

OFFICIAL PROCEEDINGS OF THE
COUNCIL OF THE PARISH OF
ST. MARY, STATE OF LOUISIANA

JANUARY 22, 2014
FRANKLIN, LOUISIANA

The St. Mary Parish Council met on this date in Regular Session with Chairman Steve Bierhorst presiding and the following members present: Lionel Metz, David Hanagriff, Glen Hidalgo, Ken Singleton, Logan Fromenthal Dr. Tim Tregle, Sterling Fryou, Albert Foulcard and Kevin Voisin. Absent was Charles Middleton.

Mr. Hanagriff pronounced the Invocation and Mr. Hidalgo led the Pledge of Allegiance.

Mr. Metz moved that the reading of the minutes of the First Regular Meeting, January 8, 2014 be dispensed with and that the same be approved. Mr. Fryou seconded the motion, which carried.

Bill Frey, Manager, Governmental Affairs, Progressive Waste Solutions and Kuchonnie Lewis, Supervisor appeared before the Parish Council to address the Council to Update on Solid Waste Collection.

Mr. Frey, Manager stated that all of immediate goals have been met to remedy the problems being experienced with Progressive Waste Solutions pickups, etc.

Mr. Frey informed that their equipment is in good working condition. (One truck is presently being repaired to prevent leakage.)

Mr. Frey stated that their personnel department is fully staffed at the present time.

Mr. Frey also informed that there are checkpoints in place with the GPS systems on the garbage trucks.

Mr. Frey stated that there are virtually no complaints from residential and commercial customers.

Greg Aucoin, Attorney, City of Morgan City and former Assistant District Attorney appeared before the Parish Council to announce and ask the Council's support in his candidacy for the Division F Judgeship of the 16th Judicial District Court (St. Mary, St. Martin and Iberia Parishes).

Mark Bogan, 7413 Hwy. 182 Verdunville appeared before the Parish Council to thank the Council for writing a letter inquiring relative to establishing guidelines that will allow all Veterans to receive medical services, etc. for the same cost regardless of their salary.

Barry Granger, resident, City of Franklin appeared before the Parish Council to express his sentiments and opposition regarding the ordinance proposing an amendment to Section 3-04, of the Home Rule Charter, an increase in the compensation to the Parish President and the ordinance proposing an amendment to Section 2-05 (A) of the Home Rule Charter, an increase in the compensation to the Parish Council members.

Mr. Naquin, Parish President reported on the Atchafalaya Basin Research and Promotion Board meeting that he attended on this date.

Mr. Naquin reported that the Wilson Landing Project was not funded in 2014 due to Budget cuts. (Mr. Naquin informed that the Cocodrie Swamp Project may be delayed due to conflicts with the landowners and the Wilson Landing Project may be able to be funded with those funds.)

Mr. Naquin informed that in regard to the St. Peter Street Sewer Project, the attorney will submit the names of the individuals that did not sign the right-of-way agreement.

Mr. Naquin stated that the Parish will file an expropriation in Court in order that the Parish can proceed with the Sewer Project.

Mr. Naquin also reported that a pre-bid conference was held on the Blevins building. (Bids will be received on the Blevins building remodeling project on February 4, 2014.)

Henry “Bo” LaGrange, Chief Administrative Officer presented his report for a two (2) week period ending January 22, 2014. (All items in Mr. LaGrange’s report were informational.)

In regard to an inquiry by Dr. Tregle relative to Item 2 in Mr. LaGrange’s report which stated, “The La. Coastal Protection and Restoration Authority has published its proposed Draft Fiscal Year 2015 Annual Plan relative to coastal protection and restoration projects. The public comment period will be open until February, 2014. The plan reflects proposed spending for projects including flood protection and coastal restoration.”, Mr. LaGrange stated that in the proposed draft plan there is additional funding to assist with the Morgan City Levee Project and the Bayou Chene Project.

Mr. Metz thanked the Administration for being instrumental in getting the trash removed on St. Peter Street. (the St. Mary side of the Street)

Mr. Voisin moved that the Public Hearing Report – January 8, 2014 be approved. Mr. Fromenthal seconded the motion, which carried.

Mr. Hanagriff introduced the following ordinance:

Crossreference	9
Chapter 1 Zoning Districts and Land Use	9
Division 1.1 Purpose and Application of Chapter	9
Sec. 1.1.1 Purpose of Chapter.....	9
Sec. 1.1.2 Application of Chapter.....	9
Division 1.2 Establishment of Districts	10
Sec. 1.2.1 Establishment of Zoning Districts and Boundaries	10
Sec. 1.2.2 Official Zoning District Map	10
Sec. 1.2.3 Interpretation of District Boundaries	11
Sec. 1.2.4 Compliance with District Regulations	11
Sec. 1.2.5 Zoning District Purpose Statements.....	11
Division 1.3 Permitted; Limited; Specific; and Prohibited Uses.....	13
Sec. 1.3.1 Interpretation of Use Tables.....	13
Sec. 1.3.2 Residential, Home, and Institutional Uses.....	14
Sec. 1.3.3 Commercial, Recreation and Amusement Uses.....	15
Sec. 1.3.4 Industrial, Agricultural, and Special Uses	18
Division 1.4 Limited and Specific Use Standards	20
Sec. 1.4.1 Accessory Dwellings Units.....	20
Sec. 1.4.2 Bunkhouses	20
Sec. 1.4.3 Home Occupations.....	22
Sec. 1.4.5 Recreational Vehicles, Parks, and Campgrounds	22
Sec. 1.4.6 Dirt Pits (Extraction).....	24
Division 1.5 Airport Zoning	25
Sec. 1.5.1 Short Title of Division	25
Sec. 1.5.2 Zone Types.....	25
Sec. 1.5.3 Height Limitations	26
Sec. 1.5.4 Use Restrictions	27
Sec. 1.5.5 Permits Required.....	28
Sec. 1.5.6 Adoption and Amendments	28
Division 1.6 Acadiana Regional Planning Commission.....	29
Sec. 1.6.1 Acadiana Regional Planning Area	29
Division 1.7 Agricultural and Residential District Standards	29
Sec. 1.7.1 Agricultural and Residential Lot, Yard, and Height Standards	29
Sec. 1.7.2 Residential Accessory Uses, Buildings, and Structures.....	31
Sec. 1.7.3 Conservation District	32
Division 1.8 Special Standards for Existing Neighborhoods (EN)	33
Sec. 1.8.1 General Provisions	33
Sec. 1.8.2 EN Development Standards	33
Division 1.9 Nonresidential District Standards	35
Sec. 1.9.1 Nonresidential Lot, Yard, Height, and Coverage Standards.....	35
Sec. 1.9.2 Additional Nonresidential Standards	36
Sec. 1.9.3 Compatibility Standards.....	37
Division 1.10 Traditional Neighborhood Developments (TNDs)	38
Sec. 1.10.1 Traditional Neighborhood Developments (TNDs) Permitted.....	38
Sec. 1.10.2 TND Lot and Yard Standards	38
Sec. 1.10.3 Accessory Buildings and Detached Garages	40

Sec. 1.10.4 TND Accessory Dwelling Units	40
Chapter 2 Buildings and Structures	41
Division 2.1 Purpose and Application of Chapter	41
Sec. 2.1.1 Purpose of Chapter.....	41
Sec. 2.1.2 Application of Chapter.....	41
Division 2.2 Residential Building Design Standards	42
Sec. 2.2.1 Modular and Manufactured Home Design and Construction Requirements.....	42
Sec. 2.2.2 Fences	43
Division 2.3 Nonresidential Building Design Standards	43
Sec. 2.3.1 Dumpsters	43
Division 2.4 Traditional Neighborhood Developments.....	43
Sec. 2.4.1 TND Building Materials	43
Sec. 2.4.2 TND Commercial and Mixed-Use Building Design Standards.....	44
Sec. 2.4.3 TND Center Subdistrict Design Standards	45
Sec. 2.4.4 Architectural Review Committee	46
Chapter 3 Site Design and Development.....	46
Division 3.1 Purpose and Application of Chapter	46
Sec. 3.1.1 Purpose of Chapter.....	46
Sec. 3.1.2 Application of Chapter.....	47
Division 3.2 Subdivision Design and Land Development.....	48
Sec. 3.2.1 General Provisions	48
Sec. 3.2.2 Resubdivision of Land	49
Sec. 3.2.3 Subdivision and Street Names	49
Sec. 3.2.4 Property Owners' Association Required	49
Sec. 3.2.5 Covenants and Restrictions.....	50
Sec. 3.2.6 Streets.....	50
Sec. 3.2.7 Blocks	52
Sec. 3.2.8 Lots	54
Sec. 3.2.9 Flag Lots	57
Sec. 3.2.10 Servitudes.....	60
Sec. 3.2.11 Public Sites, Open Space, and Natural Features	62
Sec. 3.2.12 Subdivision Monumentation.....	62
Division 3.3 Traditional Neighborhood Developments Design and Layout	63
Sec. 3.3.1 TND Design and Layout.....	63
Sec. 3.3.2 TND Mix of Housing Types	66
Division 3.4 Manufactured Home Parks and Subdivisions	66
Sec. 3.4.1 General Requirements for New Manufactured Home Parks and Subdivisions	66
Sec. 3.4.2 Manufactured Home Park Operating Requirements.....	68
Division 3.5 Parking and Loading	69
Sec. 3.5.1 Calculation of Required Parking Spaces.....	69
Sec. 3.5.2 Required Parking and Loading	70
Sec. 3.5.3 Mixed Uses and Shared Parking	75
Sec. 3.5.4 Parking and Loading Design.....	75
Division 3.6 Streets, Sidewalks, and Access	78
Sec. 3.6.1 Street Design Objectives and Review.....	78
Sec. 3.6.2 Street Standards	78

Sec. 3.6.3 Dead-end Streets/Cul-de-sacs	81
Sec. 3.6.4 Intersections	81
Sec. 3.6.5 Alleys	83
Sec. 3.6.6 Site Distance Requirements	84
Sec. 3.6.7 Private Streets	85
Sec. 3.6.8 Street Surfacing and Improvement	86
Sec. 3.6.9 Street Name and Traffic Control Signs.....	87
Sec. 3.6.10 Bridges	87
Sec. 3.6.11 Access Management and Circulation.....	87
Sec. 3.6.12 Performance Standards for Residential Streets.....	90
Sec. 3.6.13 Traffic Study	90
Division 3.7 Utilities.....	91
Sec. 3.7.1 Design Standards for Potable Water Facilities	91
Sec. 3.7.2 Design Standards for Sewerage Facilities.....	92
Sec. 3.7.3 Design Standards for Lighting Facilities	93
Sec. 3.7.4 Requirements for Electrical Facilities.....	93
Sec. 3.7.5 Requirements for Natural Gas Distribution Systems.....	93
Sec. 3.7.6 Requirements for Telephone Service.....	93
Sec. 3.7.7 Requirements for Cable TV	93
Division 3.8 Floodplain Management and Flood Protection.....	93
Sec. 3.8.1 Authorization, Findings of Fact, Interpretation	93
Sec. 3.8.2 Purpose and Methods.....	94
Sec. 3.8.3 General Provisions	94
Sec. 3.8.4 General Standards for Flood Hazard Reduction	95
Sec. 3.8.5 Specific Standards for Flood Hazard Reduction.....	95
Sec. 3.8.6 Standards for Subdivision Proposals	97
Sec. 3.8.7 Standards for Areas of Shallow Flooding (AO/AH Zones).....	97
Sec. 3.8.8 Standards for Areas of Shallow Flooding (AO/AH Zones).....	97
Sec. 3.8.9 Warning and Disclaimer of Liability	99
Sec. 3.8.10 Abrogation and Greater Restrictions	99
Division 3.9 Drainage.....	99
Sec. 3.9.1 Drainage Impact Study Required.....	99
Sec. 3.9.2 Information Required in Drainage Impact Study.....	100
Sec. 3.9.3 Design Standards for Drainage and Storm Sewer.....	101
Division 3.10 General Environmental Regulations	102
Sec. 3.10.1 General Environmental Standards	102
Division 3.11 Landscaping	103
Sec. 3.11.1 Bufferyard Requirements.....	103
Sec. 3.11.2 Development Landscaping.....	105
Sec. 3.11.3 Landscape Plan, Installation, and Maintenance	106
Chapter 4 Administrative Bodies.....	107
Division 4.1 Purpose and Application of Chapter	107
Sec. 4.1.1 Purpose of Chapter.....	107
Sec. 4.1.2 Application of Chapter.....	107
Division 4.2 Parish Council.....	108
Sec. 4.2.1 Parish Council.....	108

Division 4.3 Planning and Zoning Commission.....	108
Sec. 4.3.1 Planning and Zoning Commission.....	108
Division 4.4 Board of Adjustment.....	108
Sec. 4.4.1 Board of Adjustment.....	108
Division 4.5 Airport Board of Appeals.....	109
Sec. 4.5.1 Airport Board of Appeals.....	109
Division 4.6 Parish Staff.....	110
Sec. 4.6.1 Director.....	110
Sec. 4.6.2 Floodplain Administrator.....	110
Chapter 5 Permits and Procedures.....	111
Division 5.1 Purpose and Application of Chapter.....	111
Sec. 5.1.1 Purpose of Chapter.....	111
Sec. 5.1.2 Application of Chapter.....	111
Division 5.2 General Procedures for All Applications.....	112
Sec. 5.2.1 Minimum Application Requirements.....	112
Sec. 5.2.2 Application Completeness Review.....	112
Sec. 5.2.3 Fees.....	113
Division 5.3 Procedures for Administrative Approvals.....	113
Sec. 5.3.1 Floodplain Permit Procedures.....	113
Division 5.4 General Procedures for Public Hearings.....	114
Sec. 5.4.1 Required Public Notice.....	114
Sec. 5.4.2 Rezoning (Zoning Map Amendments).....	115
Sec. 5.4.3 Specific Use Permits.....	116
Sec. 5.4.4 Variances.....	118
Sec. 5.4.5 Appeals of Administrative Decisions.....	119
Sec. 5.4.6 Airport Variances.....	120
Sec. 5.4.7 Airport Appeals.....	120
Sec. 5.4.8 Floodplain Variances.....	121
Sec. 5.4.9 Text Amendments.....	122
Sec. 5.4.10 Pattern Book Approvals.....	123
Division 5.5 Standardized Development Approval Procedures.....	126
5.5.1 General Provisions.....	126
Sec. 5.5.2 Conceptual Approval.....	126
Sec. 5.5.3 Preliminary Approval.....	127
Sec. 5.5.4 Engineering Approval.....	128
Sec. 5.5.5 Final Approval.....	128
Sec. 5.5.6 Acceptance.....	129
Sec. 5.5.7 Subdivision Variances.....	129
Sec. 5.5.8 Minor Modifications of Plats or Parcel Lines.....	130
Sec. 5.5.9 Major Modifications of Plats; Change of Subdivision Name.....	131
Sec. 5.5.10 Combinations.....	132
Chapter 6 Nonconformities.....	133
Division 6.1 Purpose and Application of Chapter.....	133
Sec. 6.1.1 Purpose.....	133
Sec. 6.1.2 Application of Chapter.....	133
Division 6.2 Types and Classes of Nonconformities.....	134

Sec. 6.2.1 Nonconforming Uses	134
Sec. 6.2.2 Nonconforming Structures.....	134
Sec. 6.2.3 Nonconforming Lots.....	134
Sec. 6.2.4 Nonconforming Manufactured Home Subdivision and Park.....	134
Sec. 6.2.5 Nonconforming Mobile Homes and Manufactured Homes.....	135
Sec. 6.2.6 Nonconforming Airport Uses	135
Division 6.3 General Provisions	135
Sec. 6.3.1 Generally.....	135
Sec. 6.3.2 Elimination of Nonconforming Status	136
Sec. 6.3.3 Abandonment.....	136
Sec. 6.3.4 Enlargement	136
Sec. 6.3.5 Alteration of a Structure with a Nonconforming Use.....	136
Sec. 6.3.6 Moving a Nonconforming Use	137
Sec. 6.3.7 Change of Nonconforming Nonresidential Use.....	137
Sec. 6.3.8 Destruction of Structure with Nonconforming Use	137
Sec. 6.3.9 Nonconforming Structures.....	137
Sec. 6.3.10 Nonconforming Lots.....	137
Division 6.4 Conversion of Nonconformities.....	137
Sec. 6.4.1 Purpose.....	137
Sec. 6.4.2 Procedure	138
Sec. 6.4.3 Criteria for Approval.....	138
Sec. 6.4.4 Effect and Annotation.....	138
Chapter 7 Enforcement, Remedies, and Interpretation.....	138
Division 7.1 Purpose and Application of Chapter	138
Sec. 7.1.1 Purpose of Chapter.....	138
Sec. 7.1.2 Application of Chapter.....	139
Division 7.2 Enforcement and Remedies	139
7.2.1 Violations, Generally	139
Sec. 7.2.2 Enforcement Procedures	144
Sec. 7.2.3 Enforcement of Division 1.5, Airport Zoning	144
Sec. 7.2.4 Remedies.....	144
Division 7.3 Interpretation.....	145
Sec. 7.3.1 Interpretations	145
Chapter 8 Title; Authority; Purpose; and Legal Status.....	145
Division 8.2 Title; Authority; Jurisdiction; Effective Date	145
Sec. 8.2.1 Title; Reference.....	145
Sec. 8.2.2 Authority and Jurisdiction.....	145
Sec. 8.2.3 Effective Date	146
Division 8.3 Legislative Intent; Purpose and Intent	146
Sec. 8.3.1 Legislative Intent	146
Sec. 8.3.2 Purpose and Intent.....	146
Division 8.4 Conflicting Provisions; Transitional Provisions; Severability.....	146
Sec. 8.4.1 Conflicting Provisions	146
Sec. 8.4.2 Transitional Provisions	147
Sec. 8.4.3 Severability	147
Chapter 9 Measurements and Definitions.....	147

Division 9.1 Purpose and Application of Chapter	147
Sec. 9.1.1 Purpose of Chapter.....	147
Sec. 9.1.2 Application of Chapter.....	147
Division 9.2 Measurements	147
Division 9.3 Use Definitions	148
Sec. 9.3.1 Residential Uses.....	148
Sec. 9.3.2 Home Uses	149
Sec. 9.3.3 Institutional Uses	149
Sec. 9.3.4 Commercial Uses	150
Sec. 9.3.5 Recreation and Amusement Uses	154
Sec. 9.3.6 Industrial Uses	156
Sec. 9.3.7 Agricultural Uses	158
Sec. 9.3.8 Special Uses	158
Division 9.4 General Definitions.....	159
Sec. 9.4.1 Word Usage	159
0-9	159
A	159
B.....	160
C.....	161
D	162
E.....	163
F.....	163
G	165
H	165
I.....	165
J.....	166
K	166
L.....	166
M.....	167
N	167
O	168
P.....	168
Q	169
R.....	169
S	169
T.....	172
U	172
V	172
W.....	173
X	173
Y	173
Z.....	173

Crossreference

Regulating land development within St. Mary Parish, Louisiana requires compliance with a series of federal, state, and local regulations, including other applicable provisions (e.g., building and property nuisance regulations, among others) that have been adopted by the Parish Council and may be found in the St. Mary Parish Code of Ordinances.

CHAPTER 1 ZONING DISTRICTS AND LAND USE

DIVISION 1.1 PURPOSE AND APPLICATION OF CHAPTER

Sec. 1.1.1 Purpose of Chapter

The purpose of this Chapter is to establish zoning districts and set out, generally, what is allowed and not allowed in each district. This Chapter also provides supplemental standards that control the development of buildings and structures on residential and nonresidential lots.

Sec. 1.1.2 Application of Chapter

- A. **Generally.** In general, this Chapter:
1. Divides the Parish into zoning districts;
 2. Sets out which land uses are permitted, limited, specific, and prohibited in each district;
 3. Establishes special zones within the City; and
 4. Provides standards for "limited" and "specific" uses, which are subject to additional standards, and in the case of specific uses, public hearing procedures.
- B. **Zoning Districts.** Division 1.2, *Establishment of Districts*, establishes the districts that provide for the character and type of development that is allowed in various parts of the Parish. The zoning districts are shown on the Official Zoning District Map, which is established in Section 1.2.2, *Official Zoning District Map*.
- C. **Permitted, Limited, Specific, and Prohibited Uses.** Division 1.3, *Permitted, Limited, Specific, and Prohibited Uses*, establishes which uses are allowed and not allowed in each zoning district. In general, uses are permitted or prohibited in each zoning district. However, for some uses, there are other classifications:
1. *Limited Uses.* Limited uses are approved by the Director, who applies the standards set out in Division 1.4, *Limited and Specific Use Standards*, in addition to the other applicable provisions of this UDC; and
 2. *Specific Uses.* Specific uses are approved by the Parish Council, which applies the standards set out in Division 1.4, *Limited and Specific Use Standards (if applicable)*, in addition to the general and special standards set out in Section 5.4.3, *Specific Use Permits*, and other applicable provisions of this UDC.
- D. **Special Zones.** Division 1.5, *Airport Zoning*, and Division 1.6, *Acadiana Regional Planning Commission*, establish special zones in various areas of the Parish.
- E. **Agricultural, Residential, and Nonresidential Standards.** Division 1.7, *Agricultural and Residential District Standards*, Division 1.8, *Special Standards for Existing Neighborhoods (EN)*, and Division 1.9, *Nonresidential District Standards*, establishes lot, yard, coverage, height, and other standards which are applied to agricultural, residential, and nonresidential development of individual lots. These divisions also includes supplemental standards that affect all agricultural, residential, and nonresidential lots, buildings, and structures.
- F. **Traditional Neighborhood Development Standards.** Division 1.10, *Traditional Neighborhood Development (TNDs)*, establishes standards which are applied to lots designed and constructed using Traditional Neighborhood Development ("TND") principles and other applicable provisions detailed throughout this UDC. This Division also establishes standards for accessory buildings, detached garages, and accessory dwelling units in TND developments.

DIVISION 1.2 ESTABLISHMENT OF DISTRICTS

Sec. 1.2.1 Establishment of Zoning Districts and Boundaries

- A. **Generally.** As set forth in Louisiana Revised Statute 33:4780.41, *Creation of Districts; Powers of Authority; Uniform Regulations Within District*, as amended, for the purpose of regulating and restricting the use of land and the erection, construction, alteration or use of buildings, structures or land to promote compatible land development patterns in accordance with the St. Mary Parish Comprehensive Plan, the unincorporated portion of St. Mary Parish, both land and water, is divided into zoning districts, as follows:
- B. **Districts.** Twelve zoning districts are established in four general use categories. The zoning districts are set forth below. The general use categories are non-urban, residential, commercial, and industrial.
1. *Non-Urban districts:*
 - a. Agriculture (AG)
 - b. Conservation (CN)
 2. *Residential districts:*
 - a. Residential Estate (RE)
 - b. Single-family Residential (SR)
 - c. High Density Residential (HR)
 - d. Existing Neighborhood (EN)(See Table 1.2.1, *Existing Neighborhood Subdistricts*, subsection C., below)
 - e. Manufactured Home (MH)
 3. *Commercial districts:*
 - a. Neighborhood Commercial (NC)
 - b. General Commercial (GC)
 - c. Highway Oriented Commercial (HC)
 4. *Industrial districts:*
 - a. Light Industrial (LI)
 - b. Heavy Industrial (HI)

C. Existing Neighborhood Subdistricts.

1. *Establishment of EN Subdistricts.* The Existing Neighborhood (EN) district is divided into three subdistricts, as set out in Table 1.2.1, *Existing Neighborhood Subdistricts*.

Table 1.2.1 Existing Neighborhood Subdistricts	
Subdistrict	Predominant Building Types(s)
EN ₁	Intended for EN district areas where the predominant building type is single-family detached dwellings.
EN ₂	Intended for EN district areas where the predominant building type is mixed residential consisting of both single-family detached dwellings and manufactured housing.
EN ₃	Intended for EN district areas where the predominant building type is manufactured housing

2. *EN Development Standards.* General and alternate development standards are provided in Division 1.8, *Special Standards for Existing Neighborhoods*.

Sec. 1.2.2 Official Zoning District Map

The location and boundaries of the various zoning districts are shown on the official zoning district map. The Director is responsible for custody of the map and will promptly make any changes approved by the Parish Council.

The provisions of the UDC establishing a district, amending a district classification, or amending a district boundary controls over any conflicting information shown on the official zoning district map. The official zoning district map, together with all notations, references and other information shown thereon and all amendments thereto, shall be as much a part of these regulations as if fully set forth and described herein. The official zoning district map, properly attested, is on file in the office of the Director and is fully accessible to the public during normal business hours.

Sec. 1.2.3 Interpretation of District Boundaries

Where uncertainty exists with respect to the boundaries of any of the districts shown on the official zoning district map, the following rules apply:

- A. Where district boundaries are so indicated that they approximately follow the center lines of streets or highways, the center lines or rights-of-way lines are construed to be the boundaries;
- B. Where district boundaries are so indicated that they approximately follow lot lines or other parcel boundaries, the lot lines or parcel boundaries are construed to be the boundaries;
- C. Where district boundaries are so indicated that they are approximately parallel to street center lines or street right-of-way lines, such district boundaries shall be construed as being parallel thereto and at such distance therefrom as indicated on the official zoning district map. If no distance is given, such dimension shall be determined by the use of the scale on said official zoning district map or by the UDC provisions establishing the district boundaries;
- D. Boundaries indicated as following shorelines shall be construed to follow such shorelines, and in the extent of change in the shoreline shall be construed as moving with the actual shoreline. Boundaries indicated as approximately following the center lines of streams, rivers, canals, lakes, bayous or other bodies of water shall be construed to follow such center lines;
- E. On un-subdivided land or when a district boundary follows no identifiable feature, the location of district boundaries shall be determined by the UDC provisions establishing the district boundaries or by using the map scale appearing on the official zoning district map, unless the district line is indicated by dimensions printed on the official zoning district map, in which case the printed dimensions shall control;
- F. Where streets or alleys on the ground differ from streets or alleys shown on the official zoning district map, the streets or alleys on the ground control; and,
- G. Where physical or cultural features existing on the ground are at variance with those shown on the official zoning district map, or in circumstances not covered above, the Board of Adjustment shall interpret the district boundaries.

Sec. 1.2.4 Compliance with District Regulations

No building or structure shall be erected, constructed, enlarged, reconstructed or altered for use nor shall any building, structure or land be used or changed in such a way that it does not comply with all the district regulations established by this UDC for the district in which the building or structure or land is located.

Sec. 1.2.5 Zoning District Purpose Statements

- A. **Agriculture (AG) District.** The zoning of property for agriculture ("AG") is intended to maintain agricultural land in such use for the long term and to minimize encroachment upon such relatively undeveloped areas by incompatible uses of a more urban nature and intensity. Property zoned "AG" includes un-platted tracts of land, existing large lots, and areas generally characterized by rural roads where adequate utilities and public facilities are not available to support higher density urban development. Agriculture is the primary use of the land to which residential is an accessory to the primary use. This district is designed for agricultural cultivation, production and grazing activities.
- B. **Conservation (CN) District.** The zoning of property for conservation ("CN") is intended to protect and conserve the major environmental assets within the Parish. It includes large areas of open water, marsh, swamp, wetlands, forested lands and floodplain that are unlikely to be developed for urban uses given the

limitations of federal and state environmental regulations. The conservation district also includes the least developed and most rural parts of the Parish, with limited vehicular access. Scattered individual homesteads may occur in the "CN" district, pursuant to local, state and federal regulatory provisions.

- C. **Residential Estate (RE) District.** The zoning of property for residential estate ("RE") is intended to provide for conventional detached single-family residential uses on large lots. The purpose of "RE" is to provide very low density residential while protecting the semi-rural nature of the area, which is achieved through a balance between the landscape and buildings that favors the landscape. Open space and low proportions of impervious surfaces characterize the built environment. Development clustering will ensure an adequate amount of open space will be available upon build-out to enhance neighborhood character and the lifestyle of residents. This district is intended to allow residential neighborhoods. Recreational uses that serve the neighborhoods are permitted, but are restricted in scale to preserve the safety and integrity of the neighborhood streets.
- D. **Single-family Residential (SR) District.** The zoning of property for single-family residential ("SR") is intended to provide for conventional detached single-family dwellings. The purpose of the "SR" district is to provide sufficient, suitable residential neighborhoods, protected from incompatible uses, provided with necessary and adequate facilities and services. The "SR" designation is appropriate for areas that are transitioning from the traditional rural nature of the Parish to a more urban use and intensity.
- E. **High Density Residential (HR) District.** The zoning of property as high density residential ("HR") is intended for multiple-family dwellings such as duplexes, triplexes, townhomes, condominiums, and apartments. The purpose of the "HR" district is to provide for residential developments in a higher density setting, while ensuring livability, property values, open space, design quality and landscaping, and the safety and general welfare of its residents. This district allows development up to 18 units per acre.
- F. **Existing Neighborhood District.** This ("EN") district is intended to preserve the character of the designated existing residential neighborhoods that were developed under prior zoning categories that are no longer used in this UDC, or of platted areas that may now be nonconforming. This District is intended to ensure that owners of property in designated established neighborhoods are not required to seek variances to improve existing homes that were either built before zoning regulations were adopted, or conformed to the regulations that were in effect when they were constructed. By retaining existing lot size and dimensional character of the areas as platted and built upon, nonconformities are avoided. Application of this district does not remove the unlawful status of uses, buildings, or improvements that were constructed without required permits or in violation of applicable regulations that were in effect at the time of construction.
- G. **Manufactured Homes (MH) District.** The zoning of property for manufactured homes ("MH") is intended for the development in appropriate locations of manufactured home subdivisions and manufactured home parks that meet all requirements of this UDC and the Parish's Code of Ordinances, and any applicable state laws. The purpose of the "MH" district is to allow for a means of affordable housing, in HUD-code manufactured homes, within a well-designed and managed, compatible and cohesive residential environment.
- H. **Neighborhood Commercial (NC) District.** The zoning of property for neighborhood commercial ("NC") is intended to provide for small-scale, limited-impact retail and office businesses on relatively small sites in convenient proximity to residential neighborhoods. The uses permitted within the "NC" district are meant to be compatible with largely residential areas and serve the retail and personal service needs of nearby residents. The nature of the permitted uses and scale of buildings are intended to blend with adjacent and nearby properties without causing adverse impacts. The "NC" district directs such development to sites at or near intersections of major roads to enhance access and minimize traffic growth and safety concerns on minor rural roads.
- I. **General Commercial (GC) District.** The zoning of property for general commercial ("GC") is intended to provide for a variety of commercial uses including wholesale sales and services, general retail and service businesses, and office uses. This district is primarily intended for relatively larger sites and uses in high-traffic areas adjacent to arterial streets and highways and is appropriate for high-volume commercial shopping and service centers and developments that serve the entire Parish. The "GC" district also accommodates businesses that trade in goods and services primarily aimed at the needs of other commercial and industrial enterprises.

- J. **Highway Commercial (HC) District.** The zoning of property for highway commercial ("HC") is intended to provide for intensive and large scale commercial development along US 90/I-49, where utilities are readily available and the road system is most adequate to support urban growth and associated traffic volumes in a safe and efficient manner. The "HC" district encourages concentration of commercial development at strategic locations relative to population density, available utilities and major roadway access and intersections. Development within the "HC" district is intended to be of an increased quality that is compatible with adjacent land uses and designed to positively contribute to an enhanced visual environment along this future interstate corridor. Complementary high-density residential uses may be developed nearby, with adequate buffering and compatibility measures between residential and non-residential developments. Joint access and sharing of commercial parking areas is strongly encouraged to minimize traffic congestion and avoid "strip development" outcomes along this major roadway.
- K. **Light Industrial (LI) District.** The zoning of property for light industrial ("LI") is intended to accommodate enterprises engaged in low-intensity manufacturing and warehousing activities at a relatively smaller scale than uses permitted in the heavy industrial ("HI") district. The "LI" district also includes "high technology" research, development and production activities and other office and warehouse functions that may occur in a "business park" setting, with campus-style arrangement and spacing of buildings, generous landscaping, and enhanced building design. Such developments and permitted uses must cause limited impacts on surrounding properties and be compatible with nearby commercial areas and residential neighborhoods, provided adequate separation and buffering is provided. This district is not intended for general retail uses and activities. "LI" zoning is intended for areas with adequate utilities and infrastructure for the envisioned uses, as well as locations with direct access to major or minor arterial roadways to keep truck traffic away from residential and retail/office areas. Most activities within the "LI" district will occur inside a building; however, outside storage of materials and on-site work activities are permitted subject to adequate screening and buffering.
- L. **Heavy Industrial (HI) District.** The zoning of property for heavy industrial ("HI") is intended to provide for the most intensive and large-scale manufacturing, warehouse and port-related development that meet the economic development needs of the Parish. At the same time, the nature and scale of such development, including certain nuisance characteristics (*e.g.*, noise/vibration, smoke/dust, odor, heat, glare, visual impact, etc.), are not compatible with residential and/or less-intensive commercial or industrial uses. Development requiring "HI" zoning should be situated away from the Parish's major environmental, recreation and tourism assets and in areas traditionally noted for or having the necessary facilities and services to effectively support such uses. This includes adequate utilities and infrastructure and access to major roadways and rail, water or air transport facilities and services. Associated truck traffic should be focused on adequate roadways that avoid areas not conducive to heavy industrial activity and related goods movement, especially to minimize public safety risk if potentially dangerous materials or substances are handled, processed or transported. Large sites and substantial perimeter buffers are necessary for facilities that pose a risk of fire, explosion, or accidental release of radiation or toxic matter.

DIVISION 1.3 PERMITTED; LIMITED; SPECIFIC; AND PROHIBITED USES

Sec. 1.3.1 Interpretation of Use Tables

- A. **Generally.** Land and structures in each zoning district may only be used for the listed uses specified as a use permitted by right in that district as shown in the Use Tables provided in this Division.
- B. **Types of Uses.** Use categories classify land and activities into categories based on common functional, product or physical characteristics. Characteristics include type and amount of activity, the type of customers or residents, how goods or services are sold or delivered and site conditions. The following types of uses are included in the Use Table:
1. **"P"** means that the use is **Permitted**. Permitted uses are allowed by right in the respective district subject to the height and area requirements and development standards specified for that district and other applicable regulations of this UDC.
 2. **"L"** means that the use is **Limited**. Limited uses are allowed by right in the respective district subject to the standards set out in Division 1.4, *Limited and Specific Use Standards*, in addition to the height and

area requirements and development standards specified for that district and other applicable regulations of this UDC.

3. "S" means that the use is a **Specific Use**. Specific uses will be permitted, provided that the use meets the standards and criteria in Division 1.4, *Limited and Specific Use Standards (if applicable)*, and Section 5.4.3, *Specific Use Permits*. Such uses are also subject to other applicable regulations of this UDC.
4. "-" means that the use is **Prohibited** in that district.

C. **Uses Not Listed.** If the Director determines that a proposed use is not listed, or if there is ambiguity as to its proper classification within the respective zoning district(s), the Director shall make an official determination as to the appropriate district or districts for the use. The Director shall use the purpose statements in Section 1.2.5, *Zoning District Purpose Statements*, and the criteria described below in determining new or unlisted use classifications. The Director's decision may be appealed by an applicant to the Board of Adjustment for a final determination as to the appropriate district for the use to be located. In the event the determination requires a text amendment, the proposed use must be sent to the Planning and Zoning Commission and Parish Council for their consideration and action in accordance with the procedures for amending the text of this UDC, which is set out in Section 5.4.9, *Text Amendments*. The considerations to be used in making similar use interpretations are as follows:

1. The actual or projected characteristics of the activity in relationship to the stated characteristics of each use category;
2. The relative amount of site area or floor area space and equipment devoted to the activity;
3. The customer type from each activity;
4. The relative number of employees in each activity;
5. Hours of operation;
6. Building and site arrangement;
7. Vehicles and equipment used with the activity;
8. The relative number of vehicle trips generated by the use; and
9. How the use advertises itself.

Sec. 1.3.2 Residential, Home, and Institutional Uses

Table 1.3.2, *Residential, Home, and Institutional Uses*, sets out which residential, home, and institutional uses are permitted, specific, and prohibited in each zoning district.

Table 1.3.2 Residential, Home, and Institutional Uses												
P = Permitted Use; L = Limited Use; S = Specific Use; - = Prohibited Use												
Land Use	Non Urban		Residential					Commercial			Industrial	
	AG	CN	RE	SR	HR	EN	MH	NC	GC	HC	LI	HI
Residential Uses												
Accessory Dwelling Units	L	L	L	L	L	L	-	-	-	-	-	-
Bunkhouses	S	-	-	-	-	-	-	-	S	S	S	S
Manufactured Homes	P	P	-	L	-	L	P	-	-	-	-	-
Multiple-Family Dwellings (i.e., triplexes, apartments, condominiums, townhomes) and Accessory Facilities.	-	-	-	-	P	P	-	-	-	-	-	-
Patio Homes	-	-	-	-	P	P	-	-	-	-	-	-
Single-Family Detached Dwellings (i.e., site built homes)	P	P	P	P	-	P	-	-	-	-	-	-
Single-Family Camps / Houseboats	P	-	-	P	-	P	-	-	-	-	-	-
Two-Family Dwellings (i.e., duplexes)	-	-	-	-	-	P	-	-	-	-	-	-
Special Neighborhood Type												
Manufactured Home Park or Subdivision	P	-	-	-	P	L	P	-	-	-	-	-
Traditional Neighborhood Development (TND)	-	-	-	L	L	-	-	-	-	-	-	-
Home Uses												
Home Occupations incidental to a residential permitted use	L	L	L	L	-	L	L	-	-	-	-	-

Table 1.3.2 Residential, Home, and Institutional Uses												
P = Permitted Use; L = Limited Use; S = Specific Use; - = Prohibited Use												
Land Use	Non Urban		Residential					Commercial			Industrial	
	AG	CN	RE	SR	HR	EN	MH	NC	GC	HC	LI	HI
Institutional Uses												
Churches and Other Religious Organizations, including Accessory Facilities	S	S	-	S	S	S	S	S	S	S	S	S
Correctional Institutions or Facilities (Public or Private)	S	-	-	-	-	-	-	-	-	-	S	S
Education Facilities (technical schools, colleges, and universities)	P	-	-	-	-	-	-	-	P	P	P	P
Hospitals or Sanitariums	-	-	-	-	-	-	-	-	S	S	-	-
Library	-	-	-	S	S	S	S	-	-	-	-	-
Post Offices	-	-	-	-	-	-	-	S	S	S	-	-
Schools, Public and Private	P	P	-	P	P	P	P	P	P	P	-	-

Sec. 1.3.3 Commercial, Recreation and Amusement Uses

Table 1.3.3, *Commercial, Recreation and Amusement Uses*, sets out which commercial, recreational and amusement uses are permitted, specific, and prohibited in each zoning district.

