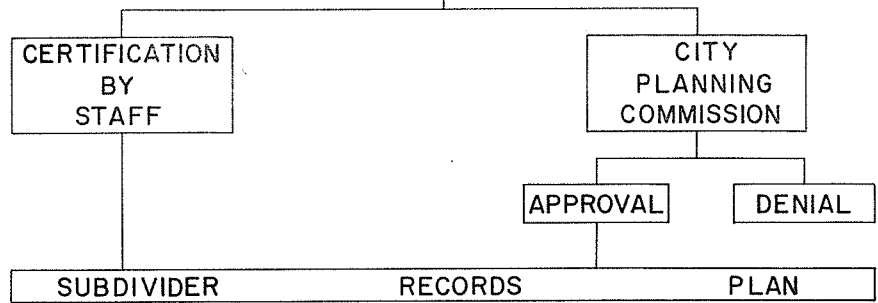
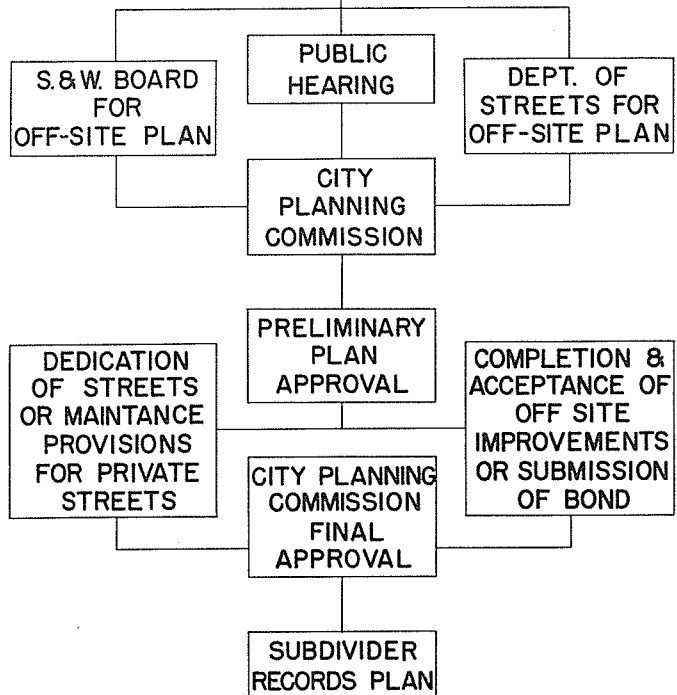
CERTIFICATION

APPROVAL

TENTATIVE  
APPROVAL

DISAPPROVAL

- |          |  |
|----------|--|
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| POLICY B | PARALLELING, CORNER LOT DOUBLING OR TRIPLING; INTERIOR LOT SPLITTING; GENERALLY IMPROVED EXISTING CONDITIONS   |
| POLICY C | SUBDIVISIONS NOT AFFECTING STREET PATTERN; CERTIFICATION LIMITED TO TWO (2) SQUARES AFTER PUBLIC HEARING BY STAFF IN INSTANCES OF MORE THAN FIVE (5) LOTS. |
| POLICY D | NOT APPLICABLE   |
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| POLICY G | MINIMUM REQUIREMENTS FOR RECONSIDERATION OF SUBDIVISION  |



**NOTE:**  
1. ALL SUBDIVISIONS DISAPPROVED BY CITY PLANNING COMMISSION ARE APPEALABLE TO THE CITY COUNCIL  
2. FAILURE OF COMMISSION TO APPROVE OR DISAPPROVE SUBDIVISION REQUEST WITHIN SIXTY (60) DAYS FROM DATE OF SUBMISSION IN PROPER FORM QUALIFIES REQUEST FOR APPROVAL.



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