Table 1.3.3 Commercial, Recreational and Amusement Uses												
P = Permitted Use; L = Limited Use; S = Specific Use; - = Prohibited Use												
Land Use	Non Urban		Residential					Commercial			Industrial	
	AG	CN	RE	SR	HR	EN	MH	NC	GC	HC	LI	HI
Commercial Uses												
Antiques, Camera and Book Stores	-	-	-	-	-	-	-	-	P	P	-	-
Appliance and Home Furnishing Stores	-	-	-	-	-	-	-	-	P	P	-	-
Automotive Sales (new or used), Leasing, Service, and Repair Shops, including Parts Supply Stores and Auto Bodywork Shops	-	-	-	-	-	-	-	-	P	P	P	P
Bakeries	-	-	-	-	-	-	-	P	P	P	-	-
Banks, Credit Unions, and Other Depository Institutions	-	-	-	-	-	-	-	-	P	P	-	-
Bars and Other Establishments Serving Alcoholic Beverages	-	-	-	-	-	-	-	-	P	P	-	-
Barber and Beauty Shops	-	-	-	-	-	-	-	P	P	P	-	-
Boat/RV Storage, Sales, Leasing and Service Establishments	-	-	-	-	-	-	-	-	P	P	P	P
Car Washes	-	-	-	-	-	-	-	-	P	P	P	P
Child Day Care Services	P	-	-	P	P	P	P	P	P	P	-	-
Coin Operated Laundries	-	-	-	-	-	-	-	P	P	P	-	-
Commercial Printing Shops	-	-	-	-	-	-	-	-	P	P	-	-

**Table 1.3.3
Commercial, Recreational and Amusement Uses**

P = Permitted Use; L = Limited Use; S = Specific Use; - = Prohibited Use

Land Use	Non Urban		Residential					Commercial			Industrial	
	AG	CN	RE	SR	HR	EN	MH	NC	GC	HC	LI	HI
Computer Stores and Related Services	-	-	-	-	-	-	-	-	P	P	-	-
Convenience Stores (without gas services)	-	-	-	-	-	-	P	P	P	-	-	-
Convenience Stores (with gas services)	-	-	-	-	-	-	-	-	P	P	-	-
Dry Cleaning Shops	-	-	-	-	-	-	-	-	P	P	-	-
Dry Cleaning Shops (customer pick-up and delivery only)	-	-	-	-	-	-	-	P	P	P	-	-
Equipment Sales, Leasing, and Service Establishments	-	-	-	-	-	-	-	-	P	P	P	P
Flea Markets	-	-	-	-	-	-	-	-	P	P	-	-
Florist Shops	-	-	-	-	-	-	-	P	P	P	-	-
Funeral Services, including Mortuaries and Crematories	-	-	-	-	-	-	-	-	P	P	-	-
Gasoline Service Stations, including Mechanical Repair	-	-	-	-	-	-	-	-	P	P	P	P
Grocery and Other Food Stores	-	-	-	-	-	-	-	-	P	P	-	-
Hardware Stores	-	-	-	-	-	-	-	-	P	P	P	P
Hotels, Motels, Rooming and Boarding Houses, and other Lodging Places	-	-	-	-	-	-	-	-	P	P	-	-
Liquor Stores	-	-	-	-	-	-	-	-	P	P	-	-
Lumber and Building Material Dealers, Retail	-	-	-	-	-	-	-	-	P	P	-	-
Nursing and Personal Care Facilities	-	-	-	-	-	-	-	P	P	P	-	-
Offices, including Medical, Legal, Professional, and Similar Uses	-	-	-	-	-	-	-	P	P	P	-	-
Office buildings, all types	-	-	-	-	-	-	-	-	-	P	P	-
Pawn Shops	-	-	-	-	-	-	-	-	P	P	-	-
Plumbing Shops	-	-	-	-	-	-	-	-	P	P	-	-
Repair Shops, Miscellaneous	-	-	-	-	-	-	-	-	P	P	-	-

**Table 1.3.3
Commercial, Recreational and Amusement Uses**

P = Permitted Use; L = Limited Use; S = Specific Use; - = Prohibited Use

Land Use	Non Urban		Residential					Commercial			Industrial	
	AG	CN	RE	SR	HR	EN	MH	NC	GC	HC	LI	HI
Restaurants, including drive-through or drive-in service and the sale of alcoholic beverages for consumption on the premises	-	-	-	-	-	-	-	-	P	P	-	-
Restaurants, not including drive-through or drive-in service or the sale of alcoholic beverages for consumption on the premises	-	-	-	-	-	-	-	P	P	P	-	-
Retail Nurseries	-	-	-	-	-	-	-	-	P	P	-	-
Retail Stores, not elsewhere classified	-	-	-	-	-	-	-	-	P	P	-	-
Shoe Repair Shops	-	-	-	-	-	-	-	P	P	P	-	-
Storage Facilities	-	-	-	-	-	-	-	-	P	P	-	-
Studios, including Art, Teaching, Dance, Music, Drama, Photography	-	-	-	-	-	-	-	P	P	P	-	-
Taxidermies	-	-	-	-	-	-	-	-	P	P	-	-
Video Stores	-	-	-	-	-	-	-	-	P	P	-	-
Recreation and Amusement Uses												
Boat Marina	S	S	-	S	-	-	-	-	S	S	S	S
Bowling Alleys and Other Entertainment Centers	-	-	-	-	-	-	-	-	P	P	-	-
Golf Courses	P	P	-	P	P	P	P	P	P	P	-	-
Golf Courses, including Miniature Courses and Golf Driving Ranges	-	-	-	-	-	-	-	-	P	P	-	-
Membership Organizations	-	-	-	-	-	-	-	P	P	P	-	-
Museums and Galleries	-	-	-	-	-	-	-	P	P	P	-	-
Parks and Recreation Facilities, including Assembly Facilities and Commercial Parks	-	-	-	-	-	-	-	-	P	P	-	-
Recreation Centers, Non-Profit	P	P	-	P	P	P	P	-	-	-	-	-
Recreational Vehicle Parks and Campgrounds	S	S	-	-	-	S	-	-	S	S	-	-
Sexually-Oriented Businesses	-	-	-	-	-	-	-	-	-	S	S	-

Table 1.3.4
Industrial, Agricultural, and Special Uses

P = Permitted Use; L = Limited Use; S = Specific Use; - = Prohibited Use

Land Use	Non Urban		Residential					Commercial			Industrial	
	AG	CN	RE	SR	HR	EN	MH	NC	GC	HC	LI	HI
Machinery, Equipment and Supplies - Wholesale Distribution	-	-	-	-	-	-	-	-	-	-	-	P
Measuring, Analyzing, and Controlling Instruments; Photographic, Medical and Optical Goods; Watches and Clocks - Manufacturing	-	-	-	-	-	-	-	-	-	-	P	P
Metal and Steel Products Fabrication and Galvanizing	-	-	-	-	-	-	-	-	-	-	-	P
Motor Freight Transportation and Warehousing	-	-	-	-	-	-	-	-	-	-	P	P
Natural Gas Gathering Plants	-	-	-	-	-	-	-	-	-	-	-	P
Non-atomic Electric Generating Plants	-	-	-	-	-	-	-	-	-	-	-	P
Non-hazardous Waste Handling	-	-	-	-	-	-	-	-	-	-	-	P
Oil Field Services, Equipment Storage, Repair and Sales	-	-	-	-	-	-	-	-	-	-	-	P
Paper and Allied Paper Products	-	-	-	-	-	-	-	-	-	-	P	P
Petroleum Products, Bulk Storage and Dispersing	-	-	-	-	-	-	-	-	-	-	-	P
Petroleum Production or its Products Refining	-	-	-	-	-	-	-	-	-	-	-	P
Printing and Publishing Industries	-	-	-	-	-	-	-	-	-	-	P	P
Radio and Television Broadcasting Stations or Studios	-	-	-	-	-	-	-	-	P	P	P	P
Refuge-Derived Fuel Facility	S	-	-	-	-	-	-	-	-	-	S	S
Research and Testing Services	-	-	-	-	-	-	-	-	-	-	P	P
Salvage Yards, Junk Yards, Vehicle Storage Facilities, or Similar Operations	-	-	-	-	-	-	-	-	-	-	-	S
Seafood Processing and Packaging	-	-	-	-	-	-	-	-	-	-	P	P
Separation Facility	S	-	-	-	-	-	-	-	-	-	S	S
Ship Building and Repair	-	-	-	-	-	-	-	-	-	-	-	P
Slaughterhouses, Rendering Operations, or Similar Operations	-	-	-	-	-	-	-	-	-	-	-	S
Special Trade Contractors	-	-	-	-	-	-	-	-	-	-	P	P
Stone, Clay, and Glass Products	-	-	-	-	-	-	-	-	-	-	P	P
Storage Facilities	-	-	-	-	-	-	-	-	-	-	P	P
Structural Fabrication	-	-	-	-	-	-	-	-	-	-	P	P
Surface Impoundment	S	-	-	-	-	-	-	-	-	-	S	S
Sugars and Starches Manufacturing	-	-	-	-	-	-	-	-	-	-	-	P
Tobacco Products - Manufacturing	-	-	-	-	-	-	-	-	-	-	P	P
Transfer Station	S	-	-	-	-	-	-	-	-	-	S	S
Transportation, Freight and Cargo	-	-	-	-	-	-	-	-	-	-	P	P
Truck Stops and Other Courier Services	-	-	-	-	-	-	-	-	-	-	P	P
Veterinary Clinics and Kennels with Outdoor Runs ¹	-	-	-	-	-	-	-	-	-	-	P	P
Water Bottling Operations	-	-	-	-	-	-	-	-	P	P	P	P
Welding and Machine Shops	-	-	-	-	-	-	-	-	-	-	P	P
Wholesale and Warehouse Distributions Centers	-	-	-	-	-	-	-	-	-	-	P	P
Wholesaling and Warehousing Establishments	-	-	-	-	-	-	-	-	p ²	p ²	-	-
Wholesale Trade - Durable Goods; Furniture, Lumber and Construction Materials, Commercial Equipment and Supplies, Electrical Goods, Hardware, and Miscellaneous Durable Goods	-	-	-	-	-	-	-	-	-	-	P	P
Wholesale Trade - Non-Durable Goods: Paper Products; Drugs; Apparel; Groceries and Related Products; Beer, Wine and Distilled Alcoholic Beverages; and Miscellaneous Non-Durable Goods	-	-	-	-	-	-	-	-	-	-	P	P
Agricultural Uses												
Agricultural Uses	P	P	-	P	P	P	P	-	-	-	-	-
Accessory Agricultural Uses	P	P	-	-	-	-	-	-	-	-	-	-
Ponds	S	S	S	S	S	S	S	S	S	S	S	S
Special Uses												

Table 1.3.4 Industrial, Agricultural, and Special Uses												
P = Permitted Use; L = Limited Use; S = Specific Use; - = Prohibited Use												
Land Use	Non Urban		Residential					Commercial			Industrial	
	AG	CN	RE	SR	HR	EN	MH	NC	GC	HC	LI	HI
Airport, Landing Field, or Landing Strip or Seaway for Aircraft, including Helipads and landing areas for other types of aircraft	S	-	-	S	S	S	S	S	S	S	S	S
Barge and Marine Vessel Terminals	-	-	-	-	-	-	-	-	-	-	-	P
Dirt Pits	S	S	-	-	-	-	-	-	S	S	S	S
Landfill	S	-	-	-	-	-	-	-	-	-	S	S
Radio, Television, Telephone, or Communication Broadcasting Tower or Station of any type	S	S	-	S	S	-	S	S	S	S	S	S
Railroad Transportation	-	-	-	-	-	-	-	-	-	-	P	P
Sanitary Landfill	S	-	-	-	-	-	-	-	-	-	S	S

Notes:
¹ Permitted, provided that no kennel or outdoor building shall be closer than 50 feet to any residential district.
² Permitted in Commercial Districts, but limited to uses that are similar and no more objectionable than the uses enumerated in Table 1.3.3, *Commercial, Recreation and Amusement Uses*.

DIVISION 1.4 LIMITED AND SPECIFIC USE STANDARDS

Sec. 1.4.1 Accessory Dwellings Units

- A. **Generally.** Accessory dwelling units (ADUs) provide a type of housing that can accommodate small households, which increases the choice of housing opportunities for young adults and the elderly. They also provide a way for homeowners to invest in their properties in a way that can produce continuing economic returns by way of rent payments; and a way for elderly or infirm homeowners to provide housing for on-site caregivers with a higher degree of independence than other live-in arrangements.
- B. **Minimum Standards.** ADUs shall be consistent with the following:
1. *Location.* The ADU is located in the rear yard and is no closer than 25 feet from the principal dwelling.
 2. *Height, Maximum Footprint, Setbacks and Size.* The ADU height, maximum footprint, setbacks, and size shall be in conformance with the provisions set out in Section 1.7.2, *Residential Accessory Uses, Buildings, and Structures*.
 3. *Appearance.* The appearance of the ADU is compatible and consistent with the appearance and character of the principal building.
 - a. If the ADU is a manufactured home, it shall also meet the requirements of Section 2.2.1, *Modular and Manufactured Home Design and Construction Requirements*.
 - b. Manufactured homes shall only be allowed as an ADU in those districts where manufactured homes are allowed. *See* Section 1.3.2, *Residential, Home, and Institutional Uses*.
 4. *Access and Parking.*
 - a. The ADU shall be accessed by the same driveway as the principal building.
 - b. There is one additional parking space provided for the ADU, in addition to that required by Section 3.5.2, *Required Parking and Loading*, of this UDC
 5. *Metering.* There is no more than one residential electric, water and gas meter per lot.
 6. *Addressing.* The address is the same as the principal building.

Sec. 1.4.2 Bunkhouses

- A. **Generally.**

1. The Parish Council finds that there is a shortage of safe, sanitary dwelling accommodations for workers. Safe and sanitary dwelling accommodations can be provided through enforcement of reasonable standards for construction and operation of employee dwelling accommodations.
2. All bunkhouses (for four or more laborers or workers) licensed under this Section shall comply with all local, state, and federal laws, rules, and regulations, including but not limited to the state sanitary code, fire code, and Occupational Safety and Health Administration (OSHA) regulations.

B. License Required. No person shall construct, maintain, or operate a bunkhouse within the Parish without first having filed an application for and received a license to operate and maintain a bunkhouse. Licenses shall be issued for a period of one year and shall be renewed on an annual basis. Such license shall be conspicuously posted at the main entrance to the bunkhouse. The license shall be issued in accordance herewith at an annual cost per the provisions found in Section 5.2.3, *Fees*. Other Parish licensing information may be found in Chapter 11 of the St. Mary Parish Code of Ordinances.

C. Application Requirements. The application shall be filed with the Director on a form provided by the Director, which application shall be filed at least 45 days prior to the date of initial occupancy, and shall contain the following information:

1. Name, address, and phone number of the bunkhouse owner; and if a corporation or partnership, the name, address, and phone number of the shareholders and officers of the corporation and the partners in the partnership;
2. Name, address, and phone number of the operator of the bunkhouse or person in charge thereof;
3. Location of the bunkhouse, with an attached affidavit which verifies that the location of the bunkhouse is not within 1,000 feet of any primary, elementary or secondary educational facility, any church, synagogue or other place of worship or any residential neighborhood. Said affidavit shall be legally notarized;
4. Maximum number of occupants to be housed;
5. Description of the facilities comprising the bunkhouse;
6. Each application shall be accompanied by written evidence of compliance with the sanitary code and fire code of the state.

D. Design Requirements.

1. *Proximity to Other Facilities.* It shall be a violation of this Section to operate, construct or locate any bunkhouse within 1,000 feet of any primary, elementary or secondary educational facility; any church, synagogue, or other place of worship; or any residential neighborhood.
2. *Recreational Facilities.* Adequate provision shall be made for recreational facilities for occupants of bunkhouses by providing day areas, television, and reading materials.

E. Operating Requirements.

1. *Responsibility for Operation.* Every owner/operator of a bunkhouse shall designate a responsible person who shall be on duty at all times, responsible at all times for the proper operation of the bunkhouse, and who shall be present in the bunkhouse at all times. The name of each such person shall be conspicuously posted at the main entrance of the bunkhouse.
2. *Register of Occupants.* The owner/operator shall maintain a current registration containing the names and addresses of all occupants as well as an accurate record of all persons actually occupying the bunkhouse at any and all times. Such register shall at all times be in the possession of the person designated in Section E.1., above.
3. *Annual Evaluation, Inspection, Etc.* The Director shall conduct an annual evaluation of the compliance with the provisions of this Section prior to renewing the annual license. The evaluation shall include an inspection by health and fire officials and a certificate of compliance. The Director shall maintain a permanent record of each licensed bunkhouse containing a report of all complaints or other significant information regarding the maintenance and operation of the bunkhouse.

F. Enforcement of Section.

1. *Abatement and Enforcement of Section.* Any bunkhouse which does not comply with the provisions of this Section is a public nuisance and, if not made to conform after 30 days' written notice, shall be abated by proper action brought to a court of competent jurisdiction.
2. *Penalty for Violation of Section.* Any person who shall violate the provisions of this Section shall be punished by a fine of not more than \$500.00, or imprisoned in the Parish jail for not more than six months, or both.

Sec. 1.4.3 Home Occupations

- A. **Generally.** A home occupation is that accessory use of a dwelling that shall constitute all or some portion of the livelihood of a person or persons living in the dwelling.
- B. **Minimum Standards.** A home occupation is only permitted as an accessory use in a residential dwelling if it meets the following conditions:
 1. It does not depend on the employment of a person who does not reside in the residence;
 2. An entrance is not specifically dedicated for the home occupation;
 3. An alteration is not made that changes the character or appearance of the dwelling;
 4. It does not require or use outdoor storage or the display of materials, merchandise, goods or equipment;
 5. One sign measuring no greater in size than two square feet may be used to advertise a home occupation provided it is securely affixed to the principal structure or placed in a window and provided that it is not illuminated (directly or indirectly) and has no movement;
 6. It does not require the delivery or shipment of materials, merchandise, goods, or equipment by other than passenger motor vehicles, one ton step-up van or similar sized trucks;
 7. It does not create or cause any perceptible noise, odor, smoke, electrical interference or vibrations to emanate from the premises;
 8. It is conducted so that it does not create parking or traffic congestion or otherwise unreasonably interfere with the value and enjoyment of surrounding homes as places of residence; and
 9. The occupation shall be operated in accordance with all applicable laws and, if a state permit is required, such permit shall be obtained prior to beginning operation.

Sec. 1.4.5 Recreational Vehicles, Parks, and Campgrounds

- A. **Recreational Vehicles, Generally.**
 1. No recreational vehicle shall, unless otherwise authorized by this UDC:
 - a. Connect to or be supplied any public utility from the main residence, except electricity;
 - b. Attach any external appurtenances, such as carports, cabanas, or patios; and
 - c. Be used as an accessory dwelling unit.
 2. Recreational vehicles, boats, trailers, ATVs, and personal watercraft, shall not be stored for a period of more than 14 days unless it is demonstrated that:
 - a. In residential districts:
 - i. They are located within carports or enclosures; or
 - ii. Screened by a six foot tall wall or opaque fence and located behind the front building line; or
 - b. In nonresidential districts:
 - i. The vehicle is parked on an improved parking space designated for the purpose of such storage, in locations where outdoor storage is a permitted use; or

- ii. The recreational vehicle is located in a recreational vehicle park, parked on a designated space.
3. Recreational vehicles, boats, and utility trailers, and any other comparably sized non-motorized vehicles shall not be parked on any public right-of-way.

B. Recreational Vehicle Parks and Campgrounds. Recreational Vehicle Parks and Campgrounds are a specific use pursuant to the standards of this Section in the districts where the use is specified in Table 1.3.3, *Commercial, Recreation, and Amusement Uses*, as "S." These standards are applied in addition to the other applicable standards of this UDC.

1. *Design Standards.*

- a. The parcel of land for a recreational vehicle park or campground shall be no less than two and a half acres in area or the minimum lot area for the district in which it is located, whichever is greater.
- b. All recreational vehicle parks or campgrounds shall meet minimum setback requirements for the districts in which they are located. A minimum 50 foot setback shall be required from any residential property. No building, campsite, parking or service area shall be located in setback areas.
- c. Landscaping and/or fencing along property boundaries shall be in accordance with a Type "E" bufferyard per Section 3.11.1, *Bufferyard Requirements*, which is appropriate for screening, security, and privacy.
- d. Recreational vehicle parks and campgrounds shall provide lavatory, shower, and toilet facilities sufficient to serve all sites. Water and wastewater disposal systems must be designed and installed in accordance with applicable parish and state regulations.
- e. All utilities shall be underground, including extending utilities such as sanitary sewer, water, and electrical power to individual sites.
- f. Roadways shall be:
 - i. Not less than 30 feet in width if parking is permitted on the edge of the roadway, or 20 feet in width if parking is not permitted on the edge of the roadway.
 - ii. Designed to permit easy access to each recreational vehicle space and campsite, excluding primitive campsites.
 - iii. Improved with crushed gravel or a minimum thickness of four inches of asphalt, concrete, or similar surface.
- g. Recreational vehicle parks and campgrounds shall provide sufficient access and parking for each camp site.
 - i. Each camp site shall be at least 2,000 square feet in area.
 - ii. The minimum recreational vehicle space shall be 20 feet in width and 40 feet in length.
 - iii. Drive-through spaces shall be 15 feet in width and 60 feet in length.
 - iv. Each recreational vehicle space and campsite shall be improved with crushed gravel or paved with asphalt, concrete, or similar material in order to maintain a dust-free condition.
- h. Usable open space for common areas shall be planned and provided at convenient locations to provide at least 100 square feet per recreational vehicle space or campsite. Such open space may include play yards, pools, and recreational buildings. All areas used to meet minimum requirements of this subsection shall be improved so that it is usable and accessible by the RV tenants.
- i. Adequate provision for the safe, sanitary disposal of refuse shall be provided on site at a rate of one refuse enclosure per 25 recreational vehicle spaces or non-vehicular campsites and shall be in key locations through the park or campground with provisions for screening.
- j. All lighting shall be designed and installed to prevent glare or excessive light spillover onto adjacent properties.

k. All outdoor fires shall be in specially designated fire pits and shall not result in a nuisance or threat to neighboring landowners, businesses or residents, nor endanger or adversely affect public health, safety or welfare.

2. *Exceptions.* For substantially undeveloped, primitive camping areas (e.g., tenting areas, backcountry shelters) located on public or private lands, the Board of Adjustment may waive any or all of the requirements under subsection B.1, of this Section, if it is demonstrated to the Board's satisfaction that access, total lot area, camp site area, and setback distances are sufficient to:

a. Support the proposed level of use, and

b. Avoid any adverse impacts to water quality, natural areas, and adjoining properties and uses. Outdoor fires shall not result in a nuisance or threat to neighboring landowners, businesses or residents, nor endanger or adversely affect public health, safety or welfare.

C. **RV Parks and Campgrounds in EN District.** RV parks and campgrounds in the EN district are limited to those that existed on the effective date of this UDC.

Sec. 1.4.6 Dirt Pits (Extraction)

A. **Generally.** Dirt Pits (Extraction) are permitted pursuant to the standards of this Section in the districts where the use is specified in Table 1.3.4, *Industrial, Agricultural, and Special Uses*, as "S." These standards are applied in addition to the other applicable standards of this UDC. In addition to the regulations set forth in this Section and this UDC, all extraction operations shall comply with other applicable state and federal regulations.

B. **Minimum Size.** The minimum size allowed for dirt pit, sand pit, or similar extraction operations shall be 20 acres.

C. **Spacing.** Excavation sites shall not be closer than:

1. 2,000 feet from any existing or abandoned excavation site as measured in a straight line between the two closest points of said excavation sites.

2. 2,000 feet from any existing residential structure or any platted subdivision boundary.

3. 150 feet to any property line. Within this reserved perimeter buffer, existing vegetation shall be not be disturbed or removed except for paved access areas and required landscaping and buffering.

D. **Design Requirements.** Excavation sites:

1. Shall not disturb more than 50 percent of the entire site.

2. Shall maintain a side slope of one foot vertical drop for three feet horizontal run to a depth of 10 feet.

3. Shall be screened from view of surrounding uses by a Type "E" Bufferyard as specified in Section 3.11.1, *Bufferyard Requirements*.

4. Shall be enclosed by a minimum six-foot chain link fence with barbed wire at the top with notices posted at intervals no greater than 100 feet along the property boundaries and along any public rights-of-way that shall warn of the excavation operation and against trespassing on such property.

5. Shall be accessed through a minimum six-foot self-closing gate with a locking device at each entry/opening to prevent unauthorized access to the site.

6. Shall not be accessed from residential local or residential collector streets. All driveways which serve the site shall be wide enough to accommodate two-way traffic at all times and an area on site shall be designed and designated to accommodate incoming truck traffic so that there is no queuing of trucks on the public rights-of-way. In addition, all private access roads shall be of a dust-free surface for a distance of one hundred (100) feet from any public street right-of-way.

E. **Operation.**

1. Excavation operations are only permitted Monday through Friday.

2. Hours of operation shall start no earlier than 7:00 a.m. and end no later than 6:00 p.m., except in cases of emergency involving safety on the site.
3. All trucks and trailers hauling extracted materials shall be:
 - a. Covered with their tailgates securely latched.
 - b. Hosed down of excess mud and dirt on tires, wheels, and the entire vehicle.
4. Excess mud, debris, or the extracted material shall be removed from any public right-of-way within one-half mile in all directions from the entrance of the site.
5. To reduce the effects of airborne dust, dirt, and noise, all equipment for sorting, crushing, loading, and other equipment pertaining to excavation shall not operate closer than 300 feet from any public street or road right-of-way, residential dwelling, recognized residential subdivision, or residentially zoned property. Scales and related structures shall be set back a minimum of 100 feet from public rights-of-way and a minimum of 100 feet from side property lines. All dirt and gravel roads and operations within the property shall be hosed down at intervals sufficient to prevent dirt pollution and other airborne particles from entering the atmosphere.

F. **Ground and Surface Water.** Different types of extraction uses have different potential impacts on groundwater. The following standards shall be applied to the review and approval of these uses:

1. The depth of natural soil and type of soil shall be reviewed. The Parish may impose requirements for drainage systems, monitoring, and pumping systems to prevent potential ground and surface water pollution or ground water depletions that would interfere with private water wells.
2. Any processing which results in waste materials shall provide information about the pollution potential of the waste materials. The Parish shall deny any plans that have a substantial risk of polluting ground or surface waters due residual or waste materials from extraction.
3. Monitoring wells may be required.
4. An emergency response plan must be reviewed and approved. The Parish may impose fees or require security to ensure that an adequate emergency response fund is available.

G. **Closed or Abandoned Excavation Sites.** Closed or abandoned excavation sites shall be reclaimed or filled with sand or other approved material to the pre-excavation elevation unless incorporated into a platted subdivision or other permitted use within the district, as a water feature within the development site. Filling will begin within six months of abandonment of operations. Development plans must be approved within 12 months of the abandonment of the operation. The fencing and screening requirements shall be maintained until all improvements are in place and accepted by the Parish at which time the fencing, screening and complete filling requirements will not be required.

DIVISION 1.5 AIRPORT ZONING

Sec. 1.5.1 Short Title of Division

This Division shall be known and may be cited as "The Harry P. Williams Memorial Airport Hazard Zoning Ordinance."

Sec. 1.5.2 Zone Types

In order to carry out the provisions of this Division, there are hereby created and established certain zones which include all of the land lying within the approach zones, transitional zones, horizontal zones, and conical zones as they apply to the Harry P. Williams Memorial Airport. Such zones are shown on the Harry P. Williams Memorial Airport Hazard Zoning Map consisting of one sheet, prepared by Dawson Engineers, Inc., and dated March, 1982. An area located in more than one of the following zones is considered to be only in the zone with the more restrictive height limitation. The various zones are hereby established and defined as follows:

- A. **Utility Runway Visual Approach Zone.** The inner edge of this approach zone coincides with the width of the primary surface and is 250 feet wide. The approach zone extends outward uniformly to a width of 1,250 feet at a horizontal distance of 5,000 feet from the primary surface. Its centerline is the continuation of the centerline of the runway.
- B. **Utility Runway Nonprecision Instrument Approach Zone.** The inner edge of this approach zone coincides with the width of the primary surface and is 500 feet wide. The approach zone expands outward uniformly to a width of 2,000 feet at a horizontal distance of 5,000 feet from the primary surface. Its centerline is the continuation of the centerline of the runway.
- C. **Runway Larger than Utility Visual Approach Zone.** The inner edge of this approach zone coincides with the width of the primary surface and is 500 feet wide. The approach zone expands outward uniformly to a width of 1,500 feet at a horizontal distance of 5,000 feet from the primary surface. Its centerline is the continuation of the centerline of the runway.
- D. **Runway Larger than Utility with a Visibility Minimum Greater than Three-quarter-mile Nonprecision Instrument Approach Zone.** The inner edge of this approach zone coincides with the width of the primary surface and is 500 feet wide. The approach zone expands outward uniformly to a width of 3,500 feet at a horizontal distance of 10,000 feet from the primary surface, its centerline being the continuation of the centerline of the runway.
- E. **Runway Larger than Utility with a Visibility Minimum as Low as Three-quarter-mile Nonprecision Instrument Approach Zone.** The inner edge of this approach zone coincides with the width of the primary surface and is 1,000 feet wide. The approach zone expands outward uniformly to a width of 4,000 feet at a horizontal distance of 10,000 feet from the primary surface. Its centerline is the continuation of the centerline of the runway.
- F. **Transitional Zones.** For aircraft, these zones are hereby established as the areas beneath the transitional surfaces. For helicopters, these zones extend outward from the sides of the primary surface and the heliport approach zones a horizontal distance of 250 feet from the primary surface centerline and the heliport approach zone centerline.
- G. **Horizontal Zone.** The horizontal zone is hereby established by swinging arcs of 5,000 feet radii for the seaway and 10,000 feet for the runway 5/23 from the center of each end of the primary surface of each runway and connecting the adjacent arcs by drawing lines tangent to those arcs. The horizontal zone does not include the approach and transitional zones.
- H. **Conical Zone.** The conical zone is hereby established as the area that commences at the periphery of the horizontal zone and extends outward therefrom a horizontal distance of 4,000 feet. The conical zone does not include the precision instrument approach zones and the transitional zones.
- I. **Heliport Approach Zone.** The approach zone begins at each end of the heliport primary surface with the same width as the primary surface and extends outward and upward for a horizontal distance of 4,000 feet where its width is 500 feet. The slope of the approach surface is 8 to 1 for civil heliports.
- J. **Precision Instrument Runway Approach Zone.** The inner edge of this approach zone coincides with the width of the primary surface and is 1,000 feet wide. The approach zone expands outward uniformly to a width of 16,000 feet at a horizontal distance of 50,000 feet from the primary surface. Its centerline is the continuation of the centerline of the runway.

Sec. 1.5.3 Height Limitations

Except as otherwise provided in this Division, no structure shall be erected, altered, or be maintained, and no tree shall be allowed to grow in any zone created by this Division to a height in excess of the applicable height limit established in this section for each of the zones in question, as follows:

- A. **Utility Runway Visual Approach Zone.** Slopes 20 feet outward for each foot upward beginning at the end of and at the same elevation as the primary surface and extending to a horizontal distance of 5,000 feet along the extended runway centerline.
- B. **Utility Runway Nonprecision Instrument Approach Zone.** Slopes 20 feet outward for each foot upward beginning at the end of and at the same elevation as the primary surface and extending to a horizontal distance

of 5,000 feet along the extended runway centerline. For purposes of this Division, both ends of the seaway are covered by this criteria.

- C. **Runway Larger than Utility Visual Approach Zone.** Slopes 20 feet outward for each foot upward beginning at the end of and at the same elevation as the primary surface and extending to a horizontal distance of 5,000 feet along the extended runway centerline.
- D. **Runway Larger than Utility with a Visibility Minimum Greater than Three-quarter-mile Nonprecision Instrument Approach Zone.** Slopes upward 34 feet outward for each foot upward beginning at the end of and at the same elevation as the primary surface and extending to a horizontal distance of 10,000 feet along the extended runway centerline.
- E. **Heliport Approach Zone.** The inner edge of this approach zone coincides with the width of the primary surface and is 300 feet wide. The approach zone extends outward uniformly to a width of 500 feet at a horizontal distance of 4,000 feet from the primary surface.
- F. **Runway Larger than Utility with a Visibility Minimum as Low as Three-quarter-mile Nonprecision Instrument Approach Zone.** Slopes 34 feet outward for each foot upward beginning at the end of and at the same elevation as the primary surface and extending to a horizontal distance of 10,000 feet along the extended runway centerline.
- G. **Heliport Approach Zone.** Slopes eight feet outward for each foot upward beginning at the end of and at the same elevation as the primary surface and extending to a distance of 4,000 feet along the heliport approach zone centerline.
- H. **Transitional Zones.** Slopes seven feet outward for each foot upward beginning at the sides of and at the same elevation as the primary surface and the approach surface and extending to a height of 150 feet above the airport elevation, which is nine feet above mean sea level. In addition to the foregoing, there are established height limits sloping seven feet outward for each foot upward beginning at the sides of and at the same elevation as the approach surface and extending to where they intersect the conical surface.
- I. **Heliport Transitional Zones.** Slopes two feet outward for each foot upward beginning at the sides of and at the same elevation as the primary surface and the heliport approach zones and extending a distance of 250 feet measured horizontally from and at 90-degree angles to the primary surface centerline and heliport approach zones centerline.
- J. **Horizontal Zone.** 150 feet above the airport elevation or a height of 159 feet above mean sea level.
- K. **Conical Zone.** Slopes 20 feet outward for each foot upward beginning at the periphery of the horizontal zone and at 150 feet above the airport elevation and extending to a height of 350 feet above the airport elevation.
- L. **Excepted Height Limitations.** Nothing in this Division shall be construed as prohibiting the construction or maintenance of any structure or growth of any tree to a height up to 50 feet above the surface of the land.
- M. **Approach Zone Precision Instrument Runway.** The inner edge of this approach zone coincides with the width of the primary surface and is 1,000 feet wide. The approach zone expands outward uniformly to a width of 16,000 feet at a horizontal distance of 50,000 feet from the primary surface. Its centerline is the continuation of the centerline of the runway.

Where an area is covered by more than one height limitation, the more restrictive limitation shall prevail.

Sec. 1.5.4 Use Restrictions

Notwithstanding any other provisions of this Division, no use may be made of land or water within any zone established by this Division in such a manner as to create electrical interference with navigational signals or radio communications between the airport and aircraft, make it difficult for pilots to distinguish between airport lights and others, result in glare in the eyes of pilots using the airport, impair visibility in the vicinity of the airport, create bird strike hazards, or otherwise in any way create a hazard or endanger or interfere with the landing, takeoff or maneuvering of aircraft intending to use the airport.

Sec. 1.5.5 Permits Required

- A. **Generally.** Except as specifically provided in subsections A.1., A.2., and A.3., of this Section, no material change shall be made in the use of land, and no structure or tree shall be erected, altered, planted, or otherwise established in any zone hereby created unless a permit therefor shall have been applied for and granted. Each application for a permit shall indicate the purpose for which the permit is desired, with sufficient particularity to permit it to be determined whether the resulting use, structure, or tree would conform to the regulations prescribed in this section. If such determination is in the affirmative, the permit shall be granted. No permit for a use inconsistent with the provisions of this Division shall be granted unless a variance has been approved in accordance with Section 5.4.6, *Airport Variances*.
1. In the area lying within the limits of the horizontal zone and conical zone, no permit shall be required for a tree or structure of less than 75 feet of vertical height above the ground, except when, because of terrain, land contour, or topographic features, such tree or structure would extend above the height limits prescribed for such zones.
 2. In areas lying within the limits of the approach zones, but at a horizontal distance of not less than 4,200 feet from each end of the runway, no permit shall be required for any tree or structure less than 75 feet of vertical height above the ground, except when, because of terrain, land contour, or topographic features, such tree or structure would extend above the height limits prescribed for such zones.
 3. In the areas lying within the limits of the transition zone beyond the perimeter of the horizontal zone, no permit shall be required for any tree or structure less than 75 feet of vertical height above the ground, except when, because of terrain, land contour, or topographic features, such tree or structure would extend above the height limits prescribed for such zones. Nothing contained in any of the exceptions of this section shall be construed as permitting or intending to permit any construction or alteration of any structure or growth of any tree in excess of any height limits established by this Section except as set forth in Section 1.5.3, *Height Limitations*.
- B. **Existing Uses.** No permit shall be granted that would allow the establishment or creation of an airport hazard or permit a nonconforming use, structure, or tree to become a greater hazard to air navigation than it was on the effective date of this Division or any amendments thereto or than it is when the application for a permit is made. Except as indicated, all applications for such a permit shall be granted.
- C. **Obstruction Marking and Lighting.** Any permit or variance granted may, if such action is deemed advisable to effectuate the purpose of this Division and be responsible in the circumstances, be so conditional as to require the owner of the structure or tree in question to install, operate, and maintain, at the owner's expense, such markings and lights as may be necessary. If deemed proper by the Airport Board of Appeals, this condition may be modified to require the owner to permit the state department of transportation at its own expense, to install, operate, and maintain the necessary markings and lights.

Sec. 1.5.6 Adoption and Amendments

- A. **Public Hearing Required.** No airport zoning regulations shall be adopted, amended, or changed under this Division except after a public hearing and recommendation by the Planning and Zoning Commission, followed by a public hearing and decision by the Parish Council. Thirty days' notice of the hearing date, time, and place shall be published in the official journal of the Parish.
- B. **State Consent and Approval Required.** Such airport zoning regulations adopted by the Parish Council after such public hearing is held shall have the consent and approval of the state department of transportation and development, as provided for in the Louisiana Revised Statutes 2:139 of 1936. Any changes or amendments to the Harry P. Williams Memorial Airport Hazard Zoning Ordinance shall have the consent and approval of the state department of transportation and development prior to adoption by the Parish Council.

DIVISION 1.6 ACADIANA REGIONAL PLANNING COMMISSION

Sec. 1.6.1 Acadiana Regional Planning Area

- A. **Established.** Pursuant to the provisions of R.S. 33:131, there is to be created a regional planning area. The minimum number of parishes to comprise the Acadiana Regional Planning Area shall be two in number.
- B. **Official Boundaries.**
1. **Boundaries.** The boundaries of the Acadiana Regional Planning Area are identified on the "Official Acadiana Regional Planning Area Map," which is attached hereto and made part of this UDC. At least two copies of the map are on file and available for inspection and copying during regular business hours at the Courthouse Building.
 2. **Force and Effect.** The map and all notations, references, and other information shown on it are a part of this UDC and have the same force as the UDC.
 3. **Status of Map.** The Zoning Map that is on file in the Courthouse Building shall control in the event of a conflict between the map that is on file and any other reproduction of said map.
- C. **Commission Created.** For the purpose of exercising the powers and duties set forth in R.S. 33:131 - 33:140 and R.S. 33:1321 - 33:1332, inclusive, there is to be hereby created the Acadiana Regional Planning Commission. As soon as two or more of the contiguous parishes included in the Acadiana Regional Planning Area, as per the map identified in this Section, identified as Acadiana Regional Planning Area, have adopted this Division, or an identical Division, then the existence of the Acadiana Regional Planning Commission shall be created, effective immediately upon adoption by the first two parishes within the Acadiana Regional Planning Area, as per R.S. 33:131.
- D. **Evangeline Economic Development District.** Designation as directors of Evangeline Economic Development District. In accordance with section 132(C) of R.S. 33:131 - 33:140, the governing body of this Acadiana Regional Planning Commission is hereby designated to be the board of directors of the Evangeline Economic Development District, an economic development district duly authorized by the governor of the state and duly designated by the United States Department of Commerce, Economic Development Administration. It is expressly understood that the privilege to act or vote on matters coming before the Acadiana Regional Planning Commission shall be limited to the Evangeline Economic Development District Board members who represent parishes that have adopted this identical Division, and Evangeline Economic Development District members-at-large who reside in parishes that have adopted this identical Division.
- E. **Filing of Ordinances.** This Division shall be effective in and for the Acadiana Regional Planning Area described in this Division upon the adoption of this and one more identical such Division by one more governing authority of an adjacent parish within the Acadiana Regional Planning Area. As and when this Division becomes effective, it shall be filed, together with its accompanying map and copies of the other identical ordinances adopted by governing authorities, in the official offices of the member units of government as per R.S. 33:131.
- F. **Area May be Expanded.** The Acadiana Regional Planning Commission may be expanded to include additional parishes and incorporated areas, by passage of this identical Division.
- G. **Filing List.** A true and correct list of all governing bodies passing this identical Division shall be filed with the official office of each such governing body.

DIVISION 1.7 AGRICULTURAL AND RESIDENTIAL DISTRICT STANDARDS

Sec. 1.7.1 Agricultural and Residential Lot, Yard, and Height Standards

- A. **Dimensional Standards.** Table 1.7.1, *Agricultural and Residential Lot, Yard, and Height Standards*, illustrates the dimensional standards that apply to the residential districts.

Table 1.7.1 Agricultural and Residential Lot, Yard, and Height Standards						
Standards	Zoning Districts					
	AG	CN	RE	SR	HR	MH
Lot Dimensions (Minimums per Dwelling Unit)						
Lot Area	10 acres	3 acres	One-half acre	6,000 sq. ft.	2,420 sq. ft.	5,000 sq. ft.
Lot, Width	100 feet	100 feet	100 feet	60 feet	See Note 1	50 feet
Lot Width, Corner	100 feet	100 feet	100 feet	70 feet	65 feet	60 feet
Lot Depth	200 feet	200 feet	200 feet	100 feet	100 feet	100 feet
Yards (Minimums)						
Front Yard	50 feet	40 feet	40 feet	25 feet	25 feet	15 feet
Rear Yard	40 feet	25 feet	25 feet	10 feet	10 feet	5 feet
Side Yard	25 feet	10 feet	15 feet	5 feet	5 feet	5 feet
Side Yard, Interior	-	-	-	-	0 feet	-
End Unit	-	-	-	-	10 feet	-
Corner Side Yard	30 feet	20 feet	25 feet	10 feet	20 feet	10 feet
Height (Maximum)						
Stories	2.5 stories	2.5 stories	2.5 stories	2.5 stories	3 stories	2.5 stories
Distance	35 feet	35 feet	35 feet	35 feet	45 feet	35 feet
Notes: ¹ Minimum lot width for duplexes shall be 40 feet per unit. The minimum lot width for end lots of triplexes and townhome shall be 30 feet. Minimum building width of all duplex, triplex, and townhome units shall be 18 feet. The minimum lot width for apartments and condominiums shall be 100 feet.						

B. Lot dimensions. No building permit or development approval may be issued for a lot that does not meet the minimum lot area requirements as shown in Table 1.7.1, *Agricultural and Residential Lot, Yard, and Height Standards*, except in the case of a nonconforming lot in accordance with Section 6.3.10, *Nonconforming Lots*.

C. Required Yards.

1. The depth of the required front and rear yards are determined by measuring along the side lot lines, beginning at the respective front and rear lot lines and extending to the required minimum distances. The depth of the required side and corner yards are determined by measuring along the front and rear yards, beginning at the respective side and corner lot lines and extending to the required minimum distances.
2. Except as otherwise provided in these regulations, a building must not be erected, established, altered, converted, or relocated so as to be located or extend within the required front, side, corner or rear yard.
3. In applying these regulations, the front yard of a corner lot may be parallel to either street upon which the lot abuts provided all minimum lot dimensions and setbacks are maintained.
4. On lots having double frontage, the required front yard shall be provided on both streets.
5. Every part of a required front yard must be open and unobstructed of structures from ground level of the graded lot to the sky, except as follows:
 - a. Trees, shrubbery and other landscape materials.
 - b. Driveways in front and corner yards.
 - c. Sidewalks in any required yard.
 - d. Uncovered porches and steps to building entrances and uncovered decks and balconies extending up to six feet into any required yard setback.
 - e. Sills, belt courses, cornices, buttresses, chimneys, flues, eaves and other architectural features may extend up to two feet into any required yard.
 - f. Accessory structures that do not require a building permit.
6. *Side Yard Setback Reductions.* Where the front, interior side and rear setbacks of the zoning district reduce the buildable width of a corner lot to less than 40 feet, the Director shall be authorized to reduce the required front setback on the longer street side as much as necessary to increase the buildable width to 40 feet. In the event the street sides of such lot are of equal length, the reduction shall be made on the side which lies on the shorter side of the block.
7. *Height Exemptions.* Unless otherwise expressly stated, the height limitations of these regulations shall not apply to any of the following:

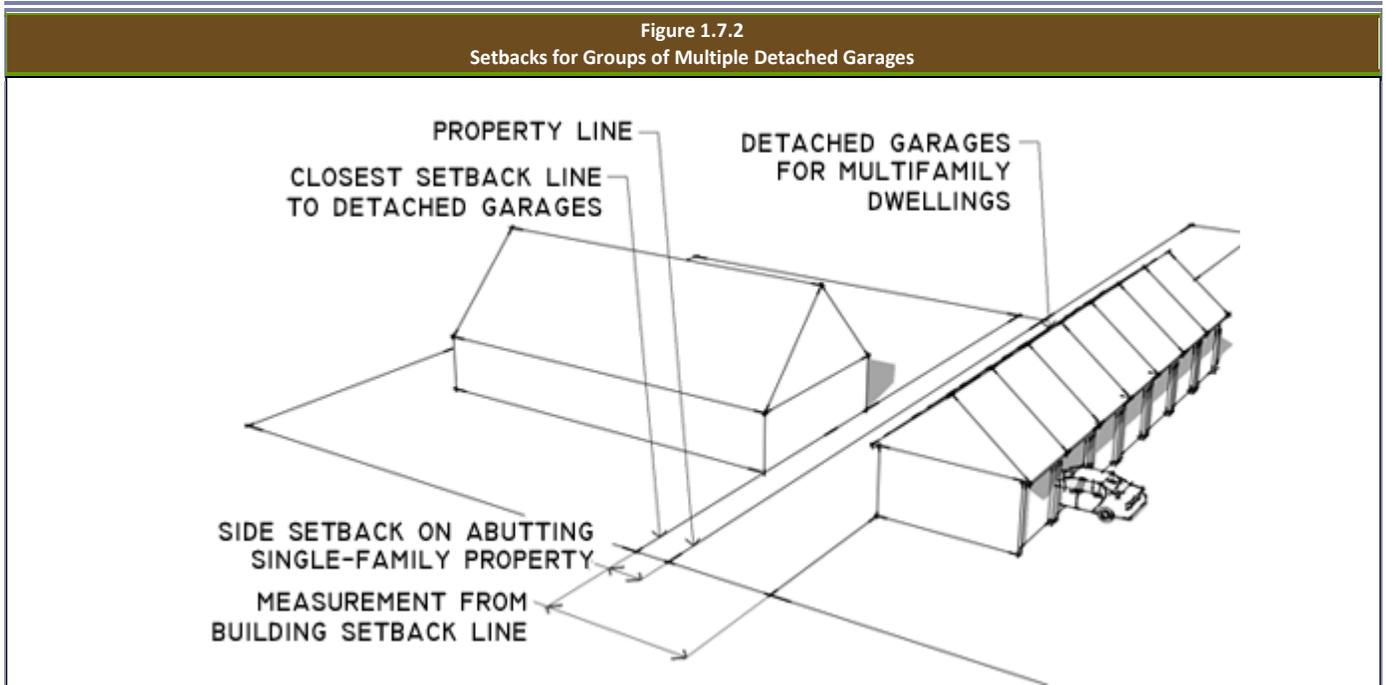
- a. Electrical power transmission lines;
- b. Flagpoles, belfries, cupolas, spires, domes, monuments, chimneys, radio/television receiving antennas or chimney flues; or
- c. Bulkhead, elevator, water tank, or any other similar structure or necessary mechanical appurtenance extending above the roof of any building where such structure does not occupy more than 33 percent of the area of the roof.
- d. Sports lighting facilities owned by or under the control of a governmental entity and utility poles and towers owned by a utility and used for the transmission and distribution of electricity may be erected to any height in any zoning district, unless prohibited by airport height hazard zoning regulations as specified in Division 1.5, *Airport Zoning*.

Sec. 1.7.2 Residential Accessory Uses, Buildings, and Structures

- A. **Generally.** The provisions of this Section apply to all residential development.
- B. **Timing of Construction.** No accessory building or structure shall be constructed unless the principal building is constructed or under construction simultaneously with the accessory building.
- C. **Accessory Uses.** The establishment of accessory uses shall be consistent with the following:
1. The accessory use shall be subordinate to and serve a primary use or principal structure. In combination, all accessory uses shall contain no more square footage than 50 percent of the habitable floor area of the principal structure (with the exception of garage or carport areas devoted to the storage and/or parking of vehicles, which shall not be included in the calculation and may exceed the 50 percent restrictions);
 2. The accessory use shall be subordinate in area, extent or purpose to the primary use served;
 3. The accessory use shall be located in the same zoning district as the primary use;
 4. Accessory uses located in residential districts shall not be used for commercial purposes other than legitimate home occupations; and,
 5. Accessory apartments may not be rented to other than bona fide servants employed on the premises and members of the family of the occupant(s) of the principal structure. Single meter service shall be provided to each parcel.
- D. **Attached Accessory Buildings and Structures.**
1. Accessory buildings that are structurally attached to a principal building shall conform to all standards that are applicable to the principal building.
 2. No accessory building or structure shall be erected in any required setback area.
- E. **Detached Accessory Buildings or Structures.** The maximum footprint and setbacks for detached accessory buildings in residential districts are set out in Table 1.7.2, *Detached Accessory Building Standards*.

Table 1.7.2 Detached Accessory Building Standards							
District	SR	HR	EN	MH	RE	AG (nonagricultural buildings)	AG (agricultural buildings)
Maximum Height	Lower of one story or 17 feet				Lower of one story or 17 feet		any
Maximum Footprint (calculated as the least of the next three rows)							
Percent of principal building footprint	100%				50%		Footprint of agricultural accessory buildings is not limited
Percent of required rear yard	25%				N/A		
Not to exceed	1,000 sf.				1,800 sf.		
Setbacks							
Front, Generally	Behind principal building					10 feet	
Front, Detached Garages and Carports	10 feet behind front building line					N/A	
Street Side	Same as principal building's front setback					10 feet	
Interior Side	5 feet from the closest principal building setback line on abutting property					10 feet	
Rear, Generally	5 feet					10 feet	
Rear, Garage with Door Facing Alley	20 feet					N/A	

- F. **Configuration of Detached Carports and Garages.** Detached carports and garages that serve attached single-family dwellings or multiple-family dwellings shall not be located closer than 20 feet to a building setback line on an adjacent lot that is not used for attached single-family dwellings or multiple-family dwellings of the same type; See Figure 1.7.2, *Setbacks for Groups of Multiple Detached Garages*.



G. **Standards Applicable to All Accessory Buildings.**

1. *Encroachment into Servitudes.* Accessory structures shall not be located within access or utility servitude unless the servitude expressly allows the encroachment. A copy of the servitude shall be provided to the Parish prior to the issuance of permits or clearances for such structures.
2. *Residential Occupancy.* Residential occupancy of accessory buildings that are not constructed and approved for residential use is prohibited. See also Section 1.4.1, *Accessory Dwelling Units*, and Section 1.10.4, *TND Accessory Dwelling Units*.

H. **Violations and Penalty.** While recognizing the needs of landowners for storage and other uses, accessory buildings and structures may cause undue harm on adjacent property owners when said accessory building or structure is unpermitted and/or encroaches in a required setback. Therefore, all accessory buildings and structures are subject to the following:

1. Any accessory building or structure that does not have a valid permit from the Parish shall be deemed an illegal building or structure.
2. Illegal accessory buildings or structures shall be legally permitted or removed within 45 days of the first notice of noncompliance by the Parish.
3. Illegal accessory buildings or structures which are still not compliant with this UDC after the expiration of the 45 day notice shall be subject to the penalty's and provisions established in Section 7.2.1, *Violations, Generally*.
4. No variances are permitted to allow an accessory building or structure in a required setback as specified in Table 1.7.2, *Detached Accessory Building Standards*, and other applicable setback provisions of this UDC.

Sec. 1.7.3 Conservation District

Uses within the Conservation "CN" district shall comply with all state and federal requirements, as applicable, including proper permits and licenses, and shall otherwise at a minimum comply with the standards and provisions of Section 1.7.1, *Agricultural and Residential Lot, Yard, and Height Standards*, and other applicable provisions of this UDC.

DIVISION 1.8 SPECIAL STANDARDS FOR EXISTING NEIGHBORHOODS (EN)

Sec. 1.8.1 General Provisions

- A. **Generally.** This Division sets out the standards for redevelopment, new development, and expansion of existing single-family dwellings and manufactured homes in the EN district, in subdistricts EN₁, EN₂, and EN₃.
- B. **All Lots are Conforming.** Regardless of their lot area or lot width, all lots in the EN District that existed as of the effective date of this UDC are conforming, provided they contain an existing, permanent single-family dwelling, mobile home, or manufactured home that was constructed in conformance with the development regulations at the time of permitting.
- C. **All Buildings are Conforming.** All buildings that were constructed in conformance with the development regulations that existed at the time of permitting are conforming. The following buildings are not conforming:
1. Those that were not constructed in compliance with the development regulations that existed at the time of construction, or those since amended by the Parish;
 2. Those that were constructed without the required permits; and
 3. Those that were constructed in violation of the permit requirements.
- D. **Existing Uses May Be Continued.** All lawfully permitted nonresidential uses may be continued provided that they were constructed in conformance with the development regulations at the time permitting. New nonresidential uses are not allowed.

Sec. 1.8.2 EN Development Standards

- A. **Generally.** This Section sets out the standards for new development, redevelopment, and expansion of existing single-family dwellings and manufactured homes in the EN district.
- B. **Applicability.** The lot standards set out in Table 1.8.2A, *EN Lot Standards*, and Table 1.8.2B, *EN Building Standards*, apply after the effective date of this UDC to all property zoned EN, which includes:
1. Further subdivision of already platted tracts;
 2. Consolidation of lots zoned EN that occurs after the effective date of this UDC; and
 3. Lots that have been vacant for a period of at least six months.
- C. **General Lot Standards.** The lot standards in each EN subdistrict are set out in Table 1.8.2, *EN Lot Standards*. These standards do not make existing development nonconforming.

Subdistrict	Lot Dimensions				Yards			Height
	Lot Area	Lot Width	Lot Width, Corner	Lot Depth	Front Yard	Rear Yard	Side Yard	Height
EN ₁	8,000 sf	50'	60'	100'	20'	10'	5'	35'
EN ₂	5,000 sf	50'	60'	100'	15'	5'	5'	35'
EN ₃	5,000 sf	50'	60'	100'	15'	5'	5'	35'

- D. **Allowable Building Types.** The allowable building types in each EN subdistrict are set out in Table 1.8.2B, *EN Allowable Building Types*. On existing lots, if the placement of a new home, or the expansion of an existing home do not comply with the standards of Table 1.8.2B, *EN Allowable Building Types*, the proposed development, redevelopment, or expansion will be evaluated pursuant to subsection E., of this Section. On lots subdivided after the effective date of this UDC, all buildings shall comply with the standards set out in Table 1.8.2A, *EN Lot Standards*.

Table 1.8.2B EN Allowable Building Types		
Subdistrict	Dwelling Types Allowed	
	Single-Family Detached	Manufactured Homes
EN ₁	Allowed. New housing or expansions are allowed per the setback standards set out in Table 1.8.2A, <i>EN Lot Standards</i> , or subsection E., below.	Existing manufactured homes on lots that meet the standards set out in Table 1.8.2A, <i>EN Lot Standards</i> , are allowed and may be modified or expanded in conformance with this Section. New manufactured homes are not allowed.
EN ₂	Allowed. New housing or expansions are allowed per the setback standards set out in Table 1.8.2A, <i>EN Lot Standards</i> , or subsection E., below.	Existing manufactured homes are allowed to be replaced on existing lots that do not meet the minimum requirements set out in Table 1.8.2A, <i>EN Lot Standards</i> . New manufactured homes are allowed on existing lots that were vacant on the effective date of this UDC provided that the setbacks are in compliance with Table 1.8.2A, <i>EN Lot Standards</i> , or subsection E., below. New manufactured homes are allowed on lots created after the effective date of this UDC provided that they meet the standards of Table 1.8.2A, <i>EN Lot Standards</i> .
EN ₃	New Single-Family Detached housing is not allowed.	Existing manufactured homes are allowed to be replaced on existing lots that do not meet the minimum requirements set out in Table 1.8.2A, <i>EN Lot Standards</i> . New manufactured homes are allowed on existing lots that were vacant on the effective date of this UDC and provided that the setbacks are in compliance with Table 1.8.2A, <i>EN Lot Standards</i> , or subsection E., below. New manufactured homes are allowed on lots created after the effective date of this UDC provided that they meet the standards of Table 1.8.2A, <i>EN Lot Standards</i> .

E. **Alternate Setback Standards for Existing Lots.** In the EN subdistricts, rigid adherence to inflexible building setback requirements is often not practical or disrupts the character of existing development that may have existed prior to the development of this UDC. This subsection only applies to the new development, redevelopment, or expansion of EN lots that were existing at the effective date of this UDC. Placement of buildings on new lots subdivided after the effective date shall comply with Table 1.8.2A, *EN Lot Standards*.

1. *Relationship to Variances.* Compliance with the standards of this subsection is equivalent to compliance with the standards of Table 1.8.2A, *EN Lot Standards*, and approvals hereunder are not considered variances. Variances shall not be granted to allow encroachments if the encroachments could be permitted pursuant to the standards of this subsection.
2. *Relationship to Servitudes and Rights-of-Way.* The standards of this subsection shall not be construed to authorize construction of buildings or portions of buildings in utility or drainage servitude or public rights-of-way.
3. *Alternate Setbacks, Generally.* Alternate setbacks shall only be allowed if it is demonstrated that the proposed construction:
 - a. Does not interfere with planned expansion of right-of-way, and if right-of-way expansion is planned, the application is evaluated as if the right-of-way has been expanded;
 - b. Does not result in interference with a utility servitude;
 - c. Does not cause more or faster drainage onto abutting properties or rights-of-way than the condition that existed before the proposed construction;
 - d. Does not result in a nonconformity with respect to the building code on either the applicant's lot or the abutting property; or
 - e. Is built to building code standards (e.g., fire ratings) that would allow construction of the abutting lot to be built to the same standard along the same setback line.
4. *New Development, Redevelopment, or Expansion on Existing Lots; Alternate Front Setbacks.* On existing lots, a new single-family detached dwelling or manufactured home may be placed or expanded as long as the building meets one of the following:
 - a. The building is an allowable building type and it meets the required front setback standard per the applicable as set out in Table 1.8.2A, *EN Lot Standards*; or
 - b. The building is an allowable building type and the placement cannot meet the required front setback standard, but it is demonstrated that the proposed new front setback:
 - i. is equal to the front setback of homes on the two lots abutting the lot proposed for development; or

- ii. is located within a 10 percent range of the average actual setback of the other homes on the same side of the block.
 - c. If these calculations cannot be determined due to there being an insufficient number of existing dwellings on abutting or lots on the same side of the block, then these alternate front setback standards do not apply.
5. *New Development, Redevelopment, or Expansion on Existing Lots; All Other Setbacks.* On existing lots, all new buildings or expansions shall comply with the applicable setback standards set out in Table 1.8.2A, *EN Lot Standards*.

F. **Accessory Buildings and Structures.** Accessory buildings and structures that were legally permitted on the effective date of this UDC are conforming. New accessory buildings and structures shall meet the minimum standards as set out in Table 1.8.2A, *EN Lot Standards*, and other applicable sections of this UDC.

DIVISION 1.9 NONRESIDENTIAL DISTRICT STANDARDS

Sec. 1.9.1 Nonresidential Lot, Yard, Height, and Coverage Standards

A. **Dimensional Standards.** Table 1.9.1, *Nonresidential Lot, Yard, Height, and Coverage Standards*, illustrates the dimensional standards that apply to the nonresidential districts.

Table 1.9.1 Nonresidential Lot, Yard, Height, and Coverage Standards					
Standards	Zoning Districts				
	NC	GC	HC	LI	HI
Lot Dimensions (Minimums per Dwelling Unit)					
Lot Area	7,500 sq. ft.	9,000 sq. ft.	10,000 sq. ft.	20,000 sq. ft.	20,000 sq. ft.
Lot, Width	75 feet	75 feet	80 feet	100 feet	100 feet
Lot Width, Corner	85 feet	85 feet	90 feet	110 feet	110 feet
Lot Depth	100 feet	100 feet	125 feet	200 feet	200 feet
Yards (Minimums)					
Front Yard	30 feet	30 feet	50 feet	30 feet	30 feet
Rear Yard	15 feet	20 feet	25 feet	20 feet	25 feet
Side Yard	10 feet	15 feet	15 feet	15 feet	15 feet
Corner Side Yard	15 feet	20 feet	20 feet	20 feet	20 feet
Height (Maximum)					
Stories	35 feet	35 feet	35 feet	50 feet	60 feet
Building Coverage (Maximum)					
Percent Coverage	50%	75%	75%	75%	80%

B. **Lot Dimensions.** No building permit or development approval may be issued for a lot that does not meet the minimum lot area requirements as shown in Table 1.9.1, *Nonresidential Lot, Yard, Height, and Coverage Standards*, except in the case of a nonconforming lot in accordance with Section 6.3.10, *Nonconforming Lots*.

C. **Required Yards.**

1. No part of a yard required in connection with any building, lot, or use for the purpose of complying with these regulations shall be included for any other building, lot or use as part of a yard.
2. The depth of the required front and rear yards are determined by measuring along the side lot lines, beginning at the respective front and rear lot lines and extending to the required minimum distances. The depth of the required side and corner yards are determined by measuring along the front and rear yards, beginning at the respective side and corner lot lines and extending to the required minimum distances.
3. Except as otherwise provided in these regulations, a building must not be erected, established, altered, converted, or relocated so as to be located or extend within the required front, side, corner or rear yard.
4. In applying these regulations, the front yard of a corner lot may be parallel to either street upon which the lot abuts provided all minimum lot dimensions and setbacks are maintained.
5. On lots having double frontage, the required front yard shall be provided on both streets.

6. Off-street parking facilities may be located within the required front yard of any nonresidential establishment in a nonresidential district, but shall conform to the height and area regulations and development standards of the applicable district.
 7. Every part of a required front yard must be open and unobstructed of structures from ground level of the graded lot to the sky, except as follows:
 - a. Trees, shrubbery and other landscape materials.
 - b. Fences and walls.
 - c. Driveways in front and corner yards.
 - d. Sidewalks in any required yard.
 - e. Mechanical equipment such as air conditioning units and similar equipment.
 - f. Uncovered porches and steps to building entrances and uncovered decks and balconies extending up to six feet into any required yard setback.
 - g. Sills, belt courses, cornices, buttresses, chimneys, flues, eaves and other architectural features may extend up to two feet into any required yard.
 - h. Accessory structures that do not require a building permit.
- D. **Side Yard Setback Reductions.** Where the front, interior side and rear setbacks of the underlying zoning district reduce the buildable width of a corner lot to less than 40 feet, the Director shall be authorized to reduce the required front setback on the longer street side as much as necessary to increase the buildable width to 40 feet. In the event the street sides of such lot are of equal length, the reduction shall be made on the side which lies on the shorter side of the block.
- E. **Height.** Unless otherwise expressly stated, the height limitations of these regulations shall not apply to any of the following:
1. Electrical power transmission lines;
 2. Flagpoles, belfries, cupolas, spires, domes, monuments, chimneys, radio/television receiving antennas or chimney flues; or
 3. Bulkhead, elevator, water tank, or any other similar structure or necessary mechanical appurtenance extending above the roof of any building where such structure does not occupy more than 33 percent of the area of the roof.
 4. Sports lighting facilities owned by or under the control of a governmental entity and utility poles and towers owned by a utility and used for the transmission and distribution of electricity may be erected to any height in any zoning district, unless prohibited by airport height hazard zoning regulations as specified in Division 1.5, *Airport Zoning*.
- F. **Maximum Building Coverage.** The portion of a site covered by principal and accessory buildings and structures, as measured from the outside of the building or structure at ground level, shall not exceed the percentage of the net lot area as shown in Table 1.9.1, *Nonresidential Lot, Yard, Height, and Coverage Standards*, for the district in which the use is located.

Sec. 1.9.2 Additional Nonresidential Standards

- A. **Generally.** All nonresidential development shall comply with the standards of this Section.
- B. **Artificial Lighting.** Artificial lighting used to illuminate the premises and/or signage shall be directed away from adjacent or nearby residential properties.
- C. **Outdoor Storage.** Materials and equipment not offered for sale or rent may be stored outside if they are within an area that is 100 percent screened on all sides from public view. In no such case, shall fencing be required to exceed 10 feet in height.
- D. **Outdoor Display.** Customary passenger vehicles, trailers, recreational vehicles, motor vehicles and other motorized machinery and equipment for sale or lease may be displayed on an unlimited basis outside a

building on a display are a or lot, provided that the display area shall not be placed within a required parking/paving setback area and shall not reduce the capacity of a parking lot below that required by these regulations for the use.

- E. **Screening.** Nonresidential development shall be screened from residential development by a bufferyard as set out in Section 3.11.1, *Bufferyard Requirements*.
- F. **Mechanical and Utility Equipment.** Mechanical and utility equipment shall be screened in accordance with the provisions set out in Section 1238, *Mechanical and Utility Equipment Screening*.
- G. **Environmental Standards.** All uses and activities permitted in nonresidential districts shall conform to the environmental standards of noise, vibration, smoke emissions, odors, toxic or noxious matter, nuclear radiation, electromagnetic radiation and interference, and heat or glare, provided in Section 3.10.1, *General Environmental Standards*.
- H. **Site Distance Requirements.** Within the triangular area formed by the right-of-way lines of intersecting streets and a line connecting points 25 feet on either side of such intersecting rights-of-way, including triangles formed from centerlines of driveways, there shall be clear space and no obstruction to vision. Fences, walls, plantings and signs shall be restricted to a height of 30 inches or less above the average grade of each street as measured at the centerlines of the streets.

Sec. 1.9.3 Compatibility Standards

- A. **Generally.** Compatibility standards are intended to preserve and protect low density residential uses and neighborhoods by ensuring that new development and redevelopment is compatible with the character of the area in which it is located. The compatibility standards apply to all multiple-family residential and nonresidential developments when it occurs on a lot within 150 feet of the lot line of any residential property or across the street from or adjacent to a lot containing a single-family or two-family dwelling.
- B. **Building Setback and Height Standards.** The following building setback and height standards shall apply to development that is subject to the compatibility standards of this Section:
 1. *Building setbacks.* On a site with 60 feet of lot width or less, no structure shall be within 20 feet of the lot line of residential property that contains a single-family or two-family dwelling. On a site with more than 60 feet of lot width, the minimum setback from the lot line of property that is zoned residential or that contains a single-family or two-family dwelling shall be 20 feet, plus two additional feet of setback for each 10 additional feet of lot width, or fraction thereof (beyond 60 feet). This Section shall not be interpreted as requiring a setback of more than 30 feet.
 2. *Parking and Driveway Setbacks.* No off-street parking area or driveway shall be located within 20 feet of the lot line of residentially zoned property or that contains a single-family or two-family dwelling unless the parking and driveway are located on a site that is equal to or less than 120 feet in width. Minimum parking and driveway setbacks for sites with equal to or less than 120 feet of width are established in Table 1.9.3, *Compatibility Parking Standards*.

Table 1.9.3 Compatibility Parking Standards	
Number of Parking Spaces	Minimum Setback
0 to 60	6 feet
More than 60 to 70	8 feet
More than 70 to 80	10 feet
More than 80 to 90	12 feet
More than 90 to 100	14 feet
More than 100 to 110	16 feet
More than 110 to 120	18 feet
More than 120	20 feet

3. *Building Height.* No structure shall exceed 35 feet in height within 50 feet of the lot line of residentially zoned property or that contains a single-family or two-family dwelling. No structure shall exceed 40 feet

in height within 75 feet of residentially zoned property or that contains a single-family or two-family dwelling. Structures located over 75 feet from residentially zoned property or that contains a single-family or two-family dwelling, may increase in height, if permitted by applicable district regulations, at a ratio of one foot in height for each five feet of setback. For example, a building limited to 40 feet in height at 75 feet from residentially zoned property may be increased to a height of 60 feet at a point that is 175 feet from the residentially zoned property.

DIVISION 1.10 TRADITIONAL NEIGHBORHOOD DEVELOPMENTS (TND)

Sec. 1.10.1 Traditional Neighborhood Developments (TNDs) Permitted

- A. **Generally.** A traditional neighborhood development ("TND") is a mixed-use community within the Parish that offers a variety of housing types at a variety of price points; prominently sited civic or community buildings and public open spaces; and stores, offices, services, and (in larger developments) schools, providing a balanced mix of activities in close proximity to each other. TNDs have a recognizable center and clearly defined edges, and streets, sidewalks, and pathways are designed so that in most locations the pedestrian and bicyclist are given at least equal status as the automobile.
- B. **Mix of Uses.** TNDs are mixed-use developments that are allowed to include a wider variety of uses than are otherwise allowed in the zoning district.
- C. **Pattern Books.** Pattern books are required for TNDs. *See* Section 5.4.10, *Pattern Book Approvals*.
- D. **Establishment of Subdistricts.** TND Plans submitted for approval pursuant to this UDC shall indicate three subdistricts:
1. Center ("C"), which is the location for the most intense development, including vertically mixed-use (at the applicant's option), and formal public gathering spaces.
 2. General ("G"), which is the location for most of the housing in the development.
 3. Edge ("E"), which is the location for the least intense development, in the form of relatively large-lot single-family detached residences.
- E. **Relationship to TND Subdistricts.** Subdistricts are applied across the entire TND, regardless of the underlying zoning district. Nothing in this Section shall be interpreted to require that each zoning district contain all three TND subdistricts.

Sec. 1.10.2 TND Lot and Yard Standards

- A. **Generally.** The general standards for each housing type are out in Division 1.7, *Agricultural and Residential District Standards*, which contains lot standards, minimum lot areas and dimensions, setbacks, building heights, and maximum building coverage (if applicable) for each type of building. These standards ensure that each building type will have adequate light and air, living area, and yard areas to provide a quality experience. However, to achieve the design objectives of a TND, it may be desirable to modify the requirements of Division 1.7, *Agricultural and Residential District Standards*. Accordingly, the lot, yard, and building coverage standards of Division 1.7, *Agricultural and Residential District Standards*, may be modified upon approval of a Pattern Book that meets the requirements of Section 5.4.10, *Pattern Book Approvals*, and demonstrates compliance with the standards of this Section.
- B. **Minimum Number of Housing Types.** Housing types shall be mixed as required by Section 3.3.2, *TND Mix of Housing Types*.
- C. **Subdistricts.** The applicant shall designate the boundaries of the subdistricts on a map that is included in the Pattern Book. Patterns shall be provided for each subdistrict.
- D. **Modification of Setbacks.**
1. *Range of Modification.* Setbacks may be modified, or replaced with "build-to" lines, as provided in Table 1.10.2, *Reduced Setbacks for TNDs*. Setbacks or build-to lines may be established for subdistricts or for individual street segments, and shall be described in the Pattern Book.

Table 1.10.2 Reduced Setbacks for TNDs				
Subdistrict	Setback or Build-To Range			
	Front	Interior Side	Street Side	Rear
Center	0 to 8 feet	As allowed by building code	3 feet or more	Any
General	0 to 15 feet	As allowed by building code	5 feet or more	Any
Edge	10 feet or more	5 feet or more	5 feet or more	20 feet or more

2. *Criteria for Modification.*

- a. Where front setbacks will be less than eight feet, the applicant shall provide drawings in the Pattern Book that show:
 - i. How steps giving entry to the homes will be designed;
 - ii. How a combination of street trees, yard landscaping, and open space configuration and landscaping provide for a streetscape that compensates for the loss of front yard landscape area;
 - iii. That the reduction in the front yard will be offset by an equivalent increase in the rear yard of the principal building, or the creation of a courtyard or patio on the side of the building that makes up for the loss of the front and rear yard;
 - iv. That the lot takes access from an alley; and
 - v. That the modified front setback will not impact neighboring properties. If the development has lots that front on an existing street with residential development on the other side, then the standards of Division 1.7, *Agricultural and Residential District Standards*, shall apply to those lots.
- b. Where side setbacks (interior or street) will be modified, the applicant shall demonstrate that:
 - i. The buildings will comply with applicable building codes;
 - ii. There is sufficient spacing to provide for building maintenance and access;
 - iii. The configuration will not interfere with sight distance requirements; and
 - iv. With respect to street side yards only, a combination of street trees, yard landscaping, and open space configuration and landscaping will provide for a streetscape that compensates for the loss of front yard landscape area.
- c. Where rear setbacks will be modified, the applicant shall demonstrate that:
 - i. The design provides for comparable useable outdoor living space on the lot (*e.g.*, through a larger front yard or a courtyard or patio on the side of the house);
 - ii. The design will not create an unsafe condition for the passage of vehicles and pedestrians in an abutting alley (if present); and
 - iii. The design will not interfere with the use and enjoyment of rear or side yards on abutting lots.

E. **Modification of Lot Dimensions.** Lot dimensions may be modified if it is demonstrated that:

1. The proposed lot sizes will ensure a diversity of development that is consistent with the intent of the standards of Division 1.7, *Agricultural and Residential District Standards*;
2. The proposed lot sizes are sufficient to provide light and air to all of the dwelling units in the development;
3. The proposed lot sizes are appropriate to the types of housing that are proposed on the lots;
4. The proposed lot sizes, combined with the permitted building coverage, provide enough room for useable outdoor living space for all single family detached housing types; and
5. The proposed lot sizes provide enough room for utilities and drainage.

F. **Modification of Building Coverage.** Building coverage may be modified if lot sizes are reduced, as follows:

1. For all housing types except townhomes (of any type):
 - a. The permitted building coverage shall not allow for the complete development of the area bounded by the setback lines on the lot in order to ensure that buildings are not monolithic in appearance (compliance with this standard requires a meaningful articulation of the building); or
 - b. The permitted building coverage allows for the complete development of the area bounded by the setback lines on the lot, but another bulk control is used to ensure that the second floor is articulated to avoid the appearance of a monolithic building.
2. For townhomes, the building coverage may be increased to allow for the complete development of the area bounded by the setback lines.

Sec. 1.10.3 Accessory Buildings and Detached Garages

- A. **Generally.** Not more than two buildings (in addition to the principal building) shall be permitted on a lot pursuant to this Section. In some cases, only an accessory building may be allowed.
- B. **Accessory Buildings.**
 1. Accessory buildings that are not detached garages are permitted on all residential lots except through lots, and shall be subject to the standards of Section 1.7.2, *Residential Accessory Uses, Buildings, and Structures*.
 2. Accessory buildings shall have the same architecture and building materials as principal buildings.
- C. **Detached Garages.** Detached garages are permitted as provided in this subsection. These standards supersede any standards of Section 1.7.2, *Residential Accessory Uses, Buildings, and Structures* that are in direct conflict. Where there is no conflict, the standards of Section 1.7.2, *Residential Accessory Uses, Buildings, and Structures* also apply.
 1. *Maximum Ground Floor Area.*
 - a. Center (“C”) subdistrict and General (“G”) subdistrict: 600 square feet.
 - b. Edge (“E”) subdistrict: 800 square feet.
 2. *Maximum Height.*
 - a. 15 feet if used only as a garage;
 - b. 35 feet if ancillary dwelling unit is constructed above the garage.
 3. *Location.* Detached garages shall be located behind the principal building or to the side of the principal building. Such garages shall be set back of at least 25 feet more from the front lot line than the facade of the principal building.
 4. *Architecture.* Detached garages shall be designed to be architecturally comparable to the principal building.

Sec. 1.10.4 TND Accessory Dwelling Units

- A. **Generally.** ADUs may be built in new traditional neighborhood developments (TNDs) that are approved after the effective date of this UDC.
- B. **Minimum Standards.** Development of ADUs in TNDs shall comply with the following standards in addition to other applicable sections of this UDC:
 1. *Applicability.* Any or all single-family lots that are larger than 6,000 square feet may developed with ADUs, provided that the site plan or plat specifically designates the lots upon which such development may occur, or provides a general statement that ADUs are allowed on all single-family lots in the subdivision.
 2. *Pattern Book.* In the required pattern book (*See Section 5.4.10, Pattern Book Approvals*), the applicant shall submit plans showing how the homes will be designed to provide for accessory units. The units may

be within the structure, a separate structure, or above a detached garage. Specific design standards shall be provided for each one of the arrangements that are to be permitted.

3. *Compatibility.* The Parish Council may place conditions on the designation of lots that abut existing development in order to ensure compatibility. These conditions may include:
 - a. A limitation on the lots that abut existing development that may be developed with ADUs to those which will have the least impact due to the configuration of lots and natural resources;
 - b. The designation and installation of a Type B Bufferyard (*see* Section 3.11.1, *Bufferyard Requirements*) along the property lines that divide the parcel proposed for development from existing development; or
 - c. A limitation on the types and designs of ADUs that may be constructed on lots that abut existing development.
4. *Limitations.*
 - a. Not more than one site-constructed ADU shall be constructed on a single-family lot.
 - b. ADUs shall not have more than one bedroom, nor more than one bathroom.
 - c. Detached ADUs are not exempt from the maximum footprint provisions set out in Table 1.7.2, *Residential Accessory Uses, Buildings, and Structures*.
5. *Design Requirements.* ADUs may be designed in any of the following ways:
 - a. ADUs shall comply with the design requirements set out for all ADUs as specified in subsections B.4., B.5., and B.6., of Section 1.4.1, *Accessory Dwelling Units*.
 - b. ADUs may be attached to or integrated into the principal building if it is demonstrated that:
 - i. The ADU does not have a separate exterior entrance that faces the street.
 - ii. Modifications to the outside of the principal building that are necessary to accommodate the ADU appear as integrated elements of the principal building in terms of materials, architecture, roof pitch, window styles, and color.
 - c. ADUs may be located in a separate building or above a detached garage, provided that it meets the standards set out in Section 1.7.2, *Residential Accessory Uses, Buildings, and Structures*. If the ADU is located in a detached structure that is not a detached garage, it shall be located no closer than 25 feet from the principal dwelling.

CHAPTER 2 BUILDINGS AND STRUCTURES

DIVISION 2.1 PURPOSE AND APPLICATION OF CHAPTER

Sec. 2.1.1 Purpose of Chapter

This Chapter is intended to address the quality of building and structure design in the Parish. It addresses urban or traditional neighborhood design standards, residential design standards, and nonresidential design standards. Through better building and structure design, it seeks to provide interesting and attractive streets and neighborhoods, avoiding monotonous or chaotic streetscapes.

Sec. 2.1.2 Application of Chapter

- A. **Generally.** In general, the standards of this Chapter apply primarily to buildings and structures in conjunction with the other standards of this UDC.

- B. **Residential Building Design Standards.** Division 2.2, *Residential Building Design Standards*, identifies additional multiple-family design requirements in addition to provisions for mixed housing.
- C. **Nonresidential Building Design Standards.** Division 2.3, *Nonresidential and Mixed-Use Building Design Standards*, identifies additional design requirements for nonresidential or mixed-use developments.
- D. **Traditional Neighborhood Developments.** Division 2.4, *Traditional Neighborhood Development Building Design Standards*, identifies additional design requirements for traditional neighborhood developments.

DIVISION 2.2 RESIDENTIAL BUILDING DESIGN STANDARDS

Sec. 2.2.1 Modular and Manufactured Home Design and Construction Requirements

- A. **Generally.** The design and construction of individual modular and manufactured homes, both located within manufactured home parks and subdivisions and on individual lots located throughout the unincorporated portions of the Parish, shall comply with the standards set out in this Section.
- B. **Sloped Roof.** New modular and manufactured homes shall have a pitched roof, except that no standards shall require a slope of greater than a nominal three feet in height for each 12 feet in width.
- C. **Exterior Siding.** The modular or manufactured home's siding and roofing shall not be metal.
- D. **Utilities.** All modular and manufactured homes shall be served with sanitary sewer, water, and electrical power.
- E. **Skirting.**
 - 1. *Design.* The space between the finished grade of the property on which a modular or manufactured home is located and the exterior edges of the finished floor of the unit must be skirted with rock, brick, vinyl, concrete masonry, or lattice so there is not a visible gap between the finished floor and the ground. All skirting materials shall be compatible in appearance with the home and shall allow for adequate ventilation and drainage. The skirting must be a continuous, complete, and rigid surface that lends permanency to the appearance of the unit and totally screens the crawlspace under the unit.
 - 2. *Installation Timeframe.* Skirting shall be installed prior to receiving a certificate of occupancy for the modular or manufactured home unit.
- F. **Unit Specifications.**
 - 1. *Size.* The minimum size of all new modular or manufactured homes shall be more than 1,200 square feet of inhabitable floor area in a single-wide or larger unit. Each unit having a second floor shall have a minimum first floor floor area of 950 square feet and have roofing material of a type customarily used on site-constructed residences.
 - 2. *Average Frame Height.* The average height of a manufactured home frame above ground elevation, measured at 90° to the frame, shall not exceed four feet from the top of the foundation pad, except for purposes of flood damage prevention as specified in Division 3.8, *Floodplain Management and Flood Prevention*.
 - 3. *Hauling and Transportation Mechanisms.* The wheels, axles, tongue, towing apparatus, and transporting lights (if applicable) shall be removed prior to final installation of the unit.
- G. **Foundations and Tiedowns.** For the protection of life and property, every modular and manufactured home space located within the unincorporated area of the Parish shall be equipped with adequate permanent foundations and tiedowns intended to secure such manufactured homes against movement, settling and overturning.

Sec. 2.2.2 Fences

- A. **Generally.** Fences shall comply with the standards as set out in this Section.
- B. **Construction Materials Authorized.** All fences must be constructed of wood, masonry (*e.g.*, brick, stone, split-face concrete block), or other similar material (PVC plastic, fiberglass, decorative metal, etc.) that is commonly used, marketed and sold for such purposes (*e.g.*, PVC plastic, decorative metal, etc.).
- C. **Construction Materials Not Authorized.**
1. In no instance will plain concrete block, fiberglass, or metal sheeting be allowed.
 2. Barbed wire is prohibited for use in residential zones.
 3. Other nonfencing materials such as corrugated iron, sheet metal, steel plates, broken glass and aluminum plates are prohibited in all zoning districts of the Parish.
- D. **No Obstructed View of Traffic Permitted.** No fence shall be constructed in such a manner as to prevent the driver of a vehicle from having a clear, unobstructed view of traffic signs and approaching, merging or intersecting traffic.
- E. **Fences on Corner Lots.** For a corner lot, any portion of a opaque fence on the street sides of the lot which extends into the prescribed front or side yard setback requirements may not exceed 42 inches in height.
- F. **Fences in Setback Areas.**
1. For a lot where the rear property lot line would normally be a front yard lot line, no fence in the area reserved for the front yard setback shall exceed 42 inches in height.
 2. No fence exceeding 42 inches in height may be constructed into a prescribed front yard setback area.
- G. **Public Property.** No fence or any part of it may be placed or constructed on or over public property.
- H. **More Restrictive Subdivision Regulations to Take Precedence.** Subdivision restrictions on fences shall take precedence if they are more restrictive than this Section.
- I. **Permit Required.** All fences greater than six feet in height, or constructed of masonry, require a building permit. The required fee will be as specified per the provisions set out in Section 5.2.3, *Fees*.

DIVISION 2.3 NONRESIDENTIAL BUILDING DESIGN STANDARDS

Sec. 2.3.1 Dumpsters

Sufficient containers for the storage, in a sanitary manner, of one week's accumulation of garbage and trash shall be provided. Three or four cubic yard containers shall be provided for the disposal of garbage or trash. The unit shall be located in an enclosed (fenced) area, paved with asphalt or concrete and provided with coping on three sides and a floor drain connected to the sanitary sewer. The area shall be maintained free of insects and rodents. It shall be the obligation of the owner/operator of the development to require that all garbage and trash be disposed of in a sanitary manner and it shall be his responsibility to maintain the development free of litter and debris. It shall additionally be his responsibility to contract independently with the Parish garbage and trash collection agency for the removal of garbage and trash from the development, subject to the existing policies of the Parish.

DIVISION 2.4 TRADITIONAL NEIGHBORHOOD DEVELOPMENTS

Sec. 2.4.1 TND Building Materials

- A. **Generally.** The standards of this Section apply to all buildings within a TND. Applicants may choose to specify and limit building materials in a Pattern Book as one way to demonstrate compliance with the requirements for approval of the Pattern Book.

B. Principal Materials. The principal materials used for building exteriors shall be proven, high-quality, durable materials, including:

1. Brick;
2. Stone;
3. Synthetic stone;
4. Textured colored aggregate concrete masonry units;
5. Portland cement stucco;
6. Fiber cement siding;
7. Polymer siding;
8. Wood (weather resistant species);
9. Shakes; and
10. Polished concrete.

C. Roofing Materials.

1. Metal (shingles);
2. Architectural asphalt shingles;
3. Concrete tile;
4. Slate;
5. Green roof systems;
6. Wood shingles;
7. Synthetic materials; and
8. Building integrated photovoltaics (*e.g.*, solar panels that double as roofing material).

D. Limited Materials.

1. Exterior Insulation and Finish Systems ("EIFS") may be used in the following ways:
 - a. To finish building accents (*e.g.*, columns or window trims); or
 - b. To finish building walls that are located on the side or rear of the building, provided that the EIFS material is installed at least 12 feet above adjacent grade.
2. Glass curtains may be used for building window areas, subject to maximum window area requirements of these regulations.

E. Other Materials. Other building materials may be used as predominant materials if it is demonstrated that:

1. They have comparable durability, impact resistance, and quality as the materials permitted by this Section; and
2. They are part of a building that is designed to achieve a Leadership in Energy and Environmental Design ("LEED") certification, and the materials qualify for LEED points under both the "energy and atmosphere criteria" and the "materials and resources criteria" of the LEED checklists.

F. Prohibited Materials. The use of the following for walls, siding, or cladding is prohibited:

1. Prefabricated metal wall panels;
2. Smooth-faced concrete block (except as permitted in subsection B., above); and
3. Vinyl, composite (except as permitted in subsection B., above), or metal siding.

Sec. 2.4.2 TND Commercial and Mixed-Use Building Design Standards

A. Generally. Commercial and mixed-use buildings shall conform to the design standards of this Section.

- B. **Building Height.** Building height is limited to five stories in the center subdistrict; three stories in the general subdistrict; and two stories in the edge subdistrict. These height standards supersede any other standards of this UDC that may be in direct conflict.
- C. **360-Degree Architecture.** The architectural features, materials, and articulation of the front façade shall be continued on all sides that are visible from a public thoroughfare.
- D. **Transparency.**
1. Not less than 50 percent of the ground level front façade between a height of 30 inches and nine feet above adjacent grade shall be transparent, including window or door openings that allow views into and out of the interior of the building.
 2. Not less than 15 percent nor more than 50 percent of the façade of upper stories shall be transparent.
- E. **Massing.**
1. Buildings shall be designed to appear as a group of attached buildings with horizontal elements in regular increments of not more than 30 feet.
 2. Fifth stories, where allowed, shall be stepped back not less than eight feet along not less than 85 percent of all facades.
- F. **Blank Walls.** All exterior building elevations that face public streets, customer parking areas, or areas of residential use shall be designed so that there are no areas of blank wall that are more than 16 feet in horizontal or vertical direction. This requirement can be met by window openings, articulation of the building, porches or balconies, material and color variations, decorative cornices, murals, score lines, and graphics.
- G. **Corporate Architecture.** Logo buildings and logo building elements are prohibited.
- H. **Mechanical Equipment.** Rooftop mechanical equipment (*e.g.*, HVAC systems) mounted on a flat roof shall be screened with materials and colors that surround the equipment, and that are consistent with the design of the building. In addition, mechanical equipment shall be screened from all ground level views from adjacent property and rights-of-way by:
1. Parapet walls, which shall include three-dimensional cornice treatments of not less than 12 inches in height, with no less than three reliefs; or
 2. Hedges installed on a green roof system, provided that the mechanical equipment is set back at least 25 feet from all exterior building walls; or
 3. Sloped roof systems or other architectural elements that conceal the flat roof area where the equipment is mounted.

Sec. 2.4.3 TND Center Subdistrict Design Standards

- A. **Generally.** A commercial component is required in the Pattern Book that demonstrates compliance with this Section.
- B. **Overall Architectural Theme.** An architectural theme shall be developed for the center subdistrict, and conceptual elevations that demonstrate the theme's key elements shall be included in the Pattern Book. A general palette of colors and materials to implement the theme shall also be included.
- C. **Attractive and Interesting.** Facades shall provide an interesting and attractive theme using the concepts of this Section.
1. Buildings or groups of attached buildings, that are more than 200 feet wide shall include:
 - a. Varying heights.
 - b. Varying setbacks (or build-to lines) that provide interest using one or more of the following:
 - i. Areas for seating or outdoor eating on the sidewalk or a small plaza.
 - ii. Differing setbacks for portions of the building that are detailed to make them visually interesting.
 - iii. Upper level setbacks to provide corner window opportunities.

2. Standard architectural details of windows, doors, and decoration, with their use specified on the Pattern Book elevations.
3. Shading features such as awnings, porticos, or arcades.

D. **Streetscape.** A pedestrian precinct shall be created with the following elements:

1. Offsets or building shapes that create space for pedestrians, dining, or other spaces;
2. Patterned pavements;
3. Landscaping in tree grates or planters;
4. Pedestrian-scale lighting;
5. Seating areas and seating benches, walls, or other seating types; and
6. Public art or water features.

Sec. 2.4.4 Architectural Review Committee

- A. **Generally.** The pattern books approved pursuant to this Division and Division 3.3, *Traditional Neighborhood Development Design and Layout*, shall control subsequent approvals within the development according to their terms. No building permits shall be issued for development in a TND except upon a finding that the proposed construction is consistent with the applicable approved pattern book or, in the case of signs, a comprehensive sign program.
- B. **Architectural Review Committee.** The finding required by subsection A., above, may be certified by an architectural review committee that is formed by the applicant as part of a property owners' association with jurisdiction over the property subject to the certification. If the applicant opts for this type of certification, the Planning and Zoning Commission may periodically review the certifications to ensure that the architectural review committee is making such certifications in good faith. If the Planning and Zoning Commission does not make a finding of good faith compliance, then the Planning and Zoning Commission shall review all subsequent applications for building permits (for new buildings) for compliance with the applicable pattern book.

CHAPTER 3 SITE DESIGN AND DEVELOPMENT

DIVISION 3.1 PURPOSE AND APPLICATION OF CHAPTER

Sec. 3.1.1 Purpose of Chapter

- A. **Purpose.** The purpose of this Chapter is to establish standards regarding the density and intensity of development, and for the amount of common open space or landscaped area that must be provided for different development types. Land subdivision is the first step in the process of Parish development. Once land has been cut into streets, lots and blocks, and publicly recorded, the correction of defects is costly and difficult. Subdivision of land sooner or later becomes a public responsibility in that roads and streets must be maintained and various public services customary to urban areas must be provided. The welfare of the entire community is thereby affected in many important respects. These subdivision regulations are adopted for the following purposes:
1. To promote the public health, safety and general welfare of the jurisdictional area.
 2. To provide for adequate light, air and privacy; to secure safety from fire, flood and other dangers; and to prevent overcrowding of the land and undue congestion of population.
 3. To enhance the character and economic stability and encourage the orderly, beneficial improvement of the jurisdictional area.

4. To conserve the value of land, buildings, and improvements throughout the jurisdictional area and to minimize detrimental conflicts among land owners.
 5. To guide public and private policy and action providing for transportation, water, sewerage, schools, recreational areas, and other public requirements and facilities.
 6. To provide for the most efficient traffic movement throughout the jurisdictional area.
 7. To establish reasonable standards of design and procedures for subdivisions, resubdivisions and developments; to further orderly layout; and to ensure proper legal descriptions and proper monumenting of land.
 8. To ensure that public facilities are available and will have a sufficient capacity to serve the proposed subdivision or development.
 9. To prevent the pollution of air, streams and ponds; to assure the adequacy of drainage facilities; to safeguard the water table; and to preserve the integrity, stability, beauty and value of the jurisdictional area.
 10. To preserve the natural beauty and topography of the jurisdictional area, and to ensure appropriate improvement with regard to these natural features.
 11. To provide for open spaces through efficient design and layout of the land.
 12. To encourage subdivision and development design which would maximize the conservation of all forms of energy.
- B. **Policy.** It is, therefore, to the interest of the public, the subdivider/developer, and future owners, that subdivisions and developments be conceived, designed, and improved in accordance with sound rules and proper minimum standards. Land to be subdivided or developed shall be of such character that it can be used for building purposes without danger of health, fire, flood, or other menace. Land shall not be subdivided or developed until proper provisions have been made for drainage, water, sewerage, other public utilities, and for other required public services.

Sec. 3.1.2 Application of Chapter

- A. **Generally.** In general, the standards of this Chapter apply primarily to the development of individual sites and property in conjunction with the other standards of this UDC.
- B. **Subdivision Design and Development.** Division 3.2, *Subdivision Design and Land Development*, sets out the basic standards that apply to the layout and design of a subdivision or a site plan. Alternatives may apply to specific types of development.
- C. **Design and Layout of TNDs.** Division 3.3, *Traditional Neighborhood Development Design and Layout*, sets out alternate standards specific to traditional neighborhood developments ("TNDs").
- D. **Manufactured Home Parks and Subdivisions.** Division 3.4, *Manufactured Home Parks and Subdivisions*, sets out the provisions for the design and configuration of new manufactured home parks or subdivisions and the required maintenance of existing manufactured home parks or subdivisions.
- E. **Parking and Loading.** Division 3.5, *Parking and Loading*, sets out the number of required parking and loading spaces and establishes the minimum design and maintenance requirements. The provisions set out in Division 3.5, *Parking and Loading*, apply to:
 1. All new development; and
 2. Expansions of existing development and changes of use that require additional parking; provided that the additional parking is equal to the extent of new demand created by the expansion or change of use.
- F. **Streets, Sidewalks and Utilities.** Division 3.6, *Streets, Sidewalks, and Access*, sets out the policy and design objectives for streets, sidewalks, and minimum access requirements.
- G. **Utilities.** Division 3.7, *Utilities*, sets out the minimum design requirements for the installation of utilities.
- H. **Floodplain Management and Prevention.** Division 3.8, *Floodplain Management and Flood Protection*, sets out the technical standards for development within areas of special flood hazard within the City.

- I. **Drainage.** Division 3.9, *Drainage*, sets out the minimum design requirements for the installation of drainage facilities.
- J. **General Environmental Standards.** Division 3.10, *General Environmental Standards*, sets out the standards for enforcing unreasonably amounts of noise, vibration, smoke emissions, odors, toxic or noxious matter, nuclear and electromagnetic radiation, heat and glare.
- K. **Landscaping and Buffering.** Division 3.11, *Landscaping*, sets out the landscaping and buffering standards that apply to all new development and redevelopment, or substantial improvements to existing sites or buildings, with the following exceptions:
 - 1. Individual existing lots of record that are used for single-family or two-family dwellings; and
 - 2. Sites which are proposed for redevelopment or substantial improvement, where due to the geometry of the site or existing improvements, installation of landscaping in full compliance with Division 3.11, *Landscaping*, would be impracticable or an unreasonable financial burden on the applicant, in which case the Parish may approve a lesser landscaping requirement, provided that the reduction of landscaping standards is only to the extent necessary to make the installation practicable or financially reasonable.

DIVISION 3.2 SUBDIVISION DESIGN AND LAND DEVELOPMENT

Sec. 3.2.1 General Provisions

- A. **Generally.** These regulations shall be applicable to all developments and to the subdivision of all land within the unincorporated areas of the Parish for purposes other than agricultural. Every subdivision of land into two or more tracts, unless above excepted, shall be shown on a plat, and submitted to the Director through his staff, for approval or disapproval. No public money shall be expended for maintenance purposes on streets, drainage structures or utilities in a subdivision that has not been accepted by the Parish Council.
- B. **Conformance to Applicable Rules and Regulations.** In addition to the requirements established in this UDC, all subdivisions shall comply with the following laws, rules and regulations:
 - 1. All applicable statutory provisions.
 - 2. The Comprehensive Plan, Parish base map, Parish design and construction procedures and capital improvements program, if existing, including all streets, drainage systems, and parks shown on the land development plan and the major street plan as adopted.
 - 3. The special requirements of these regulations and any rules of the health department and/or appropriate state and federal agencies.
 - 4. The rules of the highway department if the subdivision or development abuts a state highway or roadway.
 - 5. The standards and regulations adopted by the Director, Planning and Zoning Commission, and Parish Council.
- C. **Character of the Land.** Land which the Director finds to be unsuitable for subdivision or development due to flooding, improper drainage, adverse earth formation or topography, utility servitudes, or other features which will be potentially harmful to the safety, health, and general welfare of the present or future inhabitants of the subdivision and/or its surrounding areas, shall not be subdivided or developed unless adequate methods are formulated by the subdivider or developer to solve the problems created by the unsuitable land conditions. Said methods shall be approved by the Director and the Parish Council upon recommendation of the Department of Public Works. If the problem is not resolved, such land shall be set aside for uses that will not involve the danger.
- D. **Council Acceptance Required for Recordation.** The clerk of court shall not record a plat of a subdivision or a development without the acceptance of the Parish Council. The plat for recordation must bear the original signature of the Director in red ink, indicating the Parish Council's acceptance.

- E. **Building Permits Required.** Building permits will be required for all construction within the unincorporated area of the Parish, whether the construction is residential, commercial or industrial. No building permit shall be issued for the construction of any building or structure located in a development or on a lot in a subdivision sold in violation of any provision of these regulations.
- F. **Front Foot Assessments Permitted.** Nothing herein shall prohibit the levy of front foot assessments for the construction of streets, drainage or other utility services required by this UDC; provided however, the subdivider/developer shall not otherwise be relieved of any duty or responsibility herein.

Sec. 3.2.2 Resubdivision of Land

- A. **Procedures for Resubdivision.** If any change in an approved or recorded subdivision plat would affect the layout of any public street, alley or road (hereinafter referred to as public way) shown on such plat, or area reserved thereon for public use, or any lot line, or if it would affect any map, plan, or plat legally recorded before the adoption of this UDC, such amendment shall be approved by the Director by the same procedure, rules and regulations as for a new subdivision.
- B. **Procedures for Subdivision where Future Resubdivision is Foreseen.** Whenever a parcel of land is subdivided and the subdivision plat shows one or more lots containing more than one acre of land or double the minimum required area and the Director has reason to believe that any such lot(s) may be resubdivided into smaller lots, the Director may require that the subdivision of such parcel of land allow for the future opening of public ways. The Director may also require that dedications providing for the future opening and extension of such public ways be indicated on the plat.
- C. **Conditions.** The regulation of the subdivision and development of land and the attachment of reasonable conditions thereto are administered by the Director. The subdivider/developer has the duty of compliance with reasonable conditions imposed by the Director for design, dedication, improvement, and restrictive use of the land so as to provide for the physical and economical development of the jurisdictional area and for the safety and general welfare of future plot owners and of the community at large.

Sec. 3.2.3 Subdivision and Street Names

- A. **Subdivision Name.** The proposed name of the subdivision or development shall not duplicate, or closely approximate phonetically, the name of any other subdivision or development. The Director shall have final authority to designate the name of the subdivision which shall be determined at the conceptual phase.
- B. **Street Names.** The conceptual plat as submitted by the subdivider or developer shall indicate names of proposed streets. The Director reserves the right to reject proposed street names to prevent duplication within an area served by a post office, school, fire company, etc. A street which is, or is planned as, a continuation of an existing street or road shall bear the same name.

Sec. 3.2.4 Property Owners' Association Required

- A. **Generally.** Any subdivision or land development which establishes areas under common ownership requires a property owners' association and a recorded declaration of covenants, conditions, and restrictions ("CCRs") to oversee immediate and long-term management and maintenance responsibilities. Examples include, but are not limited to, common open space or park areas, drainage and retention ponds, entrance monuments, etc.
- B. **Property Owners' Association.** If required by this UDC, or required as a condition of approval, or by the nature of establishing areas under common ownership or management, the applicant shall incorporate a property owners' association that will bear responsibility for ensuring continuing compliance with these regulations, the conditions of subdivision or site plan approval, and long-term maintenance. The Parish Attorney shall review the documents only for the following provisions:
 - 1. Membership in the property owners' association shall be mandatory for all owners of property in the subdivision or condominium;
 - 2. The property owners' association shall have lien rights with respect to unpaid dues;
 - 3. The property owners' association shall be permanent; and

4. The property owners' association shall have all responsibilities required by these regulations (*e.g.*, ownership and maintenance of common elements).

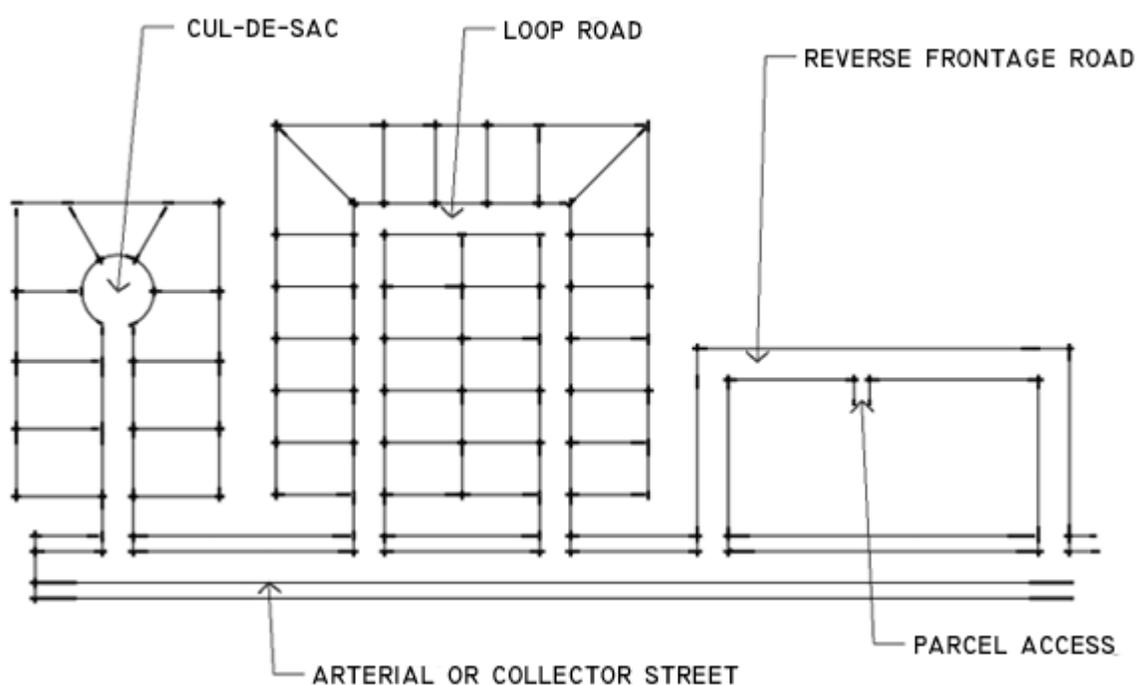
Sec. 3.2.5 Covenants and Restrictions

- A. **Generally.** Conditions and requirements of development approval that require ongoing efforts of tenants or successors in title shall be included in a declaration of covenants, conditions, and restrictions (CCRs) for the property that shall be recorded in the public records in the chain of title for the property at the applicant's expense. The applicant shall provide proposed CCRs to the Parish:
 1. Upon filing the application for final approval; or
 2. If no plat approval is sought, before the issuance of any permit that directly authorizes development (development approvals that require CCRs shall be contingent upon approval of the CCRs document).
- B. **Plat Annotations.** Requirements regarding maintenance of common areas or operation and maintenance of drainage facilities shall be summarized on the plat and set forth in full in the declaration of CCRs, which shall be referenced on the plat.
- C. **Self-Imposed Restrictions.** If the owner places CCRs on any of the land contained in the subdivision greater than those required by this UDC, said CCRs shall be recorded with the Parish clerk of court prior to the sale of any lots and there shall be noted on the subdivision plat that said CCRs have been recorded. The Parish shall approve only those CCRs that relate to the development approval, and its right of enforcement shall extend only to those matters and matters that substantially bear upon them. The Parish will not seek to intervene in purely private disputes about CCRs.

Sec. 3.2.6 Streets

- A. **Alignment of Subdivision Streets with Existing Streets.**
 1. Streets shall be configured as required by Section 3.6.2, *Street Standards*.
 2. Streets shall, to the extent practicable, align with existing streets, and be given the name of the streets with which they align, or shall be offset the minimum distance.
- B. **Alignment of Local Streets with Arterials and Collectors.** Generally, local streets shall be either:
 1. Perpendicular to arterials or collectors; or
 2. Loop streets, reverse frontage roads, or dead-end streets/cul-de-sacs (which are limited by Section 3.6.3, *Dead-End Streets*. See Figure 3.2.6, *Local Street Orientation*).

Figure 3.2.6
Local Street Orientation



C. **Width of Public Ways.** The minimum width of public street rights-of-way in subdivisions shall be established according to the functional classification of each street, pursuant to Section 3.6.2, *Street Standards*.

D. **Grades and Curves of Public Ways.** The minimum requirements for grades and curves are established pursuant to Section 3.6.2, *Street Standards*.

E. **Street Layout.**

1. All streets shall be properly integrated with the existing and proposed system of thoroughfares and dedicated streets.
2. All thoroughfares shall be properly related to special traffic generators such as industries, business districts, schools, churches and shopping centers; to population densities; to anticipated traffic volumes; to existing and proposed streets and roads; and to the pattern of existing and proposed land uses.
3. Minor or local streets shall be laid out to conform as much as possible to existing topography, to discourage use by through traffic, to permit efficient drainage and utility systems, and to require the minimum number of streets necessary to provide convenient and safe access to property.
4. Proposed streets shall be extended to the boundary lines of the tract to be subdivided and connect with streets in adjacent properties unless prevented by topography or other physical conditions, or unless in the opinion of the Director such extension is not necessary or desirable for the coordination of the layout of the subdivision with the existing layout or the most advantageous future improvement of adjacent tracts.
5. In business and industrial developments, the streets and other accessways shall be planned in connection with the grouping of buildings, location of rail facilities, and the provision of alleys, truck loading and maneuvering areas, and walks and parking areas so as to minimize conflict of movement between the various types of traffic, including pedestrian.
6. In commercial or rental developments, the developer shall demonstrate to the satisfaction of the Director that the proposed parcels shall be suitable in area and dimensions, that the street and block pattern proposed is specifically adapted to the uses anticipated, and that the proposed layout takes into account other land uses in the vicinity. In addition, streets carrying nonresidential traffic, especially truck traffic, shall not normally be extended to the boundaries of adjacent existing or potential residential areas.

F. **Reserve Strips.** The creation of reserve strips shall not be permitted adjacent to a proposed street in such a manner as to deny access from adjacent property to such street.

Sec. 3.2.7 Blocks

A. **Generally.** The length, width, and shape of blocks shall be determined with regard to the following:

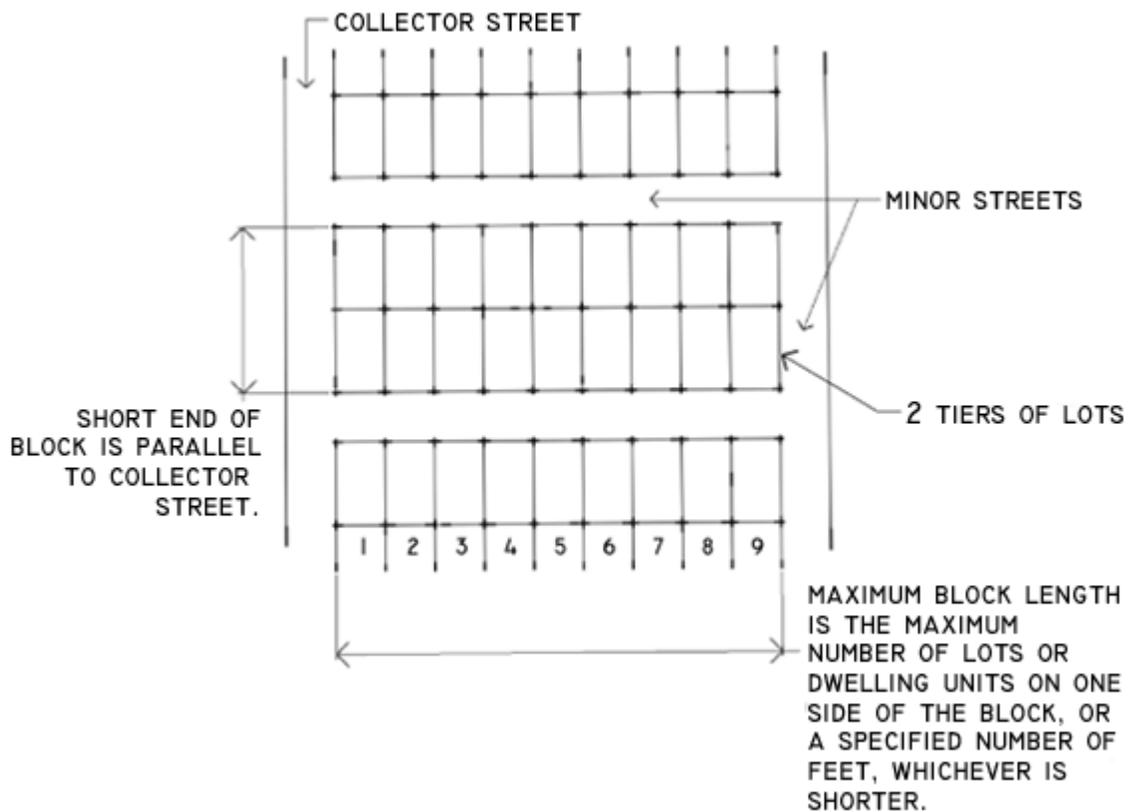
1. The provision of adequate building sites suitable to the special needs of the type of use contemplated;
2. The required lot widths and lot areas for the development;
3. The need for convenient access, circulation, control, and safety of street traffic; and
4. Limitations and opportunities of topography with respect to streets, utilities, and views.

B. **Block Length and Width.**

1. The lengths, widths and shapes of blocks shall be such as are appropriate for the locality and the type of subdivision contemplated, however, block length in residential areas shall not exceed the lengths specified in Table 3.2.7, *Block Length*, nor be less than 300 feet in length unless a variance is needed to connect to and continue streets in an adjacent area. Blocks may exceed the lengths in Table 3.2.7, *Block Length*, provided that the blocks are the minimum additional length necessary to achieve a stated design objective, and either: (*See Figure 3.2.7A, Illustrative Block Length*)
 - a. The block traverses a span of open space that is wider than the distance specified in the table; or
 - b. Mid-block access is provided that allows pedestrian circulation from the block to another block (or, in TND "Center" subdistricts, to parking areas behind buildings). Such access shall be provided at intervals of not less than 300 feet, including street intersections.
2. Blocks shall have sufficient width to provide for two tiers of lots of appropriate depths. Exceptions to this prescribed block width are permitted:
 - a. Where adjacent to major streets; railroads, waterways, or adjacent subdivisions;
 - b. Where reverse frontage lots are located along an arterial or collector street;
 - c. Where such an arrangement is prevented by the size or other inherent site conditions of the property; or
 - d. Where lots are arranged in a cluster format that promotes visual access to common open space by reducing back-to-back residential lots.

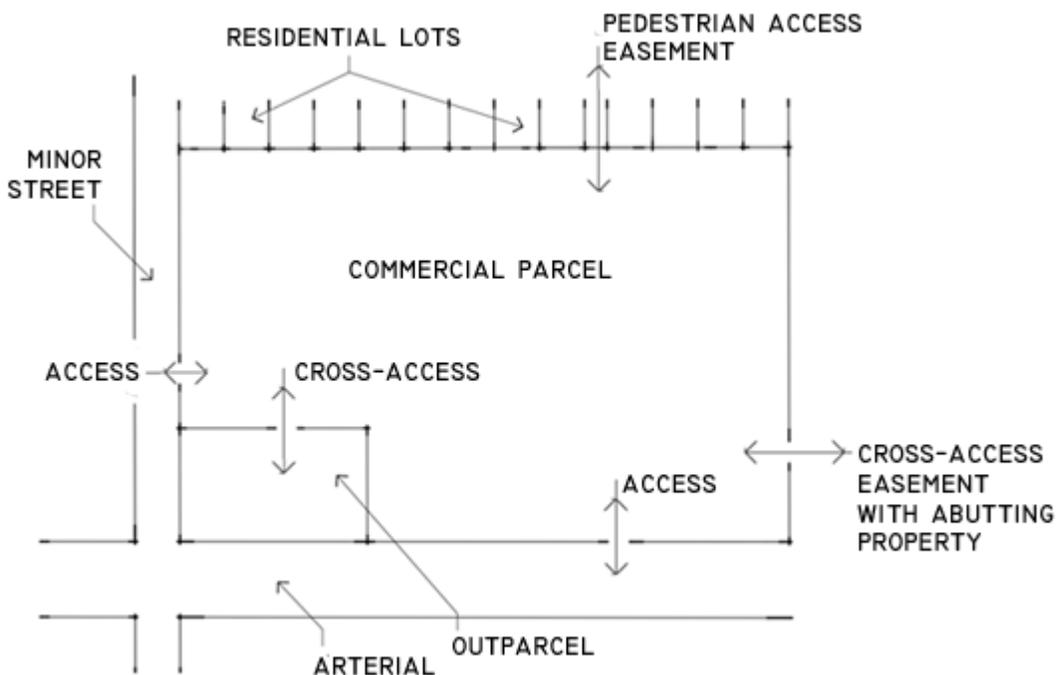
Table 3.2.7 Block Length		
Development Type	Maximum Block Length Is Lesser Of . . .	
	Max. Lots Accessed on One Side of Street	Max. Distance Between Intersections or Significant Curves, Jogs, or Offsets
Standard Residential Subdivisions; Clustered Residential Subdivisions (all types); Mixed-Housing Neighborhoods	9 single-family detached; or 15 single-family attached; or 15 multiple-family footprints plus required building side yards	1,200 ft.
TND "Center" subdistrict	N/A	500 ft.
TND "General" and "Edge" subdistricts	N/A	650 ft.

Figure 3.2.7A
Illustrative Block Length



- C. **Servitude May Be Required.** In long blocks, the Director may require the reservation of a servitude through the block to accommodate utilities, drainage facilities, or pedestrian traffic. Pedestrian crosswalks, not less than 10 feet wide, may be required by the Director through the center of blocks where deemed essential to provide circulation or access to schools, playgrounds, shopping centers, transportation, or other community facilities.
- D. **Nonresidential Blocks.** Blocks for commercial, industrial, and mixed-use areas may vary from the elements of design contained in this Section if the nature of the use requires other treatment. *See* Figure 3.2.7B, *Illustrative Nonresidential Blocks*. In such cases, safe and convenient access to the street and pathway systems shall be required. Space for off-street parking may also require similar access for employees and customers. Extension of streets and utilities shall be provided, as necessary.

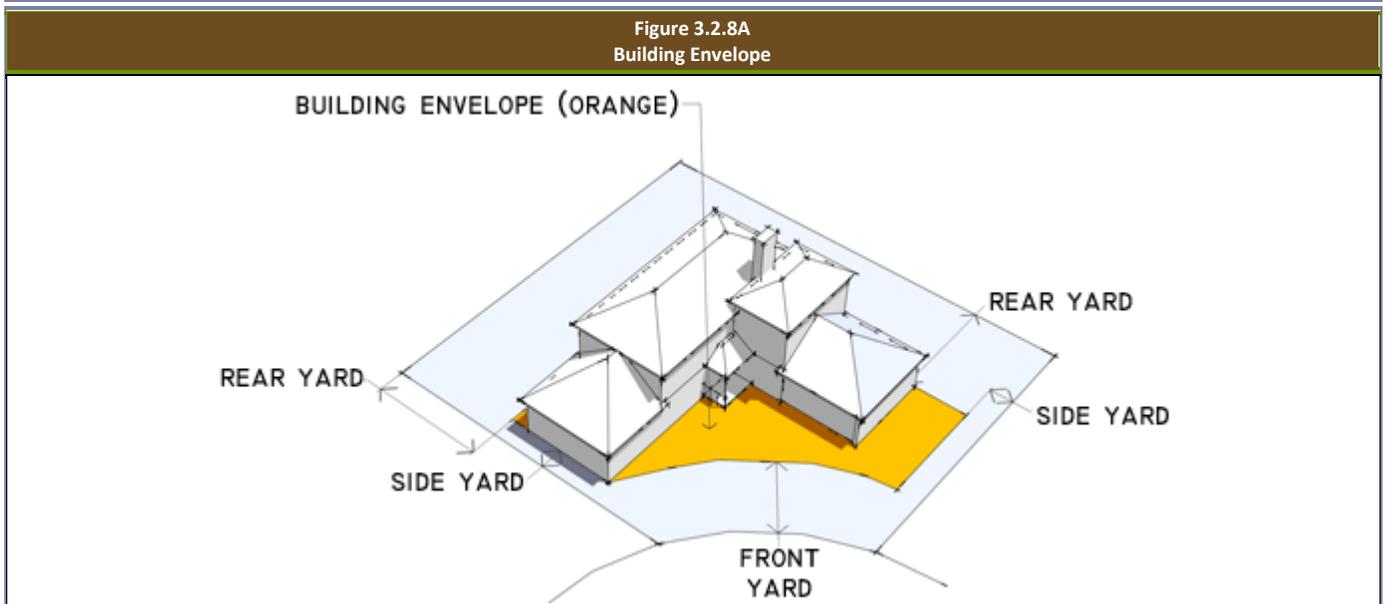
Figure 3.2.7B
Illustrative Nonresidential Blocks



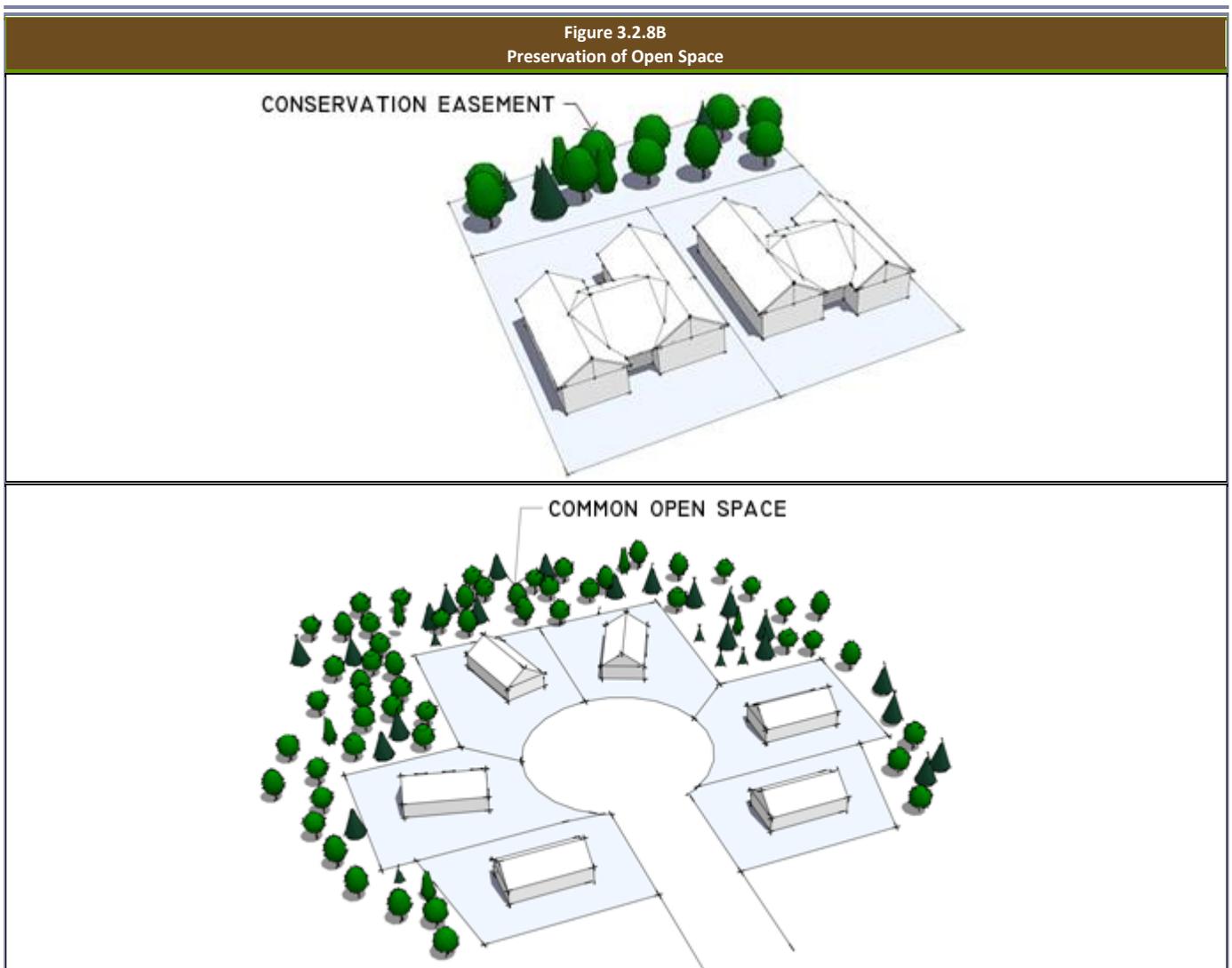
Sec. 3.2.8 Lots

- A. **Minimum Width.** The minimum width of lots in a subdivision shall be as set out in:
1. Division 1.7, *Agricultural and Residential District Standards* and Division 1.9, *Nonresidential District Standards*, for the applicable zoning district and development type; or
 2. A pattern book for a TND that is approved according to the standards of Section 5.4.10, *Pattern Book Approvals*.
- B. **Minimum Depth.** The minimum depth of lots in a subdivision shall be:
1. As required to achieve the minimum lot area (lot depth equals lot width divided by lot area) set out in Division 1.7, *Agricultural and Residential District Standards* and Division 1.9, *Nonresidential District Standards*, for the applicable zoning district and development type; or
 2. The depth indicated in a pattern book for a TND that is approved according to the standards of Section 5.4.10, *Pattern Book Approvals*.
- C. **Minimum Area.** The minimum area of lots in a subdivision shall be as set out in:
1. Division 1.7, *Agricultural and Residential District Standards* and Division 1.9, *Nonresidential District Standards*, for the applicable zoning district and development type for the applicable zoning district and development type; or
 2. A pattern book for a TND that is approved according to the standards of Section 5.4.10, *Pattern Book Approvals*.
- D. **Required Frontage.**
1. All lots that are not subject to a conservation servitude or used as common elements or recreational areas shall front upon an improved public street, unless it is demonstrated that a private street subdivision is approved that complies with Section 3.6.7, *Private Streets*.
 2. Public streets include:
 - a. An existing state highway; or
 - b. An existing Parish road; or
 - c. A street shown upon a plat approved by the Director, accepted by Parish Council and recorded in the Parish clerk of court's office. Such street/road or highway must be suitably improved as required by Parish Council, and this UDC.
- E. **Lot Shape, Generally.**
1. Generally, lots shall be rectangular or "pie-shaped." All side lines of lots shall 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.
 2. Corner lots shall have extra width to permit the establishment of front building setback line on both the front and the side of the lots adjoining the streets irrespective of whether the rear lot lines of said corner lots abut lots fronting on the side streets.
 3. Lots on major street intersections and at all acute angle intersections which, the Planning and Zoning Commission finds are likely to be dangerous to the traffic movement shall have a radius of 20 feet at the street corner. 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 provisions for such structures.
 4. Lots with double frontage shall be avoided except where the Director determines that it is essential to provide separation of residential subdivisions from arterial streets.
- F. **Lot Shape, Alternative.** Alternative lot shapes may be approved in any of the following circumstances:
1. *In General.*
 - a. The alternative shape does not interfere with the efficient development of other property; and

- b. The lots allow for a building envelope that is adequate for conventional building design. The building pad used meets minimum lot width where the home is to located. The Director shall require a building pad designation on the plat. See Figure 3.2.8A, *Building Envelope*.



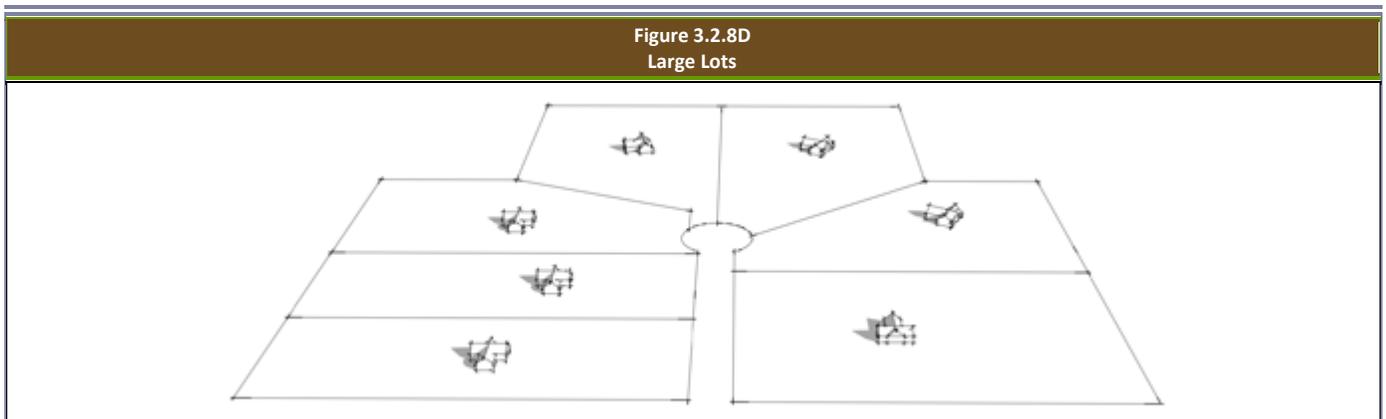
2. *Irregularly Shaped Parcel Proposed for Development*. The shape of the parcel required irregular lots in order to subdivide.
3. *Preservation of Open Space with Trapezoidal Lots*. Trapezoidal lots are encouraged in cluster development because they better enable the land planner to adjust to curvilinear roads or cul-de-sacs by increasing the total open space area of the site. Figure 3.2.8B, *Preservation of Open Space*, compares the use of trapezoidal lots to the use of conservation servitudes on private lots.



4. *Curvilinear Streets.* Irregular lots are permitted where the street alignment would otherwise force larger, pie shaped lots and the use of irregular lots would allow for smaller lots and more access to open space. See Figure 3.2.8C, *Curvilinear Streets.*



5. *Large Lots.* Where lots exceeding three acres are provided, the lot shape that provides efficient use of the land and minimum lot size may be used. See Figure 3.2.8D, *Large Lots.*



G. **Access to Lots.** Access to single-family and duplex lots shall be in accordance with Section 3.6.11, *Access Management and Circulation.*

H. **Railroads and Limited Access Highways.** Railroad rights-of-way and limited access highways where so located as to affect the subdivision of adjoining lands shall be treated as follows:

1. In residential areas a Type D bufferyard shall be required in addition to the normal depth of the lot required shall be provided adjacent to the railroad right-of-way or limited access highway. This strip shall be part of the platted lots and shall be designated on the plat as follows: "This strip is reserved for screening. The placement of any structure hereon is prohibited."
2. In business, commercial or industrial areas the nearest street extending parallel or approximately parallel to the railroad shall, wherever practicable, be at a sufficient distance therefrom to ensure suitable depth for commercial or industrial sites.
3. Streets parallel to the railroad when intersecting a street which crosses the railroad at grade shall, to the extent practicable, be at a distance of at least 50 feet from the railroad right-of-way. Such distance shall be determined with due consideration of the minimum distance required for future separation of grades by means of appropriate approach gradients.

I. **Water Covered/Sensitive Areas.**

1. If a tract being subdivided contains a privately owned water body, or portion thereof, lot lines shall be so drawn as to distribute the entire ownership of the water body among the adjacent lots. The director may

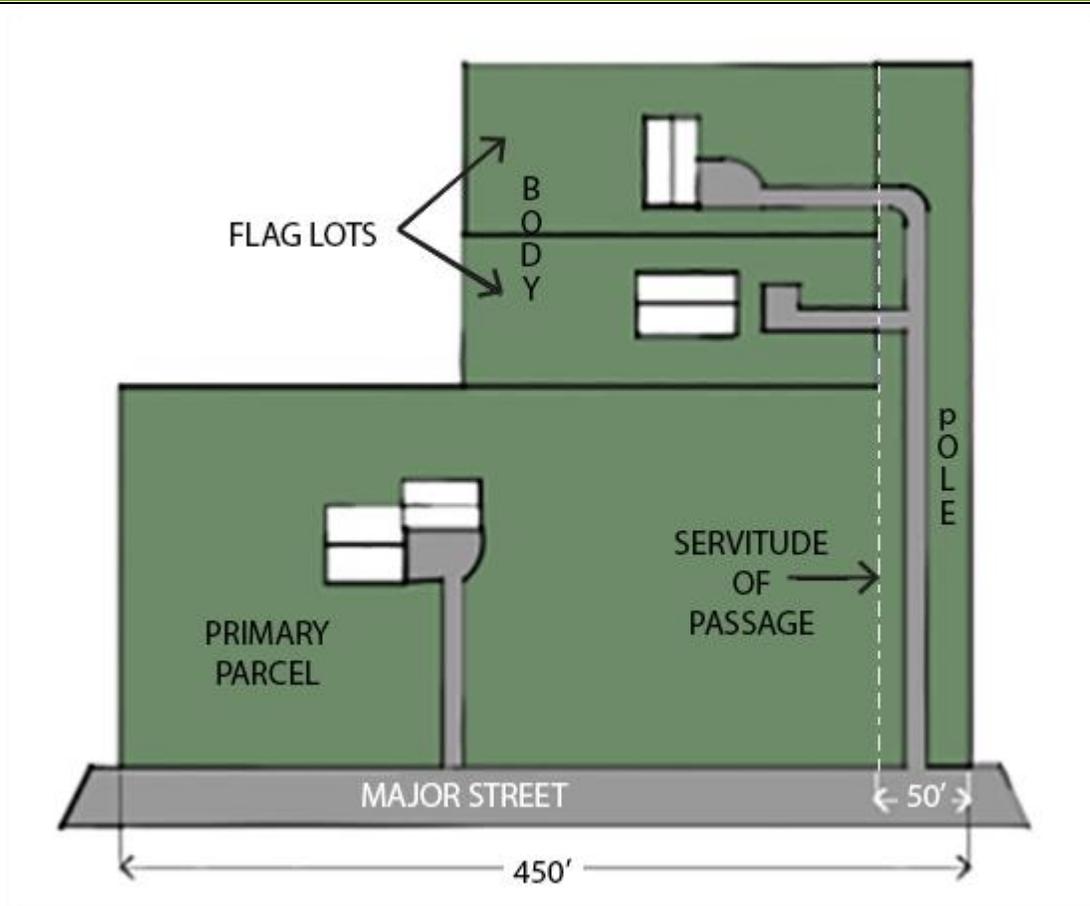
approve an alternative plan whereby the ownership of and responsibility for safe maintenance of the water body is so placed that it will not become a local government responsibility. No more than 25 per cent of the minimum area of a lot may be satisfied by land which is under water. Where a watercourse separates the buildable area of a lot from the street to which it has access, provisions shall be made for installation of a culvert or other drainage structure in accordance with the requirements of the Parish Department of Public Works.

2. Low-lying lands along existing watercourses subject to periodic flooding or overflowing during storm periods, whether or not included in areas for dedication shall be preserved and retained in their natural state as drainage ways. Such land or lands subject to periodic flooding shall not be used for computing the area requirements of any lot. Lots shall not, in general, derive access exclusively from a primary or secondary arterial. Where driveway access from a primary or secondary arterial may be necessary for several adjoining lots, the director may require that such lots be served by a combined street. Where possible, driveways should be designed and arranged so as to avoid requiring vehicles to back into traffic on major or secondary arterials.

Sec. 3.2.9 Flag Lots

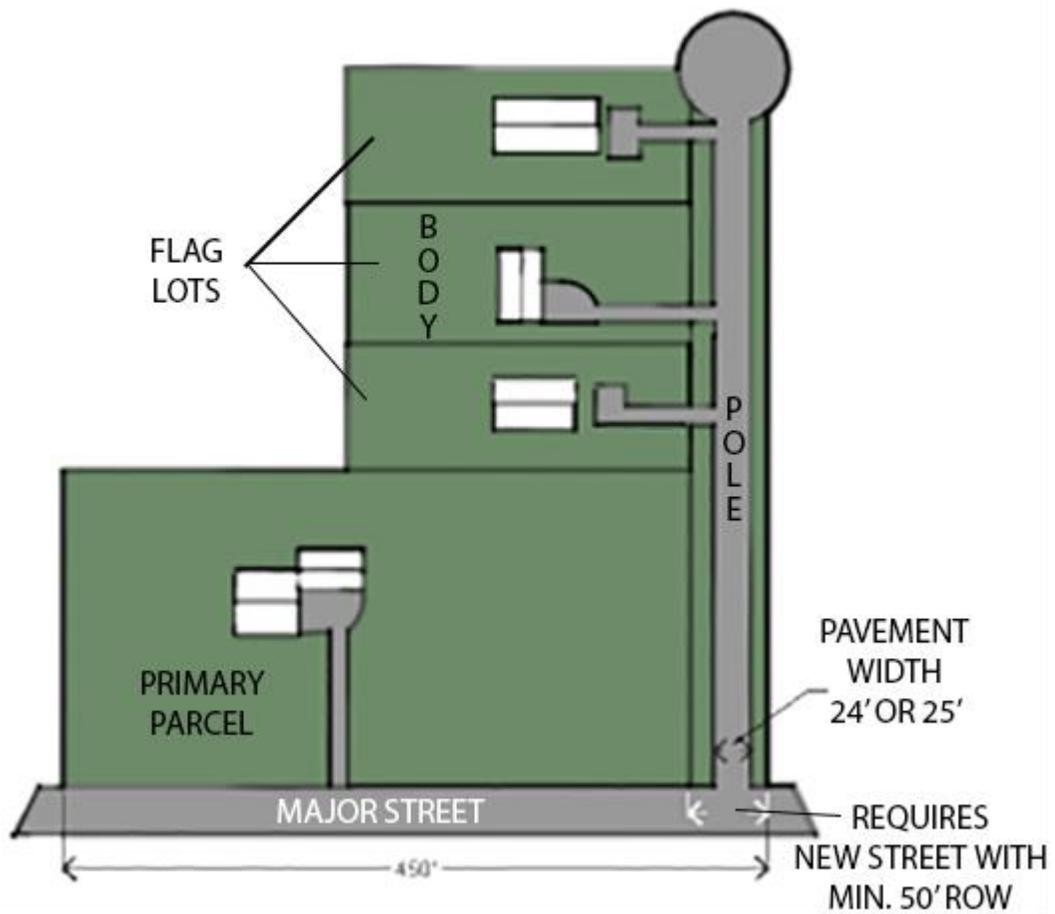
- A. **Generally.** The intent of a flag lot or flag lots is to promote infill residential development but not to disrupt the existing character of a neighborhood. It is also to provide dedicated public or private street access for those infill lots while avoiding the need for joint access servitudes that lead to neighbor disputes. Flag lots shall not be approved in areas where there is not existing residential development so as to prevent the circumvention of the subdivision process.
- B. **Purpose.** The purpose of these provisions are to consolidate and reduce access points and points of conflict to improve traffic safety along parish highways and streets.
- C. **Design Standards.**
 1. *Generally.*
 - a. The main body portion of the flag lot, excluding the "pole" portion of the lot, shall meet the minimum requirements for lots required by the applicable zoning district. The "pole" portion of the lot shall maintain the minimum width from the street frontage to the main body of the flag lot.
 - b. The distance between flag lot driveways shall be in accordance with Table 3.6.11A, *Minimum Arterial and Collector Lot Frontage*.
 2. *Flag Lots Serving Two or Fewer Lots or Dwelling Units.* Flag lots serving two or fewer lots or dwelling units shall comply with the following:
 - a. The flag lots shall be created using the subdivision process or other recorded legal instrument approved by the Parish Attorney to create a servitude of passage to the lots or dwelling units. *See Figure 3.2.9A, Illustrative Flag Lots with Servitude of Passage.*
 - b. The servitude of passage (*i.e.*, the "pole" portion of the flag lot) shall be a minimum of 50 feet wide.

Figure 3.2.9A
Illustrative Flag Lots with Servitude of Passage



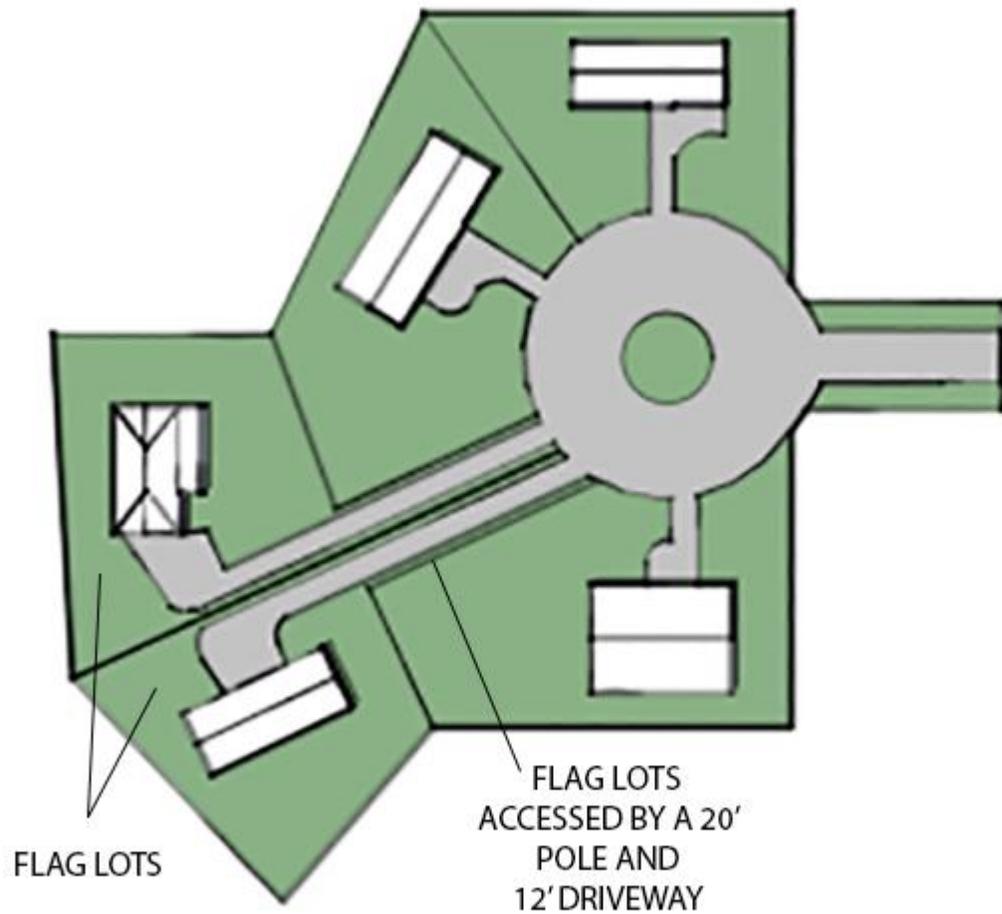
3. *Flag Lots Serving More than Two Lots or Dwelling Units.* Flag lots serving more than two lots or dwelling units shall comply with the following:
 - a. Creation of the flag lots requires the construction and dedication of a new public or private street meeting all the requirements as set out in Division 3.6, *Streets, Sidewalks, and Access*. See Figure 3.2.9B, *Illustrative Flag Lots with New Street*.
 - b. The flag lots and dedicated right-of-way shall be created using the subdivision process.

Figure 3.2.9B
Illustrative Flag Lots with New Street



4. *Flag Lots Within New Subdivisions.* Flag lots within newly proposed subdivisions shall comply with the following:
- They shall only be allowed on cul-de-sacs or where an irregular-shaped parcel or parcels, or restrictions caused by natural resources (*e.g.*, floodplain or watercourses), warrant their use. *See Figure 3.2.9C, Illustrative Flag Lots in New Subdivisions.*
 - The flag lots shall be created using the subdivision process.
 - The servitude of passage (*i.e.*, the "pole" portion of the flag lot) shall be a minimum of 20 feet wide on cul-de-sacs and 50 feet for access to any other parcel.

Figure 3.2.9C
Illustrative Flag Lots in New Subdivisions



Sec. 3.2.10 Servitudes

A. **Generally.** During development approval, the Parish may require the granting of a variety of servitudes on private property or lots. These servitudes may be for any of the following, or other approved, purposes:

1. Drainage;
2. Utilities;
3. Access to public utilities or drainage areas;
4. Fire protection;
5. Police protection and other emergency services;
6. Solid waste removal;
7. Pedestrian access; and
8. Natural resource or open space conservation.

B. **Utility Servitudes.** Where required, all lots shall provide utility servitudes for sewer, water, gas, drainage, electricity, cable, fiber-to-the-home, or other public utilities that are necessary or desirable to serve the subdivision. At a minimum, servitudes shall be designed and dedicated as follows:

1. All private or public utilities shall be located within servitudes adjacent to streets or along lot lines.
2. Servitudes located along rear lot lines may be provided for the local distribution of utilities (private and public). Such servitudes shall be minimum of 10 feet on one side of the rear lot lines.

3. Where servitudes for high voltage distribution or transmission facilities are located along the rear lot lines they shall be of sufficient width to accommodate maintenance and operation.
4. Where topographic or other conditions are such as to make impractical access to a rear lot line utility, servitude at least 20 feet in width shall be provided along the side lot lines of at least two lots per block for satisfactory access.

C. **Drainage Servitudes.** To the extent possible, existing surface drainage patterns serving any off-site properties or two or more proposed lots or properties shall be protected by servitudes or open space. In addition, drainage servitudes shall be placed on lots to convey surface water to storm sewers located on the street or to surface drainage channels located in servitudes or open spaces as topography and grading dictate. At a minimum, servitudes shall be designed and dedicated as follows:

1. Flood control or storm drainage servitudes containing underground facilities shall have a minimum width of 10 feet.
2. Where a subdivision is traversed by an existing or proposed ditch, canal, watercourse, drainageway, or channel, there shall be provided a stormwater drainage servitude conforming substantially to the lines of such watercourse, plus a minimum of 20 feet on one side for maintenance purposes. If a variance is granted relative to the length of the block for lots abutting said servitude, an additional 50 feet of servitude shall be provided for access from the street at approximately 2,500 foot intervals. If the block is 4,000 feet or less in length, the additional 50 feet of servitude shall be provided in the approximate center of the block.
3. Where topographic or other conditions are such as to make impractical the inclusion of drainage facilities within the streets, an additional perpetual unobstructed drainage servitude of adequate width shall be provided adjacent to the street lines.
4. When a proposed drainage system is intended to carry water across private land outside the subdivision, appropriate drainage servitudes must be secured and indicated on the plat. Such servitudes must extend to the nearest acceptable publicly maintained watercourse or other approved discharge location.
5. The subdivider or developer shall dedicate a drainage servitude on both sides of all existing watercourses, to a width to be determined by the Director.

D. **Fire Protection Servitudes.** Rear fire protection access servitudes, where necessary to provide adequate protection for the structure, shall be improved as appropriate for fire protection equipment, at a width of 20 feet, with appropriate turning radii for the Parish's fire protection equipment as determined by the Fire Department.

E. **Pedestrian Access Servitudes.** Pedestrian access servitudes may be required in accordance with Division 3.6, *Streets, Sidewalks, and Access*.

F. **Conservation Servitudes.**

1. The Parish shall require conservation servitudes to preserve open space as required by this UDC, and to protect natural resources that this UDC requires to be protected.
2. Conservation servitudes shall exclude other servitudes that would result in the disturbance of the land, except that pedestrian access servitudes and non-destructive utility and drainage servitudes are permitted within areas protected by conservation servitudes.
3. Conservation servitudes shall provide for permanent management and maintenance of the property by a responsible party other than the Parish, such as a nonprofit land trust or property owners' association.
4. All conservation servitudes shall run in favor of two parties:
 - a. All lots or unit owners in the development; and
 - b. The Parish.
5. The conservation servitudes shall be in a form approved by the Parish Attorney.

G. **Encroachments and Removal of Encroachments.** No permanent encroachment or structures shall be allowed to be located within the area of any servitude required by this Section. While the Parish or utility benefiting from the servitude will make efforts to minimize disturbances, both shall have the right to remove

any encroachment, structures, fences, landscaping or other improvements placed upon such servitude. The Parish and/or utility shall not be obligated to restore or replace any such encroachment but shall restore any disturbed ground surfaces with seeding. The Parish may assess the cost of removing an unauthorized improvement from a servitude against the landowner, including the placing of a lien on the property.

- H. **Maintenance of Servitudes.** The responsibility for the regular maintenance of the ground surface in any servitude shall rest with the owner of the property within which the servitude exists.
- I. **Optional or Delayed Dedication.** Should the developer choose not to dedicate public servitudes for utilities, drainage structures, or streets within a development, the developer, or his successor or assigns, shall be responsible for the maintenance and operation of those utilities, drainage structures or streets. The utilities, roads and/or improvements when intended for dedication to the Parish, must meet or exceed the UDC standards in effect at the time of dedication and other applicable regulations of the Parish or ordinances thereof, to which such utilities, roads and/or improvements may be applicable.

Sec. 3.2.11 Public Sites, Open Space, and Natural Features

- A. **Generally.** Resource protection areas, recreation areas, stormwater management facilities, and other open spaces should be designed, where feasible, according to the standards of this Section.
- B. **Design.**
 - 1. Generally, recreation areas, resource protection areas, and other accessible open spaces shall be integrated into the development design to bring significant open space to the maximum number of properties, as well as visibility from public rights-of-way within the proposed development. Visual or physical access to open spaces may be limited if such limitations would materially enhance natural resource management.
 - 2. Open space shall be designed to provide greenways along drainage corridors and streams. Landscaping along corridors or streams shall be designed to enhance stormwater quality, ecosystems and habitats.
- C. **Parks, Playgrounds, Schools and Other Public Uses.** Where a proposed site of a park, playground, school or other public use is shown on the conceptual plan and is located in whole or in part in a subdivision, and the Director concurs with the need for the said facility, he may require the reservation of the site within the subdivision for the stated purpose. He shall then recommend to the Parish Council that they pay just and adequate compensation as may be required by law. If a subdivider fails to provide a site for a needed public use, the Director may require the inclusion of such a site with the conceptual master plan, and recommend to the Parish Council payment of just and adequate compensation as may be required by law. For estimating standards for open spaces, allow one acre per 800 persons of population.

Sec. 3.2.12 Subdivision Monumentation

- A. **Generally.** Monuments shall be placed to mark the following:
 - 1. Lot corners, points of curvature, points of tangency, and reference points; and
 - 2. Street centerlines, points of curvature, points of tangency, and reference points.
- B. **Horizontal Monuments.** All permanent horizontal monuments in the subdivision shall be established and consist of the following requirements.
 - 1. The external boundaries of a subdivision shall be monumented in the field by monuments of concrete, not less than thirty 30 inches in length, not less than four inches square or five inches in diameter, and marked on top with a cross, brass plug, iron rod, or other durable material securely embedded; or by iron rods or pipes at least 30 inches long and one inch in diameter. These monuments shall be placed no more than 1,400 feet apart in any straight line and at all corners, at each end of all curves, at the point where a curve changes its radius, at all angle points along any line, and at all angle points along any meander line, said points to be not less than 20 feet back from the bank of any bayou or canal, except that when such corners or points fall within a street, or proposed future street, the monuments shall be placed in the side line of the street.

2. All internal boundaries and those corners and points not referred to in the preceding paragraph shall be monuments set in the field using iron rods or pipes at least 30 inches long and three quarters of an inch in diameter. These monuments shall be placed at all block and lot corners, at each end of all curves, and at all angle points in any line, and/or as determined by the Director.
3. Monumentation shall be required for all developments in accordance with the requirements of paragraph B.1. above.
4. The lines of lots that extend to bayous or canals shall be monumented by iron pipes at least 30 inches long and three-quarters of an inch in diameter; or be three-quarters of an inch round or square iron bars at least 30 inches long. These monuments shall be placed at the point of intersection of the river or stream lot line with a meander line established not less than 20 feet back from the bank of the river or stream.
5. All such monuments shall be set flush with the ground and installed in such a manner that they will not be removed by normal erosion.
6. All monuments shall be properly established in the ground and approved by a registered land surveyor prior to the time the Director recommends approval of the final plat.

C. **Vertical Monuments.** All permanent vertical monuments in the subdivision shall be established and consist of the following requirements:

1. All elevations shall be established from the latest officially published vertical geodetic control as established by the National Geodetic Survey.
2. There shall be at least one monument within a public right-of-way in the center of each subdivision.
3. Each vertical monument shall be concrete or steel pipe filled with concrete, and a minimum of four inches square, or four inches in diameter, with a brass plug embedded in the top. The brass plug shall have the elevation stamped in the top. The brass plug shall be placed within the public rights-of-way in the center of the subdivision but not more than two feet from any property line measured perpendicular to the property line that parallels the right-of-way.

DIVISION 3.3 TRADITIONAL NEIGHBORHOOD DEVELOPMENTS DESIGN AND LAYOUT

Sec. 3.3.1 TND Design and Layout

- A. **Generally.** An efficient multimodal circulation system that includes streets, alleys, sidewalks, and trails shall be provided throughout the proposed development. Generally, the density and intensity of development shall be concentrated in the center subdistricts, and lessen as distance to the center subdistricts increases.
- B. **Subdistricts.** The applicant shall designate the boundaries of the subdistricts on the plan for the TND.
- C. **Access to Residential Lots.** Residential lots shall be accessed as provided in Table 3.3.1A, *Residential Access by Subdistrict*.

Table 3.3.1A Residential Access by Subdistrict			
Access	Subdistrict		
	Center	General	Edge
Driveway Connects to Street	Not Allowed	Allowed only for single-family detached homes on lots that are wider than 60 feet	Allowed
Driveway Connects to Alley	Allowed	Allowed	Allowed

D. **Access to Nonresidential and Mixed-Use Development.** Nonresidential and vertically mixed-use development shall be accessed as provided in Table 3.3.1B, *Nonresidential and Mixed-Use Access by Subdistrict*.

Table 3.3.1B Nonresidential and Mixed-Use Access by Subdistrict			
Access	Subdistrict		
	Center	General	Edge
Parking Lot Access Connects to Street	Allowed only along streets that define the border of the Center subdistrict	Not Allowed	Allowed
Parking Lot Access Connects to Alley	Allowed	Allowed	Not Allowed
On-Street Parking	Allowed	Allowed	Allowed
Mid-Block Access to Parking Structures or Parking Courts Located Behind Buildings	Allowed	Allowed	Allowed

E. **Blocks.** The standards of this subsection supersede standards in Division 3.6, *Streets, Sidewalks, and Access* in the event of a direct conflict.

1. *Arrangement.* Although a strict grid is not required, blocks shall be arranged in grid-like fashion to ensure connectivity and alternate travel routes within the development.
2. *Block Length.*
 - a. Street segments in the Center Subdistrict shall not be longer than 500 feet, unless buildings provide pedestrian access from the front sidewalk to rear parking areas or structures at intervals of not more than 300 feet.
 - b. Street segments in the General and Edge Subdistricts, shall not be longer than 650 feet, and should generally be shorter than 650 feet. This requirement does not apply where:
 - i. The street segment traverses open spaces that are wider than 650 feet; or
 - ii. The view along the segment is interrupted by a significant curve, jog, or offset in the street, provided that the curve, jog, or offset is situated not more than 650 feet from the intersections that define the street segment.
3. *Cul-de-sacs.* Cul-de-sacs may be used only in the “E” sub-district, but only where necessary due to site constraints. Cul-de-sacs may not be longer than 350 feet.

F. **Streets.** Streets shall be designed according to the applicable standards of Division 3.6, *Streets, Sidewalks, and Access*, and as provided therein, may have different right-of-way width and utilization than other streets in the Parish. Streets shall be laid out to provide connectivity within the development, and connections to adjacent neighborhoods.

G. **Alleys.** Alleys shall be installed to provide service and parking access within the Center and General subdistricts, and shall conform to the requirements of Division 3.6, *Streets, Sidewalks, and Access*. In areas where alleys will be used to provide services (e.g., trash collection or utilities) in addition to access, the Parish may require greater dimensions, and the Director of Public Works or designee shall approve all connections and curb radii after consultation with the Fire Department and solid waste service provider.

H. **Sidewalks.** Sidewalks shall be installed on both sides of all streets, except along a side which is a park or designated open space, and shall be designed with the dimensions set out in Table 3.6.2B, *TND Street Configurations*, and the Americans with Disabilities Act Accessibility Guidelines.

I. **Trails.** Off-street trails and multi-use paths shall be installed to enhance access to and through open space and recreational areas that are used as amenities for the TND development, and to connect to existing or planned trail systems in the Parish. Trails, where used, shall be eight feet wide and paved with concrete, compacted crushed limestone, or compacted cinder.

J. **Off-Street Parking.** Off-street parking shall be located behind the building it serves, or in parking garages that are designed according to the same standards which are set out in Division 3.5, *Parking and Loading*.

K. **Open Space and Recreation Areas.**

1. *Open Space.*

- a. Generally, open spaces should be integrated into the development design to bring significant open space to the maximum number of properties, as well as visibility from public rights-of-way within the proposed development. Small, odd, left-over open space areas should be avoided. Extra landscaping may be required to enhance the value of such spaces where they cannot be avoided.
- b. Open space shall be designed to provide greenways along drainage corridors and streams. The landscaping along corridors or streams shall be designed to enhance the filtering of surface and subsurface water flows. Trails shall provide access along the greenway for the residents of the proposed development.
- c. Formal open spaces shall be designed to provide areas of focus within the development. Landscaping and furniture for pedestrians should be installed to enhance this effect.
- d. Open spaces shall be protected by appropriate servitudes and plat notations.

2. *Accessibility of Recreation Areas.* Outdoor recreation areas shall be provided throughout the development, such that 90 percent of the residential units in the development (and 100 percent of the units in the "C" sub-district) are located within a one-quarter mile walk of an outdoor recreation area. For the purpose of this subsection, a plaza with features that provide recreational opportunities (e.g., interactive fountain or sculpture, tot lot, etc.) shall be considered an outdoor recreation area.

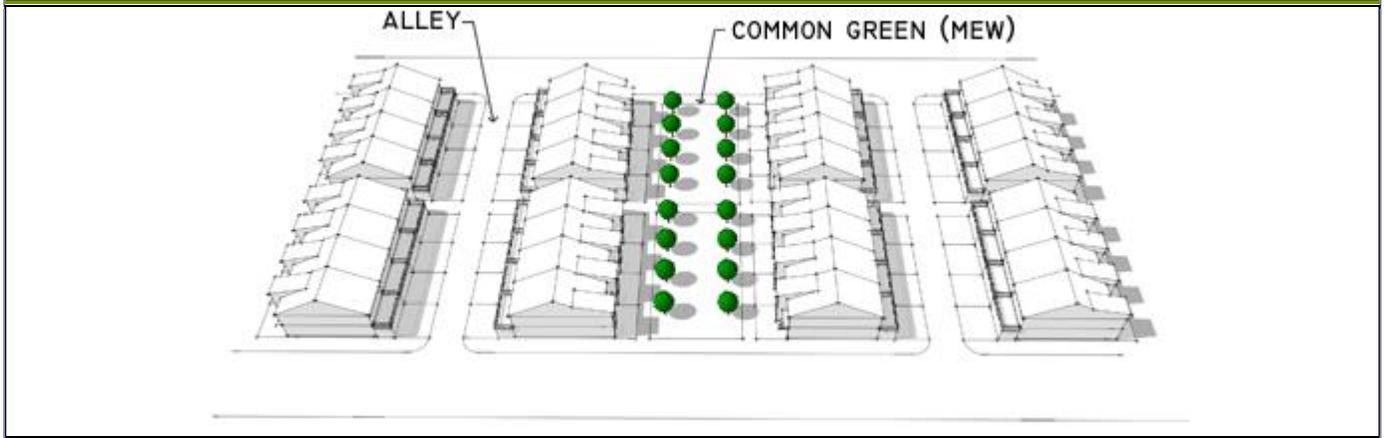
L. **Relation to Abutting Parcels.** Development that is approved pursuant to this Division shall be designed to be compatible with abutting parcels, in at least one of the following ways:

1. *Lot Width and Design.* The lot width and design of development at the perimeter of a TND shall be comparable with the lot width and design of abutting subdivisions. This requirement does not apply if the abutting parcel is not subdivided.
2. *Bufferyard.* In the alternative to subsection A., bufferyards may be installed according to the classifications set out in Section 3.11.1, *Bufferyard Requirements*, as follows:
 - a. Between the center subdistrict and abutting:
 - i. Residential development: Class D bufferyard; or
 - ii. Industrial development: Class E bufferyard;
 - b. Between the general subdistrict and abutting:
 - i. Residential or commercial development: Class B bufferyard; or
 - ii. Industrial development: Class E bufferyard;
 - c. Between the edge subdistrict and abutting:
 - i. Residential development: Class A bufferyard;
 - ii. Commercial development: Class C bufferyard; or
 - iii. Industrial development: Class E bufferyard.

M. **Mews Arrangement.**

1. **Generally.** The mews arrangement is a site layout in which homes front on a common green, and vehicular access is by way of alleys so that lots have no street frontage. The mews arrangement is allowed in TNDs subject to the standards of this Section.
2. **Standards.** Lots may take alley access and front on mews (common greens) if the alleys are not longer than 300 feet and do not serve more than 16 dwelling units. *See* Figure 3.3.1, *Mews Arrangement*.

Figure 3.3.1
Mews Arrangement



Sec. 3.3.2 TND Mix of Housing Types

A. Generally.

1. The following types of development shall include a mix of housing types pursuant to this Section.
 - a. TNDs.
2. Individual housing types that may be included in the mix include single-family detached dwellings, patio homes, zero lot line homes, two-family dwellings, triplexes, townhomes, and multiple-family dwellings.

B. **Housing Type Mix Requirements.** Table 3.3.2, *Housing Type Mix Requirements*, sets out the mix of housing types that are required for TNDs. When calculating the percentage of each housing type in a proposed development, normal rounding is allowed.

Number of Dwelling Units in Mixed Housing Neighborhood or TND	Min. No. of Housing Types	Max. % Any Housing Type	Min. % Any Housing Type ¹
Less than 40	1	100	20
40 - 89	2	75	25
90-149	3	55	20
150- 220	4	50	12
More than 220	5	30	10

TABLE NOTE:
¹ This requirement applies even if more than the minimum number of housing types are provided.

C. **Phasing.** When a development is to be phased, the maximum residential development capacity of the entire site shall be used for calculating the required mix. When a parcel is to be subdivided and developed as a TND over time, the Parish may impose a mix based on the original property size to ensure an adequate mix of housing types.

DIVISION 3.4 MANUFACTURED HOME PARKS AND SUBDIVISIONS

Sec. 3.4.1 General Requirements for New Manufactured Home Parks and Subdivisions

- A. **Generally.** All manufactured home parks and subdivisions shall be built in accordance with the minimum standards of this Division.
1. *Required Maintenance.* It shall be the responsibility of the manufactured home park or subdivision owner/operator to establish maintenance procedures to maintain the manufactured home park or subdivision free from obnoxious weeds, rubbish, trash and garbage and to further maintain and keep the property in a sanitary condition.
 2. *Infrastructure Improvements.* All improvements, such as electric lines, electrical connections, sewer lines, sewer hookups, water lines and water taps shall be installed by a qualified electrician and/or plumber and conform to all Parish specifications. Inspection and approval of all above improvements

shall be the responsibility of the Director. Installation and maintenance of all applicable infrastructure improvements shall be in conformance with the most recent adopted version of the Louisiana State Uniform Construction Code Council (LSUCCC).

3. *Adequately Drained Site.* In conformance with Division 3.9, *Drainage*, the manufactured home park or subdivision shall be located on a well-drained site, properly graded to ensure rapid drainage and freedom from stagnant pools of water.
4. *Spacing.* Manufactured homes shall be so situated on each space that there shall be at least:
 - a. A minimum of 3,500 square feet for each space which shall be at least 37 feet wide and clearly defined.
 - b. Fifteen-foot clearance between the sides of manufactured homes.
 - c. The end-to-end clearance shall not be less than 10 feet.
 - d. Ten feet from any building, recreation park, interior street, guest parking areas or any property boundary line of the park. At any intersection of a manufactured home park or subdivision drive and public streets bounding the property, no manufactured home unit or structure of any kind shall be located within a triangle formed by a diagonal that connects a point located 45 feet along the center line of the driveway from its point of intersection with the street servitude, and a point located 40 feet from the point of intersection measured along the street servitude.
5. *Accessory Structures.* Individual manufactured home spaces may have accessory structures of metal, fiberglass or other noncombustible material, which shall not be located closer than three feet to any manufactured home lot line.
6. *Maximum Coverage.* Manufactured homes together with accessory structures shall not cover more than 75 percent of a manufactured home space.
7. *Parking, Driveways, and Walkways.*
 - a. The design criteria for automobile parking shall be based upon two parking spaces for each manufactured home space. Parking may be in tandem.
 - b. All manufactured home spaces shall abut upon a driveway of not less than 20 feet in width, which shall have unobstructed access to a public street, or highway and shall be constructed of concrete, asphalt, limestone, shell or gravel surface.
 - c. Walkways not less than two feet wide shall be provided to the service buildings. All walkways may be constructed of concrete asphalt, limestone, shell or gravel.
 - d. All driveways and walkways within the manufactured home park or subdivision shall be well lighted at night with electric lamps to ensure adequate protection and safety of the occupants.
8. *Service Buildings.* Laundry, office, and maintenance buildings are permitted as an accessory use. When a manufactured home park or subdivision provides service buildings, of 2,500 square feet or less for maintenance, toilet, lavatory or laundry facilities, they shall [each] be equipped with one first-aid kit and one fire extinguisher. An additional first-aid kit and extinguisher shall be furnished for each additional 2,500 square feet.
9. *Recreation Areas.* Where manufactured home parks or subdivisions are established, recreational areas shall be provided which shall be a minimum of 10 percent of the overall parcel proposed for development, exclusive of streets and parking areas.
10. *Screening.* All manufactured home parks and subdivisions shall be screened from view using one of the following:
 - a. A bufferyard shall be installed along the perimeter boundary of the manufactured home park or subdivision in conformance with Section 3.11.1, *Bufferyard Requirements*. Such greenbelt/buffer shall provide natural screening and shall be continuously maintained and shall be devoted exclusively for common open space and landscaping; or
 - b. A solid fence of wood, masonry, plastic, fiberglass, or metal construction, at least six feet in height and not more than 10 feet in height and of a uniform size, shall be constructed along the boundaries

of a manufactured home park. All fencing material shall be constructed of wood, brick, stone, split-face concrete block, PVC plastic, fiberglass, decorative metal, or similar material that is commonly used, marketed and sold for such purposes. In no instance shall plain material including but not limited to concrete block, fiberglass, wood, or metal sheeting be allowed.

11. *Storage Capacity.* Each manufactured home unit or lot is hereby required to have a garage or some enclosed, lockable area for outdoor storage of lawn equipment, bicycles, and other storage items. Such garage or enclosed storage area shall be permanently affixed to the land. The minimum floor space for a storage area which is not designed to enclose or house an automobile shall be 80 square feet.

B. Manufactured Home Unit Requirements. Individual manufactured home units in a manufactured home park or subdivision shall meet the following specifications.

1. *Setback and Spacing Requirements.* Setback and spacing requirements shall be in conformance with Section 1.7.1, *Agricultural and Residential Lot, Yard, and Height Standards.*
2. *Design and Construction Requirements.* Design and construction requirements shall be in conformance with Section 2.2.1, *Modular and Manufactured Home Design and Construction Requirements.*

Sec. 3.4.2 Manufactured Home Park Operating Requirements

A. Generally. It is the general purpose of this Section to promote the public health, safety, and general welfare by providing standards and procedures for the operation of manufactured home parks.

B. Occupational Permit Required.

1. *Permit.* After the effective date of this UDC, it shall be unlawful for any person to maintain or operate a manufactured home park within the unincorporated areas of the Parish, unless such person shall first obtain an occupational permit.
2. *Application.* Occupational permits to own and operate manufactured home parks in the unincorporated areas of the Parish shall be issued to persons applying for such occupational permit with the Parish Sales and Tax Use Department, or as otherwise specified.
3. *Annual Renewal.* Occupational permits shall be issued on an annual basis, shall expire on December 31 of each year, and must be renewed in accordance with Section 11-31(b), *Due and Payment Dates*, of the St. Mary Parish Code of Ordinances.
4. *Posting.* Manufactured home park occupational permits shall be conspicuously posted in the main office of each manufactured home park. Should the manufactured home park not have a main office, the license shall be conspicuously posted in a protected area near the entrance of the manufactured home park.

C. Operating Requirements.

1. *Responsibility of Owner/Operator.*
 - a. The owner or operator of a manufactured home park shall be responsible for operating and maintaining the manufactured home park in accordance with all applicable laws and regulations of the United States of America, the state, and the Parish. This includes, at minimum, maintaining the manufactured home park free from obnoxious weeds, rubbish, trash and garbage and to further maintain and keep the property in a sanitary condition.
 - b. The owner or operator shall, at all times, maintain a current record of all manufactured home owners and/or occupants of the manufactured home park. The records shall contain the following information:
 - i. Make, model, and year of each manufactured home and the lot number which it occupies;
 - ii. Name of owner or occupant of each manufactured home within the manufactured home park.
 - c. The owner or operator of each manufactured home park shall post, at the main entrance to the manufactured home park, a chart or map designating and depicting the location of each lot within the manufactured home park, by lot number.

2. Manufactured home lots shall be individually numbered and individual signs designating the number of each lot shall be conspicuously posted throughout the manufactured home park.
3. No open fires shall be permitted in manufactured home parks. Portable barbecue pits are permitted on individual manufactured home lots but shall not be left unattended. Regulations of the National Fire Protection Association shall prevail except when in conflict with more restrictive Parish ordinances.

D. Signs to be Posted.

1. All owners, managers, whether corporation, partnership or individual owners, of manufactured home parks shall erect a sign designating the name and address of the manufactured home park.
2. The sign shall be placed on the public right-of-way adjacent to the manufactured home park in such a manner as to make it visible to passing motorists.
3. The sign shall be of a size not less than three feet in width by two feet in height and shall be lettered in clear recognizable letters of not less than four inches in height.

E. Enforcement of Section. The Director shall have the right to enforce the provisions of this Section by applying to any court of competent jurisdiction or the enforcement hereof. In any such proceeding, the Director may petition such court for the revocation of the occupational permit and/or for specific performance to compel compliance with the provisions of such permit.

DIVISION 3.5 PARKING AND LOADING

Sec. 3.5.1 Calculation of Required Parking Spaces

- A. **Generally.** The standards of this Section are used to calculate how many parking spaces are required to serve a proposed development.
- B. **Calculations.** The number of parking spaces that are required for a development relates to one or more independent variables, such as floor area, seating capacity, projected full time equivalent employees, number and type of dwelling units, and so forth.
 1. *Measurements.* The independent variables shall be measured as follows:
 - a. *Floor Area:* Where the number of parking spaces in Section 3.5.2, *Required Parking and Loading*, is calculated based on the floor area of the use, or floor area put to a specified aspect of the use, the measurement of floor area shall not include restrooms, utility rooms (electrical and phone rooms, trash rooms, and custodial closets), elevator cores, and areas of commercial and institutional uses that are designed and used exclusively for incidental storage.
 - b. *Seats:* One seat is equal to:
 - i. One fixed seat;
 - ii. 30 inches of bench seating; or
 - iii. 20 square feet of floor area used for temporary seating.
 - c. *Capacity:*
 - i. For indoor uses, capacity shall be measured pursuant to the requirements of the applicable fire code.
 - ii. For outdoor uses, capacity shall be measured by the estimated number of persons present during periods of peak use.
 - iii. Number of beds shall be measured by the design capacity of an institutional residential, protective care, or residential eldercare use.
- C. **Multiple Nonresidential Uses.** If several nonresidential uses occupy a single parcel or building, the off-street parking and loading requirements shall be the cumulative total for all uses, unless:

1. The uses are in a center with multiple retail, service, or restaurant tenants, which shall be classified cumulatively as "shopping center" for the purposes of parking requirements. See Section 3.5.2, *Required Parking and Loading*, subsection E.

Sec. 3.5.2 Required Parking and Loading

- A. **Generally.** The number of parking and loading spaces that are required for each land use are set out in the Tables in this Section. The tables include two sets of two columns. The first provide standards for development throughout the Parish ("Standard Development"). The second provide standards for parking within Traditional Neighborhood Developments (TNDs). Opportunities for reduction of parking requirements are set out in other sections of this Division.
- B. **Exemption from Loading Space Requirements.** Buildings that are less than 5,000 square feet in area are exempt from loading space requirements.
- C. **Residential Uses.** The parking requirements for residential uses are set out in Table 3.5.2A, *Required Parking and Loading for Residential Uses*.

Table 3.5.2A Required Parking and Loading for Residential Uses				
Use	Standard Development		Traditional Neighborhood Development	
	Required Parking Spaces	Required Loading Spaces	Required Parking Spaces	Required Loading Spaces
Single-Family Detached Dwelling	2 spaces / dwelling unit	NA	Same as Standard Development	NA
Single-Family Attached Dwelling	2 spaces / dwelling unit	NA	Same as Standard Development	NA
Multiplex and Multiple-family Dwellings	1.5 spaces per studio or 1 bedroom dwelling unit +2 spaces per 2+ bedroom dwelling unit + 1 guest space per 4 dwelling units	1 space per 20 dwelling units in a vertically mixed-use building; not required in other configurations	1.5 spaces per studio or 1 bedroom unit + 2 spaces per 2+ bedroom unit	Same as Standard Development
Manufactured Home (outside manufactured home park or subdivision)	2 spaces per dwelling unit	NA		
Manufactured Home (inside manufactured home park or subdivision)	2 spaces per dwelling unit + 1 guest space per 4 dwelling units	NA		
Community Homes	As required for housing type	NA	Same as Standard Development	Same as Standard Development
Live-Work Units	3 spaces per dwelling unit	NA	Same as Standard Development	Same as Standard Development

- D. **Institutional Uses.** The parking requirements for institutional uses are set out in Table 3.5.2B, *Required Parking and Loading for Institutional Uses*.

Table 3.5.2B Required Parking and Loading for Institutional Uses				
Use	Standard Development		Traditional Neighborhood Development	
	Required Parking Spaces	Required Loading Spaces	Required Parking Spaces	Required Loading Spaces

Table 3.5.2B Required Parking and Loading for Institutional Uses				
Use	Standard Development		Traditional Neighborhood Development	
	Required Parking Spaces	Required Loading Spaces	Required Parking Spaces	Required Loading Spaces
Cemetery	Greater of: Sum of 1 space per 100 sf. of indoor assembly space + 3 spaces per 1,000 sf. of office floor area; or 20 spaces per acre of grave sites	1 space		
College / University / Vo Tech - Educational Facilities	1 space per 200 sf. of floor area (except auditoriums, theaters, gymnasiums, and stadiums) + 1/3 space per person times the capacity (persons) of auditoriums, theaters, gymnasiums, and stadiums	1 space per building with a floor area of 50,000 sf. or greater	1 space per 2 students	1 space per 40,000 sf.
Hospitals or Sanitariums	Special Study	Special Study	Same as Standard Development	Same as Standard Development
Institutional Residential	1 space per 3 beds	1 space per 30 beds	Same as Standard Development	Same as Standard Development
Places of Public Assembly: Adult Day Care	1 space per 300 sf.	NA	Same as Standard Development	Same as Standard Development
Places of Public Assembly: Day Care / Preschool	1 space per 100 sf.	NA	1 space per 500 sf.	NA
Places of Public Assembly: Elementary School	3 spaces per classroom	1 space per 40,000 sf.	Same as Standard Development	Same as Standard Development
Places of Public Assembly: Middle School	4 spaces per classroom	1 space per 40,000 sf.	Same as Standard Development	Same as Standard Development
Places of Public Assembly: High School	Special Study	Special Study	Same as Standard Development	Same as Standard Development
Places of Public Assembly: Library or Museum	1/3 space per person times building capacity (in persons)	1 space per 75,000 sf. of floor area	1 space per 400 sf. + 1 space per 32 sf. of floor area used for assembly (e.g., meeting rooms)	1 space per 75,000 sf. of floor area
Places of Public Assembly: Other	Greater of: 1 space per 6 seats in auditorium; or 1 space per 250 sf. of floor area	NA	Same as Standard Development	Same as Standard Development
Private Club: No Food Service	1 space per 250 sf. of floor area used for assembly	1 space	Same as Standard Development	Over-the-curb loading allowed during off-peak hours, otherwise 1 space
Private Club: With Food Service	1 space per 100 sf. of floor area used for assembly	1 space per 25,000 sf.	Same as Standard Development	1 space
Protective Care: Jail or Prison Corrective Institutions or Facilities (Public or Private)	1 per 5 cells	1 per 30 cells		
Protective Care: Other	1 space per 4 beds	1 space per 20 sleeping rooms		
Public Service: Fire Station	4 spaces per emergency vehicle bay	NA	Same as Standard Development	Same as Standard Development
Public Service: Police Station	1 space per 250 sf.	1 space per 60,000 sf. if the building is larger than 40,000 sf.	Same as Standard Development	Same as Standard Development
Public Service: Post Office	1 space per 200 sf. + 1 space per postal vehicle stored on-site	1 space per 10,000 sf.	Same as Standard Development	Same as Standard Development
Public Service: Other	1 space per 300 sf.	NA	Same as Standard Development	Same as Standard Development
Residential Eldercare Facilities: Assisted Living	1 space per dwelling unit + 1 space per 3 beds in shared living facilities	1 space	Same as Standard Development	Same as Standard Development
Residential Eldercare Facilities: Congregate Care	1 space per dwelling unit	NA	Same as Standard Development	Same as Standard Development
Residential Eldercare Facilities: Nursing Home	1 space per 3 beds	1 space per 20 sleeping rooms	Same as Standard Development	Same as Standard Development

E. **Commercial Uses.** The parking requirements for commercial uses are set out in Table 3.5.2C, *Required Parking and Loading for Commercial Uses.*

**Table 3.5.2C
Required Parking and Loading for Commercial Uses**

Use	Standard Development		Traditional Neighborhood Development	
	Required Parking Spaces	Required Loading Spaces	Required Parking Spaces	Required Loading Spaces
Agricultural Support / Other Rural Services: Equipment Dealers and Feed Stores	1 space per 300 sf. of office + 1 space per 750 sf. of other floor area	1 space per 75,000 sf.		
Agricultural Support / Other Rural Services: Crop Storage / Packing	1 space per 500 sf. of floor area	1 space per 15,000 sf.		
Alcoholic Beverage Sales: Package	1 space per 200 sf.	1 space per 15,000 sf.	3.5 spaces per 1,000 sf.	Same as Standard Development
Alcoholic Beverage Sales: Other	1 space per 25 sf.	1 space	Same as Standard Development	Over-the-curb loading allowed during off-peak hours, otherwise 1 space
Boarding or Rooming House	1 space per 12 beds	NA	Same as Standard Development	Same as Standard Development
Car Washes	3 spaces + 2 spaces per bay or stall	NA		
Commercial Lodging: Full Service Hotel	1 space per guest room + 2 spaces per 10 guest rooms + 1 space per 100 sf. of meeting space + 1/2 of required parking for accessory retail, restaurant, and alcoholic beverage sales uses	1 space + 1 space per 50,000 sf. meeting rooms, restaurants, and shops	1 space per guest room + 2 spaces per 10 guest rooms + 1 space per 100 sf. of meeting space	Same as Standard Development
Commercial Lodging: Other	1 space per guest room + 2 spaces per 10 guest rooms	1 space per 75 rooms	1 space per guest room + 1 space per 10 guest rooms	1 space
Commercial Retail: Grocery ¹	1 spaces per 200 sf.	1 space per 25,000 sf.	3.5 spaces per 1,000 sf.	Same as Standard Development
Commercial Retail: Other ¹	1 space per 250 sf.	1 space per 25,000 sf.	3.5 spaces per 1,000 sf.	Same as Standard Development
Heavy Retail: Home Center	1 space per 300 sf. of floor area	1 space per 50,000 sf.		
Heavy Retail: Lumberyard	1 space per 200 sf. of office + 1 space per 1,000 sf. yard space	1 space per 50,000 sf. of area put to the heavy retail use		
Heavy Retail: Other	1 space per 300 sf. of office and sales area + 1 space per 1,000 sf. of warehouse area	1 space per 50,000 sf.		
Kennel	1 space per 250 sf.	1 space if the use is larger than 10,000 sf.	Same as Standard Development	Same as Standard Development
Light Automobile Service	4 spaces + 1 space per service bay (pump stations are not counted)	1 space	Same as Standard Development	Same as Standard Development
Mixed Use	<i>See Sec. 3.5.3, Mixed Uses and Shared Parking</i>	1 space per 25,000 sf. of nonresidential uses	Same as Standard Development	1 space per 25,000 sf. of nonresidential uses; uses that are less than 10,000 square feet in floor area may use over-the-curb loading from local streets outside of peak hours
Office: Financial Institutions	1 space per 250 sf.	1 space per 33,000 sf.	3 spaces per 1,000 sf.	Same as Standard Development
Office: Medical	3 spaces per office used by doctor, dentist, chiropractor, or medical professional + 1 space per exam room	1 space per 33,000 sf.	1 space per 250 sf.	1 space per 33,000 sf.
Office: Call Center	7 spaces per 1,000 sf.	1 space per 33,000 sf.	Same as Standard Development	Same as Standard Development
Office: Other	3 spaces per 1,000 sf.	1 space per 33,000 sf.	1 space per 500 sf.	Same as Standard Development
Restaurant: Drive-In or Drive-Through	1 space per 60 sf.	1 space	Same as Standard Development	Same as Standard Development
Restaurant: Other	1 space per 3 seats	1 space	1 space per 75 sf. of restaurant area; see alcoholic beverage sales, other, above, for bar or lounge areas	Over-the-curb loading allowed during off-peak hours, otherwise 1 space. No additional spaces required for bar or lounge areas.
Services: Beauty or Nail Salon, Barber Shop, Spa	4 spaces per 1,000 sf.	NA	3 spaces / 1,000 sf.	NA
Services: Dry Cleaner	3 spaces per 1,000 sf.	1 space if dry cleaning is done off-site	2.5 spaces / 1,000 sf.	Same as Standard Development
Services: Other	3 spaces per 1,000 sf. + 1 space per stored company vehicle	1 space per 75,000 sf.	Same as Standard Development	Same as Standard Development

Table 3.5.2C Required Parking and Loading for Commercial Uses				
Use	Standard Development		Traditional Neighborhood Development	
	Required Parking Spaces	Required Loading Spaces	Required Parking Spaces	Required Loading Spaces
Shopping Center	1 space per 250 sf.	1 space per 75,000 sf.		
Vehicle Sales, Rental, and Service	1 space per 300 sf. of office + 1 space per 600 sf. of showroom + 1 space per 500 sf. of service area	1 space + 1 space per 25,000 sf. of service area		
Veterinarian	1 space per 250 sf.	NA	Same as Standard Development	Same as Standard Development

TABLE NOTES:
¹ Grocery areas of supercenter stores (combinations of general retail and grocery in one store) are not counted separately if the floor area used for groceries is less than 40 percent of the total floor area.

F. Recreation and Amusement Uses. The parking requirements for recreation and amusement uses are set out in Table 3.5.2D, *Required Parking and Loading for Recreation and Amusement Uses*.

Table 3.5.2D Required Parking and Loading for Recreation and Amusement Uses				
Use	Standard Development		Traditional Neighborhood Development	
	Required Parking Spaces	Required Loading Spaces	Required Parking Spaces	Required Loading Spaces
Adult Uses	Greater of: 4 spaces per 5 seats; or 1 space per 150 sf. of floor area	1 space		
Campgrounds	1 space per camp site + 1 space per 20 camp sites	NA		
Indoor Commercial Amusement: Bowling Alley	5 spaces per lane	1 space	3 spaces per lane	1 space
Indoor Commercial Amusement: Movie Theaters	1 space per 3 seats + 3 spaces per screen	1 space	1 space per 4 seats	1 space
Indoor Commercial Amusement: Skating Rinks	1 space per 100 sf. of rink surface	1 space	Same as Standard Development	Same as Standard Development
Indoor Commercial Amusement: Other	6 spaces per 1,000 sf.	1 space	1 space per 200 sf.	NA
Outdoor Commercial Amusement: Outdoor Arenas	1 space per 3 seats	1 space per 500 seats	1 space per 6 people capacity if capacity exceeds 500; otherwise no spaces required	1 space per 500 seats
Outdoor Commercial Amusement: Other	Special Study	Special Study	Same as Standard Development	Same as Standard Development
Indoor Recreation: Swimming Pool	1 space per 2 persons capacity	1 space	1 space per 200 sf. of pool	1 space
Indoor Recreation: Tennis, Racquetball; Handball	2 spaces + 1 space per court + 1 space per 5 courts	1 space	2 spaces + 1 space per court	1 space
Indoor Recreation: Community Recreation Center	1 space per 400 sf.	1 space per 50,000 sf.	1 space per 500 sf.	1 space
Indoor Recreation: Other	1 space per 400 sf.	1 space	Same as Standard Development	Same as Standard Development
Outdoor Recreation: Athletic Fields	Greater of: 1 space per 4 seats (spectator); or 30 spaces per athletic field	NA	15 spaces per field	NA
Outdoor Recreation: Day Camp	1 space per 4 campers	NA	Same as Standard Development	Same as Standard Development
Outdoor Recreation: Driving Range	3 spaces per 4 stations	NA	Same as Standard Development	Same as Standard Development
Outdoor Recreation: Mini Golf	4 spaces per hole	NA	3 spaces per hole	Same as Standard Development
Outdoor Recreation: Golf Course	4 spaces per hole	NA	1.5 spaces per hole	Same as Standard Development
Outdoor Recreation: Playgrounds	12 spaces per acre	NA	1 space per 6,000 sf. of play area	Same as Standard Development
Outdoor Recreation: Swimming Pool	1 space per 250 sf. of pool	NA	1 space per 500 sf. of pool	Same as Standard Development
Outdoor Recreation: Tennis Courts	2 spaces per court + 1 space per 250 sf. of clubhouse or pro shop	NA	1 space per court + 1 space per 250 sf. of clubhouse or pro shop	Same as Standard Development
Outdoor Recreation: Other Active Recreation	12 spaces per acre	NA	1 space per 10,000 sf. of active recreation area	Same as Standard Development
Outdoor Recreation: Passive Recreation	2 spaces per acre	NA	1 space per 2 acres up to 50 acres + 1 space per 6 acres over 50 acres	Same as Standard Development

G. Industrial Uses. The parking requirements for industrial uses are set out in Table 3.5.2E, *Required Parking and Loading for Industrial Uses*.

Table 3.5.2E Required Parking and Loading for Industrial Uses				
Use	Standard Development		Traditional Neighborhood Development	
	Required Parking Spaces	Required Loading Spaces	Required Parking Spaces	Required Loading Spaces
Disposal	5 spaces per 4 disposal vehicles	1 space per disposal vehicle		
Extraction	Special Study	Special Study		
Heavy Industry	Special Study	Special Study		
Light Industry: Manufacturing, Processing, Assembly	1 space per 750 sf.	1 space per 20,000 sf.		
Light Industry: Laboratories, Research and Development, Testing	1 space per 300 sf.	1 space per 20,000 sf.	Same as Standard Development	Same as Standard Development
Light Industry: Other	1 space per 500 sf.	1 space per 20,000 sf.		
Recycling / Salvage	Special Study	Special Study		
Utilities, Community	Special Study	Special Study	Same as Standard Development	Same as Standard Development
Utilities, Neighborhood	1 space (may be grass)	NA	Same as Standard Development	Same as Standard Development
Warehousing and Transportation	1 space per 300 sf. of office + 1 space per 1,000 sf. of warehouse + 1 space per loading dock	Greater of: 1 space per 20,000 sf.; or 1 space per loading bay		

H. Agricultural Uses. The parking requirements for agricultural uses are set out in Table 3.5.2F, *Required Parking and Loading for Agricultural Uses*.

Table 3.5.2F Required Parking and Loading for Agricultural Uses				
Use	Standard Development		Traditional Neighborhood Development	
	Required Parking Spaces	Required Loading Spaces	Required Parking Spaces	Required Loading Spaces
Agriculture or Forestry	2 spaces per dwelling unit used as a farm residence	NA		
Commercial Stables	1 space per 6 stalls	1 space per 24 stalls	Same as Standard Development	Same as Standard Development
Nursery or Greenhouse: Wholesale	3 spaces per 1,000 sf. of office or sales floor area + 10 spaces per acre of outdoor nursery area	2 spaces per 5 acres		
Nursery or Greenhouse: Retail	1 space per 250 sf. of enclosed floor area + 15 spaces per acre of outdoor nursery area	3 spaces per 5 acres		

I. Special Uses. The parking requirements for special uses are set out in Table 3.5.2G, *Required Parking and Loading for Special Uses*.

Table 3.5.2G Required Parking and Loading for Special Uses				
Use	Standard Development		Traditional Neighborhood Development	
	Required Parking Spaces	Required Loading Spaces	Required Parking Spaces	Required Loading Spaces
Airports	Special Study	Special Study		
Parking and Transit Facilities: Stand Alone Parking Lot	NA	NA	Same as Standard Development	Same as Standard Development
Parking and Transit Facilities: Transit Facility	Special Study	Special Study	Same as Standard Development	Same as Standard Development
Self-Storage Facilities	1 space per 20 storage units + 1 space per on-site caretaker residence	NA		
Wireless Telecommunications Facilities	1 per freestanding facility (may be grass)	NA	Same as Standard Development	Same as Standard Development

J. Uses Not Listed. The Director shall determine the parking requirements for uses that are not listed based on:

1. The uses in this Section that are most similar to the proposed uses; or

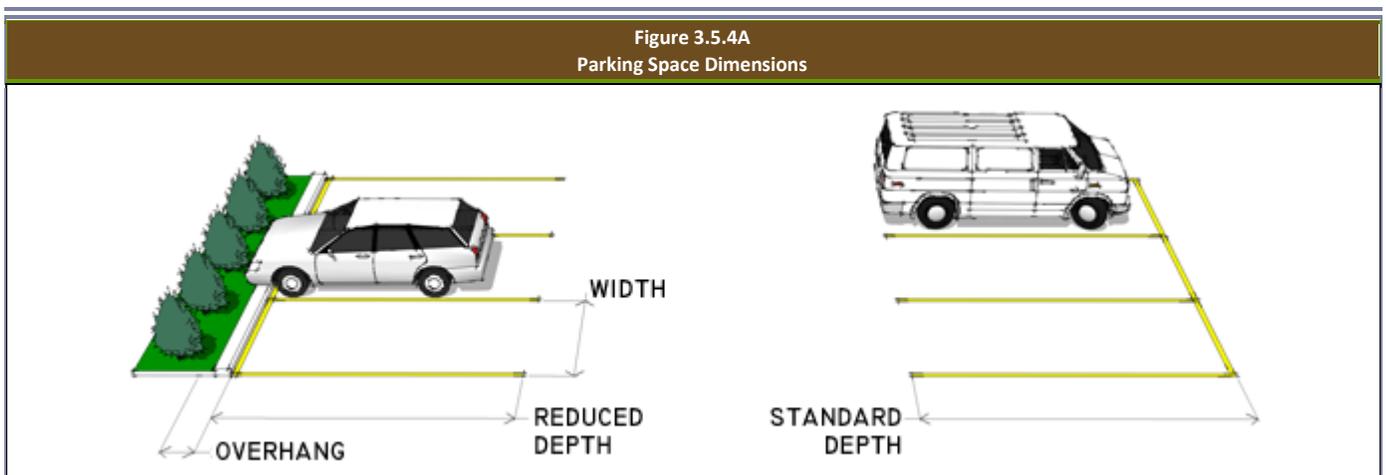
2. Parking studies of similar uses that are provided by the applicant and certified by a qualified professional engineer.

Sec. 3.5.3 Mixed Uses and Shared Parking

- A. **Generally.** The Parish Council recognizes that uses may have different hours of operation and peak parking demand hours. The Parish desires to encourage the sharing of parking for its potential to reduce paved areas and / or enhance the efficiency of land use. Where a mix of uses creates synergy with respect to the use of parking spaces due to differences in when the spaces are most likely to be used, an applicant may submit a special study to demonstrate that the parking required to serve mixed uses is less than the total of the parking requirements for each individual use.
- B. **Special Shared Parking Study.** The special study shall be undertaken by a qualified traffic engineer, and shall:
1. Review peak parking demand periods for the proposed uses during a 24-hour weekday and each weekend day, and shall propose a required number of parking spaces based on the combined peak hour demand for parking.
 2. Provide data on the following:
 - a. The sensitivity of the proposed uses to change. For example, a center with no restaurant could have significant changes in parking if a restaurant was added.
 - b. Similar mixes of uses in other areas of the community.
 - c. Degree of variability of parking for individual uses (average, range, and standard deviation).
 3. The Parish may require a reserved open area if it believes that the risk of parking needs changing over time so warrants. Once the project is occupied and well established, if there is a surplus of parking, the applicant may petition for additional development capacity and parking using the reserved area.

Sec. 3.5.4 Parking and Loading Design

- A. **Dimensions of Standard Parking Spaces.** Parking spaces shall have the following dimensions.
1. Generally: 9 ft. width x 20 ft. standard depth.
 2. 90-degree parking spaces that abut curb or edge of pavement (allowing for overhang): 9 ft. width x 18 ft. reduced depth. *See Figure 3.5.4A, Parking Space Dimensions.*
 3. Parallel (0 degree) parking spaces: 8 ft. width x 20 ft. depth.



- B. **Dimensions of Disabled Parking Spaces.** Disabled parking spaces shall be dimensioned as required by the Americans with Disabilities Act Accessibility Guidelines.
- C. **Number of Disabled Parking Spaces.** Disabled parking spaces shall be provided as required by the Americans with Disabilities Act Accessibility Guidelines, as amended. The requirements as of the effective date are set out in Table 3.5.4A, *Disabled Parking Requirements*; however, in the event of amendment to

ADAAG, ADAAG standards shall control. Disabled parking is included in the total number of required parking spaces.

Table 3.5.4A Disabled Parking Requirements		
Number of Required Parking Spaces	Number of Disabled Spaces	Number of Disabled Spaces that Must be Van Accessible ¹
1 to 25	1	1
26 to 50	2	1
51 to 75	3	1
76 to 100	4	1
101 to 150	5	1
151 to 200	6	1
201 to 300	7	1
301 to 400	8	1
401 to 500	9	2
501 to 1000	2 percent of total	1 out of 8 disabled parking spaces, rounded up
1001 and over	20 plus 1 for each 100 over 1,000	1 out of 8 disabled parking spaces, rounded up

TABLE NOTE:
¹ Van accessible spaces are counted as disabled parking spaces and are not an additional requirement. ADAAG requirements also provide for "universal spaces" which eliminate the need for designated van accessible spaces.

D. Parking Space Markings.

1. All standard and disabled parking spaces that are located in parking lots or provided on-street on a street provided by the developer shall be clearly marked.
2. Parking spaces for residential uses that are located in private garages, carports, or individual driveways do not have to be marked. An area on a private residential lot is considered a parking space if:
 - a. The area is at least 9 feet by 18 feet in dimension;
 - b. The area does not encroach upon a public sidewalk;
 - c. The area is hard-surfaced; and
 - d. The area is accessible from the street.

E. Location of Off-Street Parking.

1. *On-Site Off-Street Parking.* On-site off-street parking shall be set back behind any required bufferyard (See Section 3.11.1, *Bufferyard Requirements*). Parking spaces, aisles, and turning areas shall not encroach upon or overhang any street, driveway, or public right-of-way. See Figure 3.5.4B, *On-Site Off-Street Parking Location*.



2. *Off-Site Off-Street Parking.* Parking or overflow parking is generally not allowed in off-site locations. However, in Traditional Neighborhood Development, it is allowed as provided in Table 3.5.4B, *Distance to Required Parking*.

Table 3.5.4B Distance to Required Parking		
Use	Location of Required Parking	Location of Overflow or Valet Parking Spaces
Traditional Neighborhood Development: Single-Family Attached and Multiple-family Uses	Boundary of parking lot within 150 feet of principal building being served	NA
Traditional Neighborhood Development: All Nonresidential Uses	Boundary of parking lot within 200 feet of principal building being served	Within 300 feet of principal building being served

3. *Guest Parking.* In residential districts, guest parking in excess of the minimum parking requirements may be permitted in platted guest parking islands within enlarged cul-de-sacs. However, in no case shall required parking be located within guest parking islands.

F. Off-Street Loading.

1. *Generally.* All uses shall provide off-street loading as required by Section 3.5.2, *Required Parking and Loading*. Loading spaces shall be designed as follows:
 2. *Dimensions.* The dimensions of required loading spaces shall depend upon whether the use will be served by semi-trailers. Commercial retail and industrial uses that are larger than 40,000 square feet shall be presumed to require semi-trailer loading unless the applicant demonstrates otherwise.
 - a. Minimum width of loading bay (side to side): 12 feet.
 - b. Minimum length of loading bay (front to back):
 - i. For semi-trailers: 60 feet.
 - ii. All other loading spaces: 35 feet.
 - c. Minimum vertical clearance: 14 feet.
 3. *Use of Right-of-Way.* Where off-street loading areas are required, at no time shall any part of a truck or van be allowed to extend into a public right-of-way while the truck or van is being loaded or unloaded.
 4. *Maneuvering Space.* Adequate off-street truck maneuvering space shall be provided on lot (and not within any public street right-of-way or other public property), so that trucks can maneuver to the docking area.
 5. *Location.* All loading areas shall be located on the same lot as the building or lot served by the loading area. Semi-trailer loading spaces and loading docks shall be located behind buildings and screened from view from adjacent properties and public rights-of-way.
 6. *Fire Exit or Emergency Access.* Off-street loading facilities shall be designed so as not to interfere with any fire exits or emergency access facilities to either a building or site.

G. Surfacing. Off-street parking areas shall be surfaced as follows:

1. In general, off-street parking areas that are required to have more than three parking spaces shall be graded and surfaced with a material approved by the Director of Public Works that will protect against potholes, erosion, and dust.
2. The Director of Public Works may permit less durable surfaces (such as grass pavers, crushed stone, or gravel) for off-street parking facilities that serve low-turnover uses or overflow parking needs, provided that:
 - a. The perimeter of such parking areas is defined by bricks, stones, railroad ties, or other similar devices;
 - b. Surfaces with loose materials are set back at least 25 feet from a public street; and
 - c. The material does not generate inordinate amounts of dust.

H. Maintenance. Off-street parking surfaces shall be kept in good condition and parking space lines or markings on hard-surfaced lots shall be kept clearly visible and distinct.

DIVISION 3.6 STREETS, SIDEWALKS, AND ACCESS

Sec. 3.6.1 Street Design Objectives and Review

- A. **Generally.** In order to provide for streets of suitable location, width, and improvement to accommodate prospective traffic and afford satisfactory access to police, firefighting, sanitation, and road maintenance equipment, and to coordinate streets so as to compose a convenient system and avoid undue hardships to adjoining properties, applicable geometric and design standards are shown by classification within Table 3.6.2, *Geometric and Design Standards for Streets*, and other applicable provisions of this Division. The required street classification may be indicated on the Parish Thoroughfare Plan or it shall be determined by the Director. The Director reserves the right to reclassify a roadway for more intensive use if conditions warrant such a change. The reclassification of a street will apply to all undeveloped portions of a subdivision not yet submitted to the Director for approval.
- B. **Integration.** New streets and substantially improved existing streets shall integrate into the existing street pattern so as to:
1. Address the new development's circulation needs;
 2. Provide a pattern of streets that facilitates navigation within the Parish; and
 3. Where higher-order functional classifications are involved, facilitate Parishwide traffic movements.
- C. **Safety.** New streets and substantially improved existing streets shall provide a safe and convenient layout and design.
- D. **Character.** New streets and substantially improved existing streets shall correspond to and reinforce the community character of the district(s) in which they are constructed. Within TNDs, new streets shall be designed to reinforce the pedestrian environment and encourage use by pedestrians and bicyclists.
- E. **Natural Resources.** New streets and substantially improved existing streets shall respect natural resources, topography, and drainage. Streets shall be adjusted to the contours of the land so as to produce useable lots and streets with reasonable gradients (slopes).
- F. **Grading and Improvement Plan.** Drawings and specifications for street grading and improvements shall be designed in accordance with Parish standards and approved by the Director of Public Works. All street grading and improvements shall be constructed in accordance with the drawings and specifications approved in the engineering approval phase, as specified in Section 5.5.4, *Engineering Approval*.

Sec. 3.6.2 Street Standards

- A. **Access.**
1. Subdivisions with 30 or more lots, or multiple-family developments with 50 or more dwelling units, shall have at least two access points to/from existing roadways. Those access points shall be located as far apart as practical and consistent with Section 3.6.11, *Access Management and Circulation*.
 2. The street layout of a subdivision shall provide access to all building sites and parcels.
 3. Street alignment within the subdivision shall utilize curves, islands, intersections, and / or other methods that allow adequate access but discourage speeding.
- B. **Offsite Connectivity.**
1. Wherever streets have been dedicated or platted on the adjacent properties for extension into or through the proposed subdivision, then those streets shall be incorporated into the street layout of the proposed subdivision.
 2. Subdivision streets shall be extended to the boundaries of the parcel proposed for development in appropriate locations to provide for future connections to other properties.
- C. **Right-of-Way and Pavement Widths.**

1. Generally, widths of rights-of-way shall conform to the widths specified in Table 3.6.2A, *Geometric and Design Standards for Streets*. However, where the major street plan adopted by the Parish provides a different width of right-of-way for a particular street, the major street plan shall control.
2. Where additional right-of-way is needed to obtain vertical curve, grade, clear sight triangles, turn lanes, or medians, the required right-of-way shall be adjusted to the extent necessary in accordance with local needs as determined by the Director of Public Works.

Table 3.6.2A Geometric and Design Standards for Streets				
Improvement Requirements ¹	Street Classification			
	Local Streets (feet)	Collector Street (feet)	Secondary Arterial (feet)	Primary Arterial (feet)
Minimum Right-Of-Way Widths				
Minimum right-of-way width for streets with shoulders and roadside ditch drainage	50	60	70	100
Minimum right-of-way width for streets with curbs, gutters and subsurface drainage	50	50	60	75
Center Line Curvature				
Maximum degree of horizontal center line curvature (with superelevation)(degree)	N/A	21° 00'	11° 30'	11° 30'
Maximum degree of horizontal center line curvature (without superelevation)(degree)	41° 00'	17° 30'	9° 00'	9° 00'
Minimum length of tangent between points of reverse horizontal center line curvature	N/A	100	200	300
Stopping Sight Distance				
Minimum stopping sight distance	150	200	275	300
Minimum Width of Borders				
Minimum width of border area between edge of traffic lane to edge of right-of-way for noncurbed streets	18	20	22	24
Minimum width of border area between edge of traffic lane to edge of right-of-way for curbed streets	10	10	12	12
Cul-de-sacs / Dead-End Streets				
Maximum length of permanent cul-de-sacs	600	600	N/A	N/A
Maximum length of temporary cul-de-sacs	450	450	1,000	1,000
Minimum right-of-way radius of cul-de-sac for noncurbed streets	50	60	N/A	N/A
Minimum right-of-way radius for cul-de-sac for curbed streets	50	60	N/A	N/A
Minimum Design Speeds				
Minimum design speed (miles per hour)	25	25	40	50
Traffic Lanes				
Minimum number of traffic lanes	2	2	2	4
Minimum clear width of traffic lanes for streets without curbs	12	12	12	12
Minimum clear width of traffic lanes for streets with curbs	12.5	12.5	12	12
Minimum clearance from outside edge of travel lane to inside face of curb, without parking lane	N/A	N/A	3.0 (2 lanes) 1.5 (4 lanes)	1.5 (4 lanes)
Pavement Radius				
Minimum pavement radius at intersections for streets without curbs	30	35	50	50
Minimum pavement radius at intersections for streets with curbs	18	25	30	35
Minimum outside radius of street pavement at cul-de-sacs	40	50	N/A	N/A
Maximum inside radius of street pavement at cul-de-sacs	18	26	N/A	N/A
"T" Turnarounds				
Minimum length of "T" turnaround	60	80	N/A	N/A
Minimum Lane Widths				
Minimum width of parking lane where used	8	8	10	10
Minimum width of median for four-lane streets when used	N/A	24	32	32
Shoulders and Curbs				
Minimum type of shoulders (open ditch drainage)	Compacted aggregate	Compacted aggregate	Stabilized and surfaced	Stabilized and surfaced
Minimum outside shoulder width (open ditch drainage)	4	6	8	10
Outside curb requirements for curbed streets at intersections	Mountable or barrier	Mountable or barrier	Barrier only	Barrier only
Median curb requirements	N/A	Barrier	Barrier	Barrier
Sidewalks				
Minimum width of sidewalks where used	4	4	5	6
Average Daily Traffic (ADT)				

Table 3.6.2A Geometric and Design Standards for Streets				
Improvement Requirements ¹	Street Classification			
	Local Streets (feet)	Collector Street (feet)	Secondary Arterial (feet)	Primary Arterial (feet)
Minimum design average daily traffic (ADT) for residential streets (vehicles per day)	375	750	1,500	3,000
Minimum design average daily traffic (ADT) for business and industrial streets (vehicles per day)	750	750	1,500	3,000
Minimum Design Loads				
Minimum design 18,000 lb. single-axle loading repetitions expressed as a percentage of ADT for residential streets (percent)	6%	8%	10%	10%
Minimum design 18,000 lb. single-axle loading repetitions expressed as a percentage of ADT for business and industrial streets (percent)	10%	10%	10%	10%
Minimum Thickness				
Minimum thickness of Portland cement concrete pavement for residential streets (min. unconfined compressive strength 4,000 psi at 28–31 days) (in inches)	6	6	8	8
Minimum thickness of Portland cement concrete pavement for business and industrial streets (min. unconfined compressive strength 4,000 psi at 28–31 days) (in inches)	8	8	8	8
Minimum thickness of asphaltic concrete pavement for residential streets (min. 1,200 lbs. Marshall Stability and compacted to within 95% of laboratory density) (in inches)	3.5	4	6	6
Minimum thickness of asphaltic concrete pavement for business and industrial streets (min. 1,200 lbs. Marshall Stability and compacted to within 95% of laboratory density) (in inches)	5	5	6	6
Other				
Pavement transverse cross-slope (percent)	2.5	2.5	2.5	2.5
Maximum longitudinal grade (percent)	10	8	6	5
Maximum longitudinal gutter grade for streets with curbs, gutters and subsurface drainage (percent)	0.24	0.30	0.35	0.35
Minimum vertical clearance (feet)	15	15	15	16
Bridge design load	HS 20-44	HS 20-44	HS 20-44	HS 20-44
Minimum roadside ditch foreslope and backslope ratio	2:1	3:1	3:1	4:1
Minimum embankment fill slope ratio	3:1	3:1	4:1	4:1
Maximum difference in center line grade across intersections and cross-overs (percent)	7	7	7	7
Design storm minimum frequency (in years)	5	5	10	25
Notes: ¹ Numbers are expressed in feet unless otherwise noted.				

D. **New Perimeter Streets.** Street systems in a new subdivision shall be laid out so as to eliminate or avoid new perimeter half-streets. Where an existing half-street is adjacent to a new subdivision, the other half of the street shall be improved and dedicated by the subdivider. The Director may authorize a new perimeter street where the subdivider improves and dedicates the entire required street right-of-way width within his own subdivision.

E. **Widening and Realignment of Streets.** When a proposed subdivision is to be located on an existing thoroughfare having a street width less than provided for in this UDC, the subdivider shall provide enough additional street so that the distance from the center line of the existing thoroughfare to the property line of the proposed subdivision will not be less than one-half of the street width provided for in this UDC.

F. **TND Street Configurations.**

1. Streets within TNDs shall be designed according to Table 3.6.2B, *TND Street Configurations*.
2. In order to promote a pedestrian-friendly environment, curb radii may be reduced as specified by the applicant, provided that:
 - a. The School District approves a bus route that has curb radii that are acceptable to the School District for the safe operation of its buses.
 - b. The Fire Department approves the curb radii or emergency (flattened or mountable) curb treatment.
 - c. The trash removal service provider approves the curb radii.

Table 3.6.2B TND Street Configurations							
Classification	Type	Min. Right-of-Way	Max. ADT	Min. Travel Lanes	Min. Vehicle Travel Lane Width	Min. Clear Sidewalk Width	On-Street Parking
Collector	Primary Boulevard	110 ft.	-	4	12 ft.	10 ft.	Not allowed
Collector	Boulevard	72 ft.	-	2	12 ft.	8 ft.	Allowed
Local	Main Street Mixed-Use	67 ft.	-	2	10 ft.	10 ft.	Allowed
Local	Green Streets	58 ft.	1,000	2	9 ft.	5 ft.	Allowed
Local	Main Street Residential	57 ft.	-	2	10 ft.	5 ft.	Allowed
Local	Small Streets	47 ft.	-	2	8 ft. in G or E subdistricts; 9 ft. in C	5 ft.	Allowed
Local	Small streets that abut parks or plazas	43 ft.	2,500	2	10 ft.	8 ft. (one side)	Allowed
Local	Small streets that abut parks or plazas	37 ft.	1,000	2	9 ft.	5 ft. (one side)	Allowed
Local	One-way streets that abut parks or plazas	32 ft.	1,000	1	10 ft.	6 ft. (one side)	Allowed
Alley	Alley	20 ft.	-	1	10 ft.	None	Not allowed

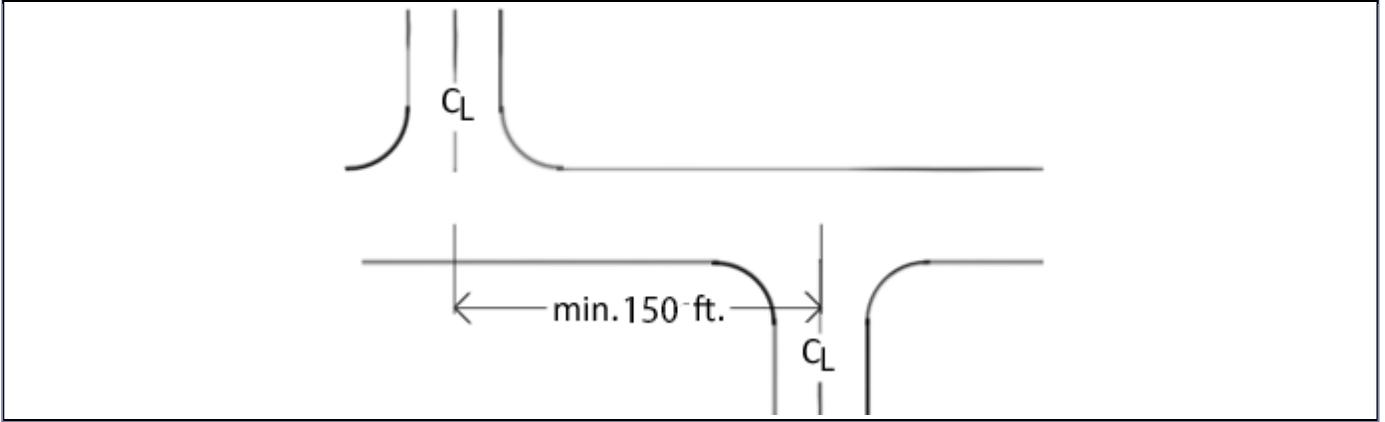
Sec. 3.6.3 Dead-end Streets/Cul-de-sacs

- A. **Temporary Dead-end Streets.** The arrangement of streets shall provide for the continuation of principal streets between adjacent properties when such continuation is necessary for convenient movement of traffic, effective provision of utilities, and where such continuation is in accordance with the Parish Thoroughfare Plan. If the adjacent property is undeveloped and the street must be a dead-end street temporarily, the right-of-way shall be extended to the property line. A temporary "T," "L" or cul-de-sac turnaround shall be provided on all temporary dead-end streets, with the notation on the subdivision plat that land outside the normal street right-of-way shall revert to abutters whenever the street is continued. The Director may limit the length of temporary dead-end streets in accordance with the design standards of this UDC and may require the installation of barricades at the end of any dead-end street.
- B. **Permanent Dead-end Streets.** Where a street does not extend to the boundary of the subdivision and its continuation is not required by Director for access to adjoining property, its terminus shall normally not be nearer to such boundary than 50 feet. However, the Director may require the reservation of an appropriate servitude to accommodate drainage facilities, pedestrian traffic, or utilities. A cul-de-sac, "T," or "L" shaped turnaround shall be provided at the end of a permanent dead-end street in accordance with Parish design and construction standards. For greater convenience of traffic and more effective police and fire protection, permanent dead-end streets shall be limited in length in accordance with the design standards of this UDC.

Sec. 3.6.4 Intersections

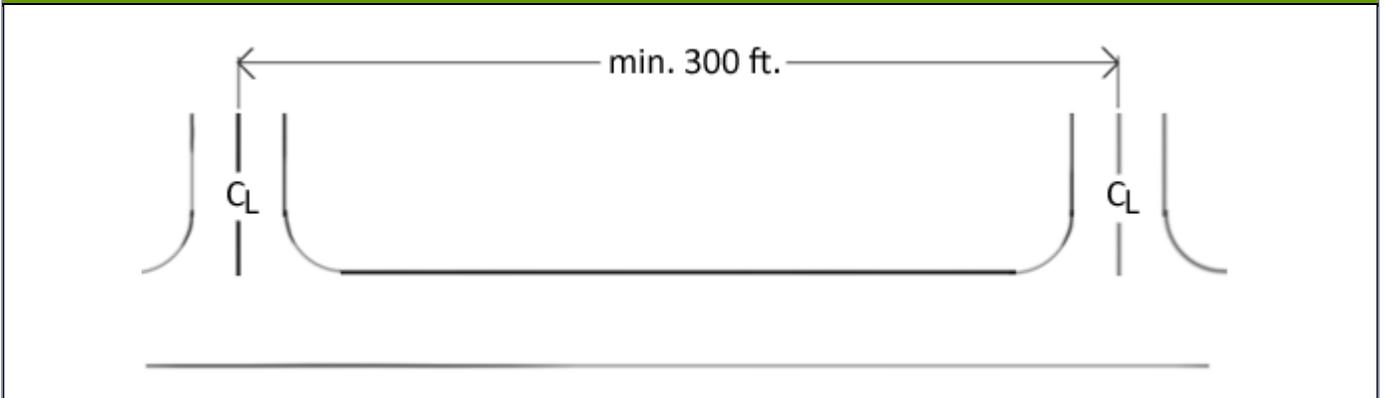
- A. **Generally.** Street intersections shall be designed according to the standards of this Section and other applicable sections of this Division and UDC.
- B. **Angle of Intersection.** Streets shall be laid out so as to intersect as nearly as possible at right angles. A proposed oblique intersection of two new streets at an acute angle of less than 75 degrees shall not be acceptable. An oblique intersecting street should be curved prior to approaching an intersection and should be approximately at right angles for at least 50 feet therefrom. Not more than two streets shall intersect at any one point unless specifically approved by the Director.
- C. **Spacing of Intersections.**
1. *Opposite Side of the Street.* Proposed new intersections along one side of an existing street shall, wherever practicable, coincide with any existing intersection on the opposite side of such street. Street jogs with center line offsets of less than 150 feet shall not be permitted, except where the intersected street is four lanes with a dividing median without median breaks at either intersection. Where streets intersect major roads, their alignment shall be continuous. See Figure 3.6.4A, *Spacing on Opposite Sides of the Street.*

Figure 3.6.4A
Spacing on Opposite Sides of the Street



2. *Same Side of the Street.* Streets that intersect on the same side of another street shall be separated by at least 300 feet from centerline to centerline. See Figure 3.6.4B, *Spacing on Same Side of the Street.*

Figure 3.6.4B
Spacing on Same Side of the Street



D. Minimum Curb Radius.

1. Minimum curb radius or roadway edge radius at the intersection of two streets shall be as shown in Table 3.6.2, *Geometric and Design Standards for Streets* of this Division.
2. The minimum radius at an intersection involving a state or federal highway shall be as per the requirements of the highway department.

E. Alley Intersections. Alley intersections and abrupt changes in alignment within a block shall have the corners cut off in accordance with the standards in Section 3.6.5, *Alleys*, to permit safe vehicular movement.

F. Grades. Intersections and cross-overs shall be designed with a flat grade wherever practical. The maximum difference in center line grade across intersections and cross-overs shall not exceed the limits outlined in Table 3.6.2, *Geometric and Design Standards for Streets*.

G. Earth Banks. Where any street intersection will involve earth banks or existing vegetation inside any lot corner that could create a traffic hazard by limiting visibility, such ground and/or vegetation (including trees) shall be cut in connection with the grading of the public street to the extent deemed necessary to provide an adequate sight distance.

H. Transverse Cross Slope. The transverse cross slope on all streets shall be as shown on Table 3.6.2, *Geometric and Design Standards for Streets* of this Division.

Sec. 3.6.5 Alleys

A. Generally. Alleys may be provided for primary or secondary vehicular access to lots and uses. Alleys may not provide any access to property outside of the parcel proposed for development in which the alleys are dedicated.

B. Ownership and Maintenance of Alleys. Alleys shall be owned and maintained by a property owners' association. Covenants, conditions, and restrictions ("CCRs") shall be recorded with the approved final plat for all subdivisions that include alleys. The CCRs shall include the following, which shall be in a form acceptable to the Parish Attorney, and which shall be enforceable by the Parish:

1. A mandatory property owners' association with lien rights to collect dues from lot or unit owners;
2. A perpetual obligation of the property owners' association to maintain the private streets and drainage systems;
3. Ownership of the alleys by a single entity, such as a property owners' association, rather than under lot owners (or other owners);
4. Cross-access servitudes for all lot owners;
5. Servitudes for access by:
 - a. Emergency vehicles; and
 - b. Garbage and trash collection (if designed for garbage and trash collection); and
6. Servitudes for public utilities.

C. Minimum Widths. The following minimum widths shall apply to alleys:

1. Minimum Right-of-Way Width: 20 feet
2. Minimum Cartway Width: 10 feet

D. Alley Length. Alleys shall be the same length as the blocks that provide frontage to the lots that the alleys serve, with minor variation permitted to account for curvature of intersecting streets.

E. Alley Intersections and Curves.

1. Alleys should intersect streets at right angles. The intersection of a street and an alley should be constructed as a standard approach.
2. A minimum curb radius of 30 feet to the inside edge of the alley paving shall be provided at intersections between alleys, and the additional area shall be platted as part of the alley.

F. **Alley Turnouts.** Alley turnouts shall meet the following minimum standards:

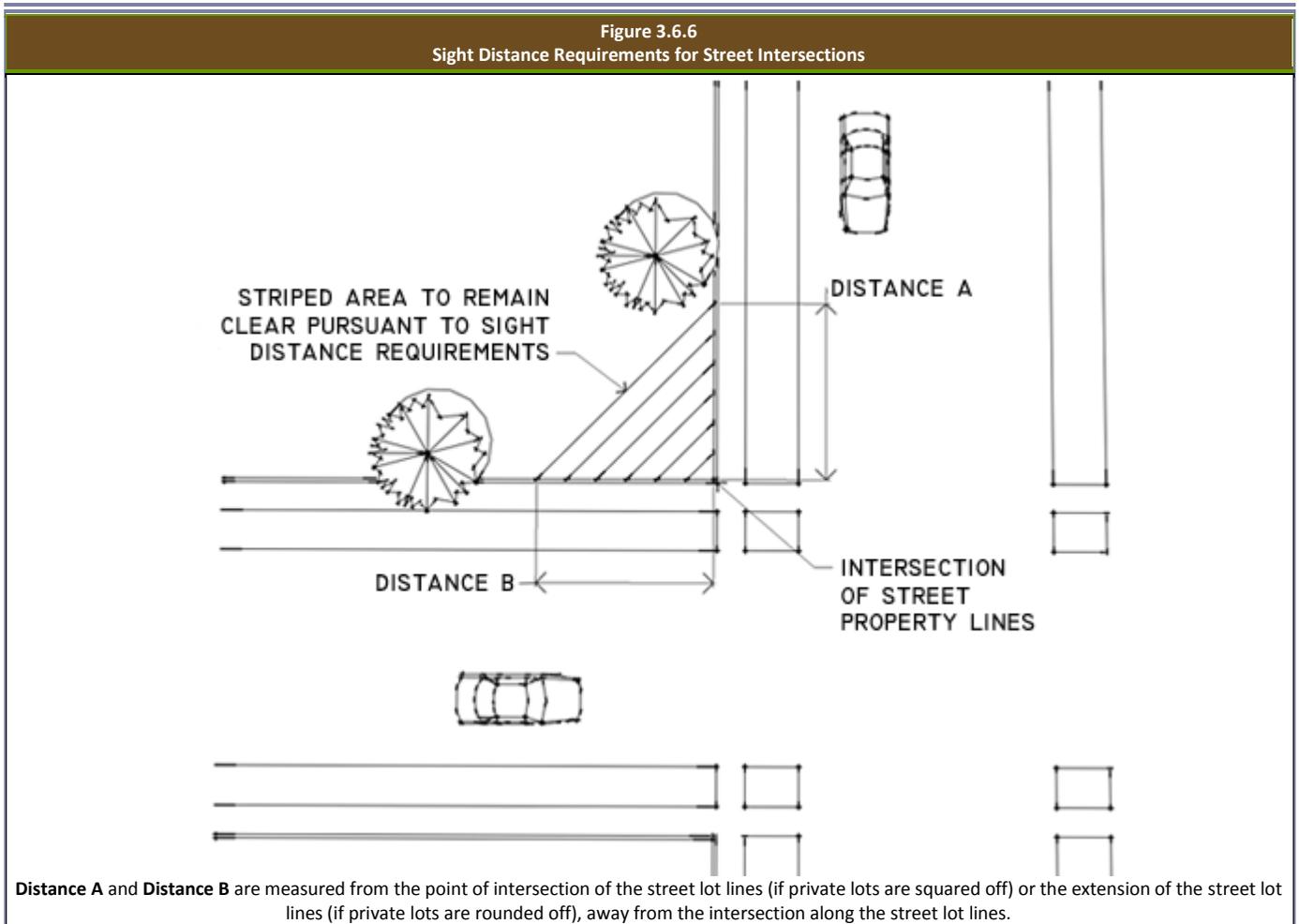
1. Minimum width of pavement at intersection: 18 feet
2. Turnouts shall be paved to the property line.
3. No gate, building, or garage opening shall be located closer than 20 feet to an alley turnout, measured from the closest edges of pavement along the alley and along the intersecting street right-of-way.

G. **Dead-Ends Prohibited.** Dead-end or cul-de-sac alleys shall be avoided unless:

1. Natural resources, such as floodplains, wetlands, or open water prevent their connection to a local street and there is no alternative design that would serve all of the lots with alley access; or
2. In a TND, the dead-end or cul-de-sac is necessary to improve the street layout.

Sec. 3.6.6 Site Distance Requirements

A. **Street Intersections.** No fence, wall, hedge, or shrub planting which obstructs sight lines shall be placed or permitted to remain on any corner lot in the areas specified by this subsection. *See Figure 3.6.6, Sight Distance Requirements for Street Intersections.*



1. At the intersection of a collector street and local street, Distance A and Distance B (*See Figure 3.6.6, Sight Distance Requirements for Street Intersections*) shall each be at least 25 feet.
2. At the intersection of two local streets or the intersection of a street and an alley, Distance A and Distance B (*See Figure 3.6.6, Sight Distance Requirements for Street Intersections*) shall each be at least 15 feet.

B. **Exceptions.**

1. Shade trees are permitted to overhang the specified triangles, provided that all branches are not less than eight feet above the street level.
2. No portion of a fence or wall exceeding 2.5 feet in height above the finished lot grade shall exceed 25 percent opacity when located in a required yard that either:

- a. Has vehicular access to a street; or
- b. Abuts such access.

C. **Trees or Utility Poles Within the Right-of-Way.** Neither trees nor utility poles (except street lights and traffic signal supports) shall be placed within the public right-of-way within 50 feet of the intersecting centerlines at street intersections. Trees which existed in such locations as of the effective date of this UDC shall be pruned to clear the area between two feet and six feet above the ground level if such pruning can be accomplished without compromising the health or structural integrity of the tree.

Sec. 3.6.7 Private Streets

- A. **Generally.** Private roads and streets are permitted only as provided in this Section.
- B. **Residential Subdivisions.** Private streets are permitted in residential subdivisions if the Director of Public Works determines, because of unique operation or maintenance issues, that private maintenance and operation of the road or street is in the best interest of the Parish.
- C. **Nonresidential and Multiple-Family Subdivisions.** The private road or street runs through, to, or between parking areas in commercial, industrial, or multiple-family developments, where:
- 1. All property accessed by the street is under single ownership;
 - 2. There is sufficient alternative access to abutting properties;
 - 3. The access to the parcel proposed for subdivision and the abutting properties meets the spacing requirements of Section 3.6.11, *Access Management and Circulation*; and
 - 4. The Parish Council finds that connecting the street to the public street network is not desirable because it would increase through traffic in an established or proposed neighborhood.
- D. **Requirements for Private Streets.** If and when private streets are permitted, they shall meet all of the following requirements:
- 1. Private streets shall be laid out, designed, and constructed in the same manner as public streets;
 - 2. The final plat shall be annotated with a notice that the streets are private and subject to a covenant for maintenance;
 - 3. Street name signs shall indicate that the streets are private;
 - 4. The private streets will not interfere with the implementation of the Parish's Thoroughfare Plan, Capital Improvements Plan, or plans for construction or expansion of state or federal highways; and
 - 5. The private streets will not materially interfere with street connectivity in the Parish or create an unreasonable impact on an adjacent public street by curtailing opportunities for alternative travel routes.
- E. **Gates.** Gates are permitted at entries to private street subdivisions, provided that they comply with the standards of this subsection..
- 1. Gates shall be set back from the public street to allow for stacking, as follows:
 - a. 2 to 30 dwelling units: 20 feet;
 - b. 31 or more dwelling units: 40 feet.
 - 2. Two inbound gates shall be provided, one for residents and one for guests, for all subdivisions that include more than 60 dwelling units. The paved area behind the guest gate shall be sufficient to accommodate at least one vehicle without interfering with the use of the resident gate.
 - 3. A means of prompt access shall be provided to police, fire, and emergency medical transport service providers.

F. **Covenants, Conditions, and Restrictions.** Covenants, conditions, and restrictions ("CCRs") shall be recorded for all private street subdivisions with the approved final plat. The CCRs shall include the following, which shall be in a form acceptable to the Parish Attorney, and which shall be enforceable by the Parish:

1. A mandatory property owners' association with lien rights to collect dues from lot or unit owners;
2. A perpetual obligation of the property owners' association to maintain the private streets and drainage systems;
3. Ownership of the private streets by a single entity, such as a property owners' association, rather than under lot owners (or other owners);
4. A perpetual obligation to enforce restrictions against on-street parking, unless the street is designed for on-street parking;
5. Cross-access servitudes for all lot owners;
6. Servitudes for access by:
 - a. School buses;
 - b. Emergency vehicles; and
 - c. Garbage and trash collection; and
7. Servitudes for public utilities.

G. **Conversion to Public Streets.**

1. Private roads or streets shall not be converted to public streets unless:
 - a. The rights-of-way comply with the dimensional standards of the UDC or approval by the Director of Public Works;
 - b. The roads or streets are hard surfaced according to Parish standards for public roads and streets; and
 - c. The streets and associated drainage are in good repair.
2. If private streets do not comply with subsection G.1., above, then the Parish may allow conversion to public streets if:
 - a. All of the property owners with frontage on the street consent in writing to the conversion; and
 - b. All of the property owners with frontage on the street consent to a special assessment to cover the cost of improving the roads or streets to the standards of subsection G.1., above.

Sec. 3.6.8 Street Surfacing and Improvement

- A. **Generally.** After underground utilities have been installed, the street improvements shall be constructed which shall include shoulders and roadside drainage ditches, or curbs, gutters and subsurface drainage; all proposed street improvements, including cul-de-sacs, sidewalks, bridges, etc., shall be constructed using the latest version of the design and construction standards of the Parish Department of Public Works.
- B. **Horizontal and Vertical Alignment.** Horizontal and vertical alignment for streets and intersections shall conform to the minimum requirements set forth in Table 3.6.2A, *Geometric and Design Standards for Streets*, and shall be designed in conformance with the applicable requirements set forth within the design guidelines entitled, "A policy on Geometric Design of Rural Highways" and "A Policy on Design of Urban Highways and Arterial Streets," latest editions, as prepared by the American Association of State Highway and Transportation Officials.
- C. **Changes in Grade.** All changes of grade shall be connected by vertical curves of a minimum length in feet equal to 20 times the algebraic difference in the rate of grade for arterials and industrial streets; for collector and local streets, 15 times.

D. **Pavement Specifications.**

1. *Pavement Design and Construction.* All proposed road and street pavements throughout any subdivision or development shall be designed and constructed in accordance with the minimum traffic load criteria and pavement thickness requirements for roads and streets as set forth within Table 3.6.2A, *Geometric and Design Standards for Streets*.
2. *Pavement Surface.* The pavement surface may consist of either Portland cement concrete pavement or asphaltic concrete pavement in conformance with the minimum surface thickness requirements outlined in Table 3.6.2A, *Geometric and Design Standards for Streets*.

E. **Sub-Soil Investigation and Geotechnical Analysis.**

1. *Investigation and Analysis Required.* A sub-soils investigation and accompanying geotechnical analysis shall be performed to determine existing sub-soil conditions and accompanying requirement for base course and/or sub-base preparation in order to determine the final lift thickness and composition of the street or roadway structural section to be used.
2. *Submittal.* One copy of the geotechnical analysis together with layout maps showing location of all roadway borings shall be provided to the Director of Public Works for review and approval. A typical cross-section showing proposed pavement thickness together with lift thickness and composition of proposed base, sub-base and/or shoulder course materials and applicable compaction requirements shall be submitted for approval in conjunction with analysis.

F. **As-Built Report Required.** A qualified testing laboratory furnished by the subdivider or developer and approved by the Director of Public Works shall be responsible for all phases of subsequent field and laboratory testing during construction. Following completion of construction, a report from the testing laboratory shall be submitted to the Parish certifying that all construction complies with the requirements set forth within the initial geotechnical analysis and/or any specific and acceptable deviations therefrom.

Sec. 3.6.9 Street Name and Traffic Control Signs

- A. **Street Name Signs.** The subdivider or developer shall furnish and install street name signs at the intersections of all streets to be constructed throughout the subdivision or development. All signs shall be corrosion-resistant, reflectorized enamel complete with hot-dipped galvanized post and hardware and installed in accordance with the requirements of the Director of Public Works.
- B. **Traffic Control Signs.** The subdivider/developer shall furnish and install all traffic control signs and devices as directed by the Director of Public Works.

Sec. 3.6.10 Bridges

Generally. Bridges of primary benefit to the subdivider/developer, as determined by the Director, shall be constructed at the full expense of the subdivider/developer without reimbursement from the Parish. All bridges shall conform to the design and construction standards and specifications as set forth in Table 3.6.2A, *Geometric and Design Standards for Streets* and by the Director of Public Works. A subsoils investigation and accompanying geotechnical analysis shall be performed to determine load bearing and side-slope stability requirements prior to design and construction.

Sec. 3.6.11 Access Management and Circulation

- A. **Generally.** For the purposes of this Section:
 1. *Arterials.* Arterials include both primary arterials and secondary arterials, including all arterials identified on the latest version of the Parish's Thoroughfare Plan.
 2. *Access Points.* Access points include highways, public and private streets, alleys, driveways, and marginal access streets.

B. Access to Single-Family and Duplex Lots.

1. *Existing Lots.* Existing access to single-family detached and duplex lots from arterial or collector streets is permitted. However, the existing access shall be moved from the arterial or collector to a local street if:
 - a. The lot has access to a local street; and
 - b. The principal building is redeveloped (or a new principal building is constructed).
2. *New Lots.* New single-family detached, single-family attached, and duplex lots shall not take access to arterial or collector streets unless they are more than two acres in lot size, are not part of a subdivision, and are spaced no closer than the distance specified in Table 3.6.11A, *Minimum Arterial and Collector Lot Frontage*, from another driveway access located on the same side of the street, and the driveway is designed to prevent vehicles from backing out onto the arterial or collector. In all other cases, access shall be from:
 - a. A local street designed and constructed to Parish standards established in this Division; or
 - b. A marginal access street.

C. Minimum Arterial and Collector Frontage.

1. *General.* In general, the minimum arterial and collector frontage that is required of lots that take direct access from an arterial or collector shall not be less than that shown in Table 3.6.11A, *Minimum Arterial and Collector Lot Frontage*. No new lots shall be created that have less frontage than set out in Table 3.6.11A, *Minimum Arterial Lot Frontage*, unless the subdivider provides for common access and cross-access servitudes as set out in subsection C.3., of this Section.

Table 3.6.11A Minimum Arterial and Collector Lot Frontage	
Posted Speed Limit (mph)	Minimum Connection Spacing (ft.)
≤ 30	225
35	275
40	330
45	385
≥ 50	450

2. *Increased Frontage Requirement.* The Parish may require a greater lot frontage for:
 - a. Development with driveways that are greater than 25 feet in width (not including curb returns); or
 - b. Development that requires more than one access connection to the arterial or collector.
3. *Decreased Frontage Requirement.* The Parish may allow a decreased lot frontage for individual lots with common access servitudes and shared access driveways, provided that:
 - a. The parcel proposed for development, before subdivision, complies with this Section;
 - b. Legal instruments are recorded as provided in subsection E., *Common Access and Internal Cross-Access*, of this Section.

D. Access Dimensions. Each lot that contains a single-family detached house or duplex shall have no more than two driveway connections along any street frontage. Driveway width shall not exceed the width set out in Table 3.6.11B, *Maximum Width of Access*.

Table 3.6.11B Maximum Width of Access		
Use Classification	Standard	Maximum Access Width (ft.)
Single-Family Residential	One-car garage (max. width)	12
	Two-car garage (max. width)	22
	Three-car garage (max. width)	25
Duplex	Two, one-car garages (max. width)	24
	Two, two-car garages (max. width)	27

E. Common Access and Internal Cross-Access.

1. *Separate Ownership; No Common Plan of Development.* Where adjacent properties are separately owned and not part of a common plan of development, the Parish may require common access or internal cross-

access as the parcels are developed, substantially improved, or redeveloped. As such, an applicant may be granted temporary individual access if:

- a. The applicant demonstrates that a reasonable offer with regard to cross-access was refused by the adjacent landowner; and
 - b. The applicant records a covenant acceptable to the Parish to ensure that the connection will be provided and access will be consolidated upon the earlier of:
 - i. Approval for development, substantial improvement, or redevelopment, of the adjacent property, if providing such connection is a requirement of the approval for the adjacent property; or
 - ii. The applicant's parcel and the adjacent parcel coming under common ownership; and
 - c. The applicant demonstrates that the proposed temporary access will not materially affect the safe and efficient flow of traffic.
2. *Common Ownership or Common Plan of Development.* Phased development, development sites under the same ownership, or development sites that are consolidated for the purposes of development and comprised of more than one building are considered unified parcels. Unified parcels shall provide access as follows:
- a. The number of connections permitted shall be the minimum number necessary to provide reasonable access to the overall site and not the maximum available for the site's frontage; and
 - b. Access to outparcels shall be internalized using the shared circulation system and designed to avoid excessive movement across parking aisles or queuing across surrounding parking and driving aisles.
3. *Terms.* The Parish may require that common and cross-access servitudes include one or more of the following:
- a. Sufficient width to accommodate a two-way access between properties, designed to accommodate automobiles and service and loading vehicles.
 - b. Stub-outs and other design features to allow abutting properties to be tied in to provide future cross-access.
 - c. Linkage to other cross-access drives in the area.
4. *Location of Cross-Access.* The location of the connections shall be set by the Parish in accordance with the following:
- a. Shallow sites (less than 200 feet deep) with buildings positioned at or near the front setback line shall provide access along the rear property lines.
 - b. Shallow sites (less than 200 feet deep) with buildings positioned at or near the rear setback line shall provide connections aligned with their edges along the sidewalk in front of the buildings.
 - c. Deep sites (200 or more feet deep) with outparcels shall provide cross-access points as follows:
 - i. To all outparcels, in order to connect them to the parking and circulation areas of the principal parcel;
 - ii. On side lot or parcel lines of the principal lot or parcel, behind any outparcels that are located within 60 feet of said side lot or parcel lines, in order to permit movement through the area; and
 - iii. On side lot or parcel lines of the principal lot or parcel, aligned with edges along the sidewalk in front of the buildings.
5. *Dimensions of Cross-Access.* Cross-access servitudes shall include at least 24-feet of pavement width.
6. *Approval and Recording of Servitudes.*
- a. Access that is shared by adjacent properties, whether under single or separate ownership, requires that an appropriate legal instrument to ensure continued shared access be approved by the Parish

and recorded in the official public record at the applicant's expense. The recorded book and page number shall be referenced on any subsequent subdivision plats of the property.

- b. If there is an existing shared access for which there is no recorded legal documentation, such documentation shall be executed and recorded as provided in subsection E.4.a., of this Section.

Sec. 3.6.12 Performance Standards for Residential Streets

- A. **Floodplain Areas.** In floodplain areas, narrower rights-of-way may be approved and drainage accomplished in a manner that provides for the minimum width, while accommodating the stormwater movement. The Parish's Floodplain Administrator shall assist in developing an acceptable cross-section that minimizes environmental impact.
- B. **Traffic Calming.** Straight, or nearly straight, sections of residential streets of a length greater than 500 feet shall be designed to include traffic calming devices.
- C. **On-Street Parking.** Streets in all districts except AG, CN, and RE may be designed to include on-street parking. Design requirements are outlined in Division 3.5, *Parking and Loading*.
- D. **Mid-Block Pedestrian Connections.** Mid-block connections in the form of public access servitudes and walkways shall be provided along blocks that are 500 feet or greater in length, to establish linkages between blocks and, particularly, to common facilities such as parks and open areas.
- E. **TNDs and Multi-Housing Neighborhoods.** In TNDs and multi-housing neighborhoods, an efficient multimodal system shall be provided that include streets, sidewalks, and trails throughout the development. In the "Center" and "General" subdistricts of a TND, and in areas of multi-housing neighborhoods with lot widths that are less than 50 feet, private alleys shall provide access to residential lots.

Sec. 3.6.13 Traffic Study

- A. **Generally.** New development, redevelopment, changes in use, or expansions to existing development that are likely to result in additional peak hour or daily vehicular trip generation (compared to the existing condition) in excess of the thresholds set out in subsection B., below, shall submit a traffic study according to the methodologies set out in subsection C. below.
- B. **Thresholds.** Traffic studies are required when any of the following thresholds may be exceeded by the proposed development:
 1. Additional average daily trips generated by the development exceed 500 trips per day, as determined by the Director of Public Works;
 2. Additional PM peak trips generated by the development exceed 100 trips per hour, as determined by the Director of Public Works;
 3. Any residential development that exceeds 150 new dwelling units;
 4. The development is requesting access to an arterial street or state highway;
 5. The development will cause the adjacent street or closest intersection(s) to operate at level of service ("LOS") F; or
 6. The adjacent street or closest intersection(s) already operates at LOS F.
- C. **Methodologies.** Traffic studies shall be prepared by a licensed professional engineer qualified to perform such work.
- D. **Updated Traffic Study Required.** The Director may require an update (amendment) to a previous traffic study or a new study if any of the following thresholds are met:
 1. Changes to the development proposal increases expected trip generation for daily or peak hour trips by more than 15 percent from the original study;
 2. The previous traffic studies are more than 2 years old, unless the Director of Public Works has determined that the conditions have not significantly changed; or
 3. Location, types and/or number of access points for the development has changed.

- E. **Conditions of Approval.** The administrative body responsible for decision making may condition the approval of proposed development on the maintenance of the level of service standards for streets that will be impacted by the development. The administrative body responsible for decision making may authorize phased development that ties required street, intersection, access, signalization, or other improvements (such as, but not limited to additional signage, pavement markings, acceleration/deceleration lanes, etc.) necessary to maintain LOS or improve safety to the timing and level of development proposed for each phase.

DIVISION 3.7 UTILITIES

Sec. 3.7.1 Design Standards for Potable Water Facilities

- A. **Generally.** All subdivision and developments shall be provided with an adequate potable water distribution system, including the installation of valves and fire hydrants, in accordance with the following standards, and the specification of the appropriate waterworks district or municipality.
- B. **Water Service Availability.**
1. The subdivider or developer, or his authorized representative shall make a request in writing to the appropriate waterworks district or municipality as to the availability of water service for the proposed subdivision/development. This request shall be accompanied by a copy of the preliminary subdivision layout plan. A copy of the letter from the waterworks district or municipality stating that potable water is available and indicating the location of existing water service, shall be submitted to the Director with the request for preliminary approval.
 2. Where public water supply is not available and a potable water supply (*i.e.*, individual wells) is available and approved by the health department, the Director may approve the use of individual wells.
- C. **Minimum Size Subdivision Mains.**
1. *Residential Areas.* The minimum size main in residential areas shall be eight inches. However, at the discretion of the waterworks district or municipality and with the concurrence of the Director, six-inch mains may be used only where they connect to an eight-inch grid on either end, but in no case shall a six-inch water line extend more than 600 feet in length.
 2. *Commercial/Industrial Areas.* The minimum size main in commercial or industrial areas and in large subdivided areas shall be either eight inches or 12 inches as the waterworks district or municipality may direct.
- D. **Minimum Size Development Mains.** All development sites shall be served by not less than an eight-inch water main. Shopping centers shall be served by a twelve-inch main to provide adequate fire protection unless a smaller size is approved by the Director.
- E. **Fire Hydrants.** Six-inch fire hydrants with two and one-half inch hose connections and one four-inch pumping connection shall be required for all subdivision and developments. Fire hydrants shall be located no more than 500 feet apart in residential subdivisions or developments and no more than 300 feet apart in commercial or industrial subdivisions or developments and shall be of a type approved by the applicable fire protection unit. In any event the standards of the National Fire Code shall be met.

Sec. 3.7.2 Design Standards for Sewerage Facilities

A. Generally.

1. All subdivisions and developments shall be provided with adequate sanitary sewerage facilities.
2. The subdivider or developer shall install sanitary sewer facilities in accordance with Chapter XIII of the State of Louisiana Sanitary Code, which requires compliance with the latest "Recommended Standards for Sewage Works" (commonly called "Ten States Standards") as published by the Great Lakes-Upper Mississippi River Board of State Sanitary Engineers.

B. Public Sanitary Sewer System Exists and is Available.

1. The subdivider or developer is required to connect to existing sewer in accordance with Paragraph 13:011-1, Chapter XIII of the State of Louisiana Sanitary Code, as amended, which states: "13:011-1. Connections to sewerage systems. Where there is an established sewerage system and ample water supply, all toilet, bath, laundry, kitchen, and other plumbing fixtures located on any premises within 300 feet of a sewer main or lateral shall be connected therewith, provided that such sewer main or lateral is adequate to serve the premises, and provided that the property owner is legally entitled to make such a connection."
2. The subdivider or developer shall provide sewer services to each lot in the subdivision or to the development and pay all connection charges as mandated by the public body having jurisdiction over the public sewer system.

C. Public Sanitary Sewer System Does Not Exist or is Not Accessible.

1. *When Plans for a Public Sanitary Sewerage System Exist:* When plans for a public sanitary sewerage system exist and the governing public body has made a definite commitment to construct said system, the subdivider or developer shall install permanent sewer lines, laterals, mains, and services to be in conformance with such plans and ready for connection to such public sewer mains. Sewer services shall be minimum six inches in diameter and shall extend at least five feet into each lot.
2. *When Plans for a Public Sanitary Sewerage System Do Not Exist:* When plans for a public sanitary sewerage system do not exist or a construction commitment does not exist, the subdivider or developer may install sewerage systems as follows:
 - a. Central sewerage system and treatment facility:
 - i. The subdivider or developer shall install all sewer lines, mains, laterals, pump stations, treatment facilities and services as required to ensure conformance with the requirements of the State of Louisiana Sanitary Code.
 - ii. Subdivider or developer shall apply for and obtain the appropriate discharge permit for the treatment facility prior to construction from the health department agency under the NPDES System (National Pollutant Discharge Elimination System).
 - iii. The subdivider or developer shall make the necessary arrangements for the continued maintenance and operation of the sewerage facilities. The maintenance cost of such a system shall be assessed against each property benefited. Copies of all permits and approvals shall be delivered to the Director prior to final approval.
 - b. Individual disposal systems:
 - i. The subdivider or developer may install individual disposal systems in lieu of a central system, provided they conform to the requirements of paragraph[s] 13:012-1 through 13:019-2 and appendix "A" of the State of Louisiana Sanitary Code.
 - ii. Minimum lot areas shall conform to the requirements of the health department and percolation tests and test holes shall be made as directed by the state sanitarian. The individual disposal system, including the size of the septic tanks and size of the tile fields or other secondary treatment device shall also be approved by the state sanitarian. Copies of the permits issued by the state health department shall be filed with the Director prior to final approval.

Sec. 3.7.3 Design Standards for Lighting Facilities

- A. **Generally.** When the subdivider chooses to install light standards, they shall be aluminum and may be located on either side of the street or in a servitude designated for this purpose, or may be located in the center of the median of the boulevard. There shall be one standard at each intersection and such additional standards located at lot lines, such that the spacing of standards shall not exceed 250 feet, unless otherwise approved by the Director.
- B. **Arrangement and Costs.** It shall be the responsibility of the subdivider/developer or his agent to secure and install light standards and be responsible for making arrangements with the utility company to energize the light fixtures.

Sec. 3.7.4 Requirements for Electrical Facilities

- A. **Generally.** All electrical power distribution facilities serving lots within a subdivision or a development shall be installed underground.
- B. **High Voltage Distribution/Transmission Facilities.** When necessary to construct high voltage distribution or transmission facilities which require overhead installation on poles or towers, said overhead facilities shall be placed within an independent servitude of sufficient width to accommodate maintenance and operation. Said servitude may be located along the rear lot lines of the subdivision or development and shall be maintained by the power company.
- C. **Arrangements and Costs.** The subdivider/developer shall be responsible for making the necessary arrangements with the private or public power company and of paying any fees in connection therewith.

Sec. 3.7.5 Requirements for Natural Gas Distribution Systems

- A. **Generally.** All subdivisions or developments within 1,500 feet of an existing natural gas distribution system shall be provided with an adequate natural gas distribution system, constructed in accordance with Parts 191 and 192 of Title 49 of the Code of Federal Regulations, and the existing policies of the natural gas company serving the area.
- B. **Arrangements and Costs.** The subdivider/developer shall be responsible for making the necessary arrangements with the private or public gas company and for paying any fees in connection therewith.

Sec. 3.7.6 Requirements for Telephone Service

- A. **Generally.** All subdivisions and developments shall be provided with adequate telephone service which shall be installed underground.
- B. **Arrangements and Costs.** The subdivider/developer shall be responsible for making the necessary arrangements with the telephone company and for paying any fees required in connection therewith.

Sec. 3.7.7 Requirements for Cable TV

- A. **Generally.** When a subdivision or development is provided with cable TV service, the service shall be installed underground.
- B. **Arrangements and Costs.** The subdivider/developer shall be responsible for making the necessary arrangements with the cable TV company and for paying any fees required in connection therewith.

DIVISION 3.8 FLOODPLAIN MANAGEMENT AND FLOOD PROTECTION

Sec. 3.8.1 Authorization, Findings of Fact, Interpretation

- A. **Statutory Authorization.** The legislature of the state has in R.S. 38:84 delegated the responsibility to local governmental units to adopt regulations designed to minimize flood losses. Therefore, the Parish Council does ordain the provisions of this Division.

B. Findings of Fact.

1. The flood hazard areas of the Parish are subject to periodic inundation which results in loss of life and property, health and safety hazards, disruption of commerce and governmental services, and extraordinary public expenditures for flood protection and relief, all of which adversely affect the public health, safety, and general welfare.
2. These flood losses are created by the cumulative effect of obstructions in floodplains which cause an increase in flood heights and velocities, and by the occupancy of flood hazard areas by uses vulnerable to floods and hazardous to other lands because they are inadequately elevated, floodproofed, or otherwise protected from flood damage.

C. Interpretation. In the interpretation and application of this Division, all provisions shall be:

1. Considered as minimum requirements;
2. Liberally construed in favor of the governing body; and
3. Deemed neither to limit nor repeal any other powers granted under state statutes.

Sec. 3.8.2 Purpose and Methods

A. Statement of Purpose. It is the purpose of this Division to promote the public health, safety, and general welfare and to minimize public and private losses due to flood conditions in specific areas by provisions designed to:

1. Protect human life and health;
2. Minimize expenditure of public money for costly flood control projects;
3. Minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;
4. Minimize prolonged business interruptions;
5. Minimize damage to public facilities and utilities such as water and gas mains, electric, telephone and sewer lines, streets and bridges located in floodplains;
6. Help maintain a stable tax base by providing for the sound use and development of floodprone areas in such a manner as to minimize future flood blight areas; and
7. Ensure that potential buyers are notified that property is in a flood area.

B. Methods of Reducing Flood Losses. In order to accomplish its purposes, this Division uses the following methods:

1. Restrict or prohibit uses that are dangerous to health, safety, or property in times of flood or cause excessive increases in flood heights or velocities;
2. Require that uses vulnerable to floods, including facilities which serve such uses, be protected against flood damage at the time of initial construction;
3. Control the alteration of natural floodplains, stream channels, and natural protective barriers which are involved in the accommodation of floodwaters;
4. Control filling, grading, dredging, and other development which may increase flood damage; and
5. Prevent or regulate the construction of flood barriers which will unnaturally divert floodwaters or which may increase flood hazards to other lands.

Sec. 3.8.3 General Provisions

A. Compliance with Division. No structure or land shall hereafter be located, altered, or have its use changed without full compliance with the terms of this Division and other applicable regulations.

B. Lands to Which this Section Applies. This Section shall apply to all areas of special flood hazard within the jurisdiction of the Parish.

- C. **Basis for Establishing the Areas of Special Flood Hazard.** The areas of special flood hazard identified by the Federal Emergency Management Agency in a scientific and engineering report entitled "The Flood Insurance Study for St. Mary Parish," dated June 18, 1996 with accompanying Flood Insurance Rate Maps and Flood Boundary-Floodway Maps (FIRM and FBFM) and any revisions thereto are hereby adopted by reference and declared to be a part of this UDC. That area of special flood hazard identified by the Federal Emergency Management Agency in the Coastal Barrier Improvement Act of 1990 (Public Law 101-591) with accompanying Flood Insurance Rate Map bearing Community Panel Number 220192 0350 D and Map Revision date of June 30, 1999 and any revisions thereto are hereby adopted by reference and declared to be a part of this UDC. The area of special flood hazard identified by the Federal Emergency Management Agency in the Hurricane Rita Surge Inundation and Advisory Base Flood Elevation Maps for St. Mary Parish dated March 2006 are hereby adopted by reference and declared to be a part of this UDC.

Sec. 3.8.4 General Standards for Flood Hazard Reduction

- A. **Generally.** In all areas of special flood hazard, the following provisions are required for all new construction and substantial improvements.
- B. **Resistance to Hydrodynamic and Hydrostatic Loads.** All new construction or substantial improvements shall be designed or modified and adequately anchored to prevent flotation, collapse, or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy;
- C. **Construction to Minimize Flood Damage.** All new construction or substantial improvements shall be constructed by methods and practices that minimize flood damage;
- D. **Flood-Damage Resistant Materials.** All new construction or substantial improvements shall be constructed with materials resistant to flood damage;
- E. **Protection of Building Service Facilities.** All new construction or substantial improvements shall be constructed with electrical, heating, ventilation, plumbing, and air-conditioning equipment and other service facilities that are designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding;
- F. **Protection of Water Supply Systems.** All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of floodwaters into the system;
- G. **Protection of Sanitary Sewer Systems.** New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of floodwaters into the systems and discharge from the systems into floodwaters; and
- H. **Location of On-Site Waste Disposal Systems.** Onsite waste disposal systems shall be located to avoid impairment to them or contamination from them during flooding.

Sec. 3.8.5 Specific Standards for Flood Hazard Reduction

- A. **Generally.** In all areas of special flood hazards where base flood elevation data have been provided as set forth in Section 3.8.9, *Warning and Disclaimer of Liability*, Section 4.6.2B.8., *Floodplain Administrator*, or Section 3.8.6, *Standards for Subdivision Approvals*, the following provisions are required:
- B. **Residential Construction.** New construction and substantial improvement of any residential structure shall have the lowest floor, including basement, elevated to or above the base flood elevation. A registered professional engineer, architect, or land surveyor shall submit a certification to the floodplain administrator that the standard of this subsection as proposed in Section 5.3.1B.1., *Application Requirements*, is satisfied.
- C. **Nonresidential Construction.** New construction and substantial improvements of any commercial, industrial, or other nonresidential structure shall either have the lowest floor, including basement, elevated to or above the base flood level or, together with attendant utility and sanitary facilities, be designed so that below the base flood level the structure is watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy. A registered professional engineer or architect shall develop and/or review structural design, specifications, and plans for the construction, and such engineer or architect shall certify that the design and methods of construction are in accordance with accepted standards of practice as outlined in this subsection. A

record of such certification which includes the specific elevation, in relation to mean sea level, to which such structures are floodproofed shall be maintained by the floodplain administrator.

D. **Enclosures.** New construction and substantial improvements, with fully enclosed areas below the lowest floor that are usable for parking of vehicles, building access or storage in an area other than a basement and which are subject to flooding, shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. Designs for meeting this requirement must either be certified by a registered professional engineer or architect or meet or exceed the following minimum criteria:

1. A minimum of two openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding shall be provided.
2. The bottoms of all openings shall be no higher than one foot above grade.
3. Openings may be equipped with screens, louvers, valves, or other coverings or devices, provided that they permit the automatic entry and exit of floodwaters.

E. **Manufactured Homes.**

1. Require that all manufactured homes to be placed within Zone A on a community's FHBM or FIRM shall be installed using methods and practices which minimize flood damage. For the purposes of this requirement, manufactured homes must be elevated and anchored to resist flotation, collapse, or lateral movement. Methods of anchoring may include, but are not limited to, use of over-the-top or frame ties to ground anchors. This requirement is in addition to applicable state and local anchoring requirements for resisting wind forces.
2. Require that manufactured homes that are placed or substantially improved within Zones A1-30, AH, and AE on the community's FIRM on sites (i) outside of a manufactured home park or subdivision, (ii) in a new manufactured home park or subdivision, (iii) in an expansion to an existing manufactured home park or subdivision, or (iv) in an existing manufactured home park or subdivision on which a manufactured home has incurred "substantial damage" as a result of a flood, be elevated on a permanent foundation such that the lowest floor of the manufactured home is elevated to or above the base flood elevation and be securely anchored to an adequately anchored foundation system to resist flotation, collapse, and lateral movement.
3. Require that manufactured homes be placed or substantially improved on sites in an existing manufactured home park or subdivision with Zones A1-30, AH and AE on the community's FIRM that are not subject to the provisions of paragraph E. of this Section be elevated so that either:
 - a. The lowest floor of the manufactured home is at or above the base flood elevation, or
 - b. The manufactured home chassis is supported by reinforced piers or other foundation elements of at least equivalent strength that are no less than 36 inches in height above grade and be securely anchored to an adequately anchored foundation system to resist flotation, collapse, and lateral movement.

F. **Recreational Vehicles.** Require that recreational vehicles placed on-sites within Zones A1-30, AH, and AE on the community's FIRM either (i) be on the site for fewer than 180 consecutive days, (ii) be fully licensed and ready for highway use, or (iii) meet the permit requirements of Section 5.3.1B.1., *Floodplain Permit Procedures*, and the elevation and anchoring requirements for "manufactured homes" in paragraph E. of this Section. A recreational vehicle is ready for highway use if it is on its wheels or jacking system is attached to the site only by a quick disconnect type utilities and security devices, and has no permanently attached additions.

Sec. 3.8.6 Standards for Subdivision Proposals

- A. **Generally.** The following provisions shall apply to subdivision proposals.
- B. **Consistency Required.** All subdivision proposals including manufactured home parks and subdivisions shall be consistent with this Division.
- C. **Floodplain Permit Required.** All proposals for the development of subdivisions including placement of manufactured home parks and subdivisions shall meet the development permit requirements of Section 5.3.1, *Floodplain Permit Procedures*, and the provisions of this Division.
- D. **Base Flood Elevation Data Required.** Base flood elevation data shall be generated for subdivision proposals and other proposed development including manufactured home parks and subdivisions which is greater than 50 lots or five acres, whichever is lesser, if not otherwise provided pursuant to Section 3.8.3C., *General Provisions*, or Section 4.6.2, *Floodplain Administrator*.
- E. **Adequate Drainage Required.** All subdivision proposals including manufactured home parks and subdivisions shall have adequate drainage provided to reduce exposure to flood hazards.
- F. **Public Utilities and Facilities Required.** All subdivision proposals including manufactured home parks and subdivisions shall have public utilities and facilities such as sewer, gas, electrical, and water systems located and constructed to minimize or eliminate flood damage.

Sec. 3.8.7 Standards for Areas of Shallow Flooding (AO/AH Zones)

- A. **Generally.** Located within the areas of special flood hazard established in Section 3.8.3C., *General Provisions*, are areas designated as shallow flooding. These areas have special flood hazards associated with base flood depths of one to three feet where a clearly defined channel does not exist, where the path of flooding is unpredictable, and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow; therefore, the following provisions apply:
- B. **Elevation of New Construction and Substantial Improvements (Residential).** All new construction and substantial improvements of residential structures have the lowest floor, including basement, elevated above the highest adjacent grade at least as high as the depth number specified in feet on the community's FIRM; at least two feet if no depth number is specified.
- C. **Elevation of New Construction and Substantial Improvements (Nonresidential).** All new construction and substantial improvements of nonresidential structures:
 - 1. Have the lowest floor, including the basement, elevated above the highest adjacent grade at least as high as the depth number specified in feet on the community's FIRM, at least two feet if no depth number is specified; or
 - 2. Together with attendant utility and sanitary facilities be designed so that below the base flood level the structure is watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and the effects of buoyancy.
- D. **Certification Required.** A registered professional engineer or architect shall submit a certification to the floodplain administrator that the standards of this Section as proposed in Section 5.3.1B.1., *Application Requirements*, are satisfied.
- E. **Drainage Paths.** Require within zones AH or AO adequate drainage paths around structures on slopes, to guide floodwaters around and away from proposed structures.

Sec. 3.8.8 Standards for Areas of Shallow Flooding (AO/AH Zones)

- A. **Generally.** Located within the areas of special flood hazard, established in Section 3.8.3C., *General Provisions*, are areas designated as coastal high hazard areas: zones V1-30, VE and/or V. These areas have special flood hazards associated with high velocity waters from tidal surges and hurricane wave wash; therefore, in addition to meeting all provisions outlined in this Division, the following provisions must also apply:

B. Elevation Determination. Obtain the elevation in relation to mean sea level of the bottom of the lowest structural member of the lowest floor, excluding pilings and columns, of all new and substantially improved structures, and whether or not such structures contain a basement. The floodplain administrator shall maintain a record of all such information.

C. Required Improvements.

1. All new construction shall be located landward of the reach of mean high tide.
2. All new construction and substantial improvements shall be elevated on pilings and columns so that:
 - a. The bottom of the lowest horizontal structural member of the lowest floor, excluding the pilings or columns, is elevated to or above the base flood level;
 - b. The pile or column foundation and structure attached thereto is anchored to resist flotation, collapse and lateral movement due to the effects of wind and water loads acting simultaneously on all building components. Water loading values used shall be those associated with the base flood. Wind loading values used shall be those required by applicable state or local building standards. A registered professional engineer or architect shall develop or review the structural design, specifications and plans for the construction, and shall certify that the design and methods of construction to be used are in accordance with accepted standards of practice for meeting the provisions of subsections C.2.a. and b. of this Section.
3. Provide that all new construction and substantial improvements have the space below the lowest floor either free of obstruction or constructed with nonsupporting breakaway walls, open wood latticework, or insect screening intended to collapse under wind and water loads without causing collapse, displacement, or other structural damage to the elevated portion of the building or supporting foundation system. For the purpose of this Section, a breakaway wall shall have a design safe loading resistance of not less than 10 and no more than 20 pounds per square foot. Use of breakaway walls which exceed a design safe loading resistance of 20 pounds per square foot (either by design or when so required by local or state codes) may be permitted only if a registered professional engineer or architect certifies that the design proposed meet the following conditions:
 - a. Breakaway wall collapse shall result from a water load less than that which would occur during the base flood; and
 - b. The elevated portion of the building and supporting foundation system shall not be subject to collapse, displacement, or other structural damage due to the effects of wind and water loads acting simultaneously on all building components (structural and nonstructural). Water loading values used shall be those associated with the base flood. Wind loading values used shall be those required by applicable state or local building standards. Such enclosed space shall be useable solely for parking of vehicles, building access, or storage. Such space shall not be used for human habitation.

D. Prohibitions.

1. Prohibit the use of fill or structural support of one building.
2. Prohibit manmade alteration of sand dunes and mangrove stands which increase potential flood damage.

E. Manufactured Homes. Required that manufactured homes placed or substantially improved within Zone V1-30, V, and VE on the community's FIRM on sites (i) outside of a manufactured home park or subdivision, (ii) in a new manufactured home park or subdivision, (iii) in an expansion to an existing manufactured home park or subdivision, or (iv) in an existing manufactured home park or subdivision on which a manufactured home has incurred "substantial damage" as the result of a flood, meet the standards of paragraphs A. through D. of this Section and that manufactured homes placed or substantially improved on other sites in an existing manufactured home park or subdivision within Zones V1-30, V, and VE on the community's FIRM meet the requirements of Section 3.8.5E., *Specific Standards for Flood Hazard Reduction*, of this Division.

F. Recreational Vehicles. Require that recreational vehicles placed on-sites within Zones V1-30, V, and VE on the community's FIRM either (i) be on the site for fewer than 180 consecutive days, (ii) be fully licensed and ready for highway use, or (iii) meet the requirements in Section 5.3.1, *Floodplain Permit Procedures*, of this Division and paragraphs A. through D. of this Section. A recreational vehicle is ready for highway use if it is

on its wheels or jacking system, is attached to the site only by quick disconnect type utilities and security devices, and has no permanently attached additions.

Sec. 3.8.9 Warning and Disclaimer of Liability

- A. **Warning.** The degree of flood protection required by this Division is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. On rare occasions greater floods can and will occur and flood heights may be increased by manmade or natural causes. This Division does not imply that land outside the areas of special flood hazards or uses permitted within such areas will be free from flooding or flood damages.
- B. **Disclaimer of Liability.** This Division shall not create liability on the part of the community or any official or employee thereof for any flood damages that result from reliance on this Division or any administrative decision lawfully made thereunder.

Sec. 3.8.10 Abrogation and Greater Restrictions

Generally. This Division is not intended to repeal, abrogate, or impair any existing servitudes, covenants, or deed restrictions. However, where this Division and other regulations conflict or overlap, whichever imposes the more stringent restrictions shall prevail.

DIVISION 3.9 DRAINAGE

Sec. 3.9.1 Drainage Impact Study Required

- A. **Generally.**
1. The Parish recognizes that water quality and quantity requirements of federal, state, and Parish laws applicable to surface waters provide reasonable guidance for the control of storm water runoff for the purpose of protecting local water resources from degradation.
 2. It is determined that the control of storm water runoff discharges from land development projects and other construction activities in order to manage and minimize increases in storm water runoff rates and volumes, soil erosion, stream channel erosion, and nonpoint source pollution associated with storm water runoff is in the public interest and will prevent threats to public health and safety.
- B. **General requirements.**
1. *Adequate Provision Required.* The Director shall not recommend for approval any subdivision or development which does not make adequate provisions for storm or flood water runoff. The storm water drainage system shall be separate and independent of any sanitary sewer system.
 2. *Floodplain Areas.* The Director may when he deems it necessary for the health, safety, or welfare of the present and future population of the area and necessary to the conservation of water, drainage, and sanitary facilities, prohibit the subdivision of any portion of the property which lies within the floodplain of any area stream or drainage course. These floodplain areas shall be preserved from any and all destruction or damage resulting from cleaning, grading or dumping of earth, waste material, stumps and other debris, except at the discretion of the Director.
 3. *Lot Drainage.* Lots shall be laid out so as to provide positive drainage away from all buildings and individual lot drainage shall be coordinated with the general storm drainage pattern or open ditch drainage for the area. Drainage shall be designed so as to avoid storm water runoff from each lot on to adjacent lots.
- C. **Drainage Impact Study.**
1. *Drainage Impact Studies Required.* Any owner, developer, subdivider or their agents who apply to subdivide, develop, improve or build upon any residential, industrial or commercial development or subdivision must, in addition to any other requirement of law or ordinance, submit a drainage impact study in conformity with this Section and Section 3.9.2, *Information Required in Drainage Impact Study.*

2. *Number of Copies; Required Review.* Two copies of the required drainage impact study of the proposed development and surrounding affected areas must be submitted. The subdivision construction plans will not be reviewed and approved until the drainage impact analysis has been reviewed. The Director of Public Works may refer the study for review by the State of Louisiana or appropriate federal agencies.

D. Exemptions.

1. *Mandatory Exemptions.* The following development activities are exempted from the requirements of preparing a drainage impact study:
 - a. Development in which the area of impervious surface does not exceed 20 percent of the development area at the point of discharge from the site. The total impervious area shall include all buildings, driveways, sidewalks, streets, parking lots, lakes, ponds, etc. All undeveloped open space, common area, etc., must be clearly identified.
 - b. Additions or modifications to existing developments which result in no more than a 10 percent increase in existing impervious area and which have existing public storm drainage facilities designed to accommodate runoff from the existing site.
2. *Discretionary Exemptions.* Developers may request that the Planning and Zoning Commission approve an exemption from providing the drainage impact study. If such a request is granted, the Director will provide written approval. A copy of the exemption authorization shall be forwarded to the Director of Public Works and no detailed drainage impact study shall be required for the development. An exemption under this Section must be requested in writing that includes specific details of the proposed development. An exemption under this Section shall be considered for approval provided:
 - a. The proposed development results in no more than a 10-year predevelopment peak discharge at the point of discharge from the development site.
 - b. The site is located within existing developed areas which are served by a network of public storm drainage facilities which were designed to accommodate runoff from the development site. Notwithstanding the above, a discretionary exemption may be granted provided sufficient information can be submitted indicating that the runoff from the proposed development is consistent with, and discharges to, a previously approved development or is a part of an approved larger plan of development, both having adequate drainage facilities.

Sec. 3.9.2 Information Required in Drainage Impact Study

- A. **Generally.** The drainage impact study shall include the minimum information requirements of this Section.
- B. **Location.** Describe location of subject property; locate by township and range; identify adjacent developments, major drainage outfalls, streets, highways, lot and block by page number or other reference to recordation with the Parish clerk of court; and provide a vicinity map.
- C. **Description.** Describe the predominate existing land use and future land use in projected watershed. Describe the proposed development, soil types, vegetative cover, watershed slopes and provide an estimate of percent of impervious area for pre and post development conditions. Provide photos of existing channels, ditches, natural drains and drainage structures.
- D. **Watershed Map.** Delineate drainage boundaries; indicate the acreage; and show slope of basins, and peak 10-year runoff rate at entry and exit points of the development. The watershed map should indicate the location of existing channels, ditches, natural drains, proposed major drainage structures, channel realignments and cross section locations.

E. Hydrologic Design.

1. The drainage impact analysis shall indicate existing condition peak 25-year flow rates at the development entry and exit points. Interior drainage shall be designed to 10-year flow rates.
2. The drainage impact analysis should indicate future condition peak 25-year flow rates at the development entry and exit points.

F. On-Site Hydraulic Capacity. Indicate capacity of any existing drainage outfall facility (ditch, canal, culvert, bridge, etc.) within the proposed development site and required type size, and capacity of any proposed outfall facilities as defined above.

G. Off-Site Hydraulic Capacity. Determine capacity of existing downstream outfall facilities (ditches, canals, culverts, bridges, etc.) that will be utilized to convey flow from the downstream limits of the proposed development to the first public outfall as identified by the Parish engineer. An inventory of downstream structures including size, type, invert elevation, and cover topping elevation should be made. Channel cross sections at upstream and downstream limits of the proposed development, at structure locations and at intermediate canal locations shall be required to adequately define existing channel capacities.

H. Special Site Conditions. Special conditions which may exist at the proposed development site should be clearly identified including but not limited to such items as:

1. Areas of special flood hazard (firm zones A and AE);
2. Regulatory floodway;
3. Fill placement location and mitigation requirements;
4. Potential wetland sites;
5. Churches;
6. Schools;
7. Cemeteries;
8. Landfills and hazardous waste sites;
9. Parks.

I. Study Conclusions and Recommendations. The study should clearly identify the results and conclusions of the analysis and provide recommendations of any required action(s) so that no adverse impact is experienced by surrounding properties.

Sec. 3.9.3 Design Standards for Drainage and Storm Sewer

A. Generally. Drainage and storm sewer infrastructure shall comply with the following.

B. Design Rainfall Intensity.

1. All drainage on local and collector streets in a subdivision or development will be designed to accommodate storm water runoff equivalent to a minimum five-year storm recurrence interval.
2. All major outfall drainage canals or water courses will be designed to accommodate storm water runoff from a 10-year storm recurrence interval.
3. All subsurface drainage, roadside ditch drainage and outfall drainage courses serving thoroughfares and areas adjacent thereto shall be designed in accordance with the requirements of Table 3.6.2A, *Geometric and Design Standards for Streets*.

C. Subsurface Drainage. If subsurface drainage is to be incorporated in a subdivision or development, it will be designed by use of the rational method of runoff analysis as per the procedure outlined in the highway department's Hydraulic Manual.

1. The minimum coefficient of runoff to be used in single-family residential or manufactured home subdivisions shall be 0.40.

2. The minimum coefficient of runoff to be used in multiple-family, commercial, or industrial or development will be determined by the amount of impervious surfaces within the development, but in no case shall be less than 0.50.
3. The maximum initial time of concentration for overland flow shall not exceed 20 minutes.
4. The roughness coefficient in subsurface drain pipes shall be as shown in the highway department's Hydraulics Manual.
5. Maximum difference in hydraulic grade will be one that will produce a velocity of not more than eight feet per second for open channels.
6. Minimum inside diameter of drainage structures will be one that will produce a velocity of not less than 2½ feet per second.
7. Minimum inside diameter of culvert pipe to be used for subsurface cross-drains shall be 12 inches.
8. The minimum inside diameter of culvert pipe parallel to a roadway shall be 15 inches.
9. Inlets shall be provided so that surface water is not carried across an intersection, nor for a distance of more than 250 feet in the street gutter. When hydraulic analysis indicates that curb capacities are exceeded at any point, no further allowance shall be made for flow beyond that point, and basins shall be used to intercept flow at that point. Under no circumstance will the distance between adjacent drainage structures or manholes within a continuous subsurface drainage system be greater than that specified in Table 3.9.3, *Maximum Distance Between Adjacent Drainage Structures*:

Table 3.9.3 Maximum Distance Between Adjacent Drainage Structures	
Inches	Feet
15 and less	150
18 to 21	300
24 to 30	400
42 and larger	600

10. Catch basins shall be placed at or near property lines in mid-block as the grade may dictate.

D. Open Ditches and Channels. Ditches and channels should be designed with sufficient depth and cross-sectional area to adequately remove storm water runoff from the proposed subdivision or development. If ditches or channels are used to transport runoff outside the limits of a subdivision or development, they shall be adequately designed to accommodate runoff from future expansions of the subdivision or development.

1. Ditches and channels shall be designed as to provide a minimum hydraulic grade line of 0.01 feet in 100 feet. Depth and end-area shall be in accordance with the Manning's equation for open channel flow. The roughness coefficient for open-channel flow shall not be less than 0.035.
2. The ditch grade elevation of all roadside ditches shall be set to adequately accommodate the recommended size of all driveway culverts to be installed throughout the subdivision. The top of the culvert shall be set at a minimum of four inches below the edge of the adjacent street.
3. The elevation of the hydraulic grade line within all major outfall channels, roadside ditches and/or subsurface drainage culverts shall be designed to provide a minimum freeboard of six inches from the lowest point along any street or lot throughout the subdivision or development.

DIVISION 3.10 GENERAL ENVIRONMENTAL REGULATIONS

Sec. 3.10.1 General Environmental Standards

- A. **Generally.** All uses and activities permitted by this UDC within the unincorporated portion of the Parish shall conform to the performance measures and standards of this Section, using adequate and appropriate prevention and/or mitigation techniques as necessary:
- B. **Noise.** No use shall be permitted that causes serious annoyance to occupants of adjoining premises due to excessive noise.

- C. **Vibration.** No use shall be permitted which produces ground vibrations noticeable without instruments at the lot line of the premises on which the use is located.
- D. **Smoke Emissions.** All uses shall comply with local, state and federal regulations pertaining to the emission of smoke.
- E. **Odors.** No use shall be permitted to produce the emission of objectionable or offensive odors in such concentration as to be readily perceptible at any point at or beyond the lot line of the property on which the use is located, subject to applicable state air quality regulations.
- F. **Toxic or Noxious Matter.** No use shall for any period of time discharge across boundaries of a lot line on which it is located, toxic or noxious matter in such concentrations as to be detrimental to or endanger the public health, safety, comfort, or welfare, or cause injury or damage to persons, property, or the use of property or land, or render unclean the waters of the state to the extent of being harmful or inimical to public health, animal or aquatic life, or the use of such waters for domestic water supply, recreation, or other legitimate and necessary uses. Disposal of toxic or hazardous waste within the Parish is specifically prohibited.
- G. **Nuclear Radiation.** Any operation involving radiation (*i.e.*, the use of gamma rays, x-rays, alpha and beta particles, high speed electrons, neutrons, protons, and other atomic or nuclear particles), shall be permitted only in accordance with state and federal laws, rules, and regulations, or any other applicable regulation.
- H. **Electromagnetic Radiation and Interference.** No person shall operate or cause to be operated for any purpose a planned or unplanned source of electromagnetic radiation which does not comply with the current regulations of the Federal Communications Commission (FCC) regarding such sources of electromagnetic radiation. No use, activity, or process shall be conducted which produces electromagnetic interference with normal radio or television reception.
- I. **Heat or Glare.** Any activity producing heat or glare shall be carried on in such a manner that such heat or glare is not perceptible at any lot line. Exposed sources of light, including bare bulbs and tubes and immediately adjacent reflecting surfaces, shall be shielded to avoid creating a nuisance across lot lines. The light intensity from illumination of any kind shall not exceed fifty-foot lamberts at any point along the line of the lot containing the light source.

DIVISION 3.11 LANDSCAPING

Sec. 3.11.1 Bufferyard Requirements

- A. **Bufferyard Classifications.** Bufferyards are classified from less opaque ("Type A") to more opaque ("Type E"). The width and composition of bufferyards shall be as set out in Table 3.11.1A, *Bufferyard Classifications*.

Type	% Opacity	Width	Required Plantings per 100 Linear Feet				Berm or Opaque Wall or Fence
			Canopy Trees	Evergreen Trees	Understory Trees	Shrubs	
Type A	10%	5 ft.	1	1	1	10	-
Type B	23%	10 ft.	2	2	2	20	-
Type C	52%	25 ft.	3	3	3	30	3 foot high berm, wall, or fence
Type D	74%	40 ft.	3	3	3	30	6 foot high berm, wall, or fence
Type E	99%	50 ft.	4	4	4	40	6 foot high berm, wall, or fence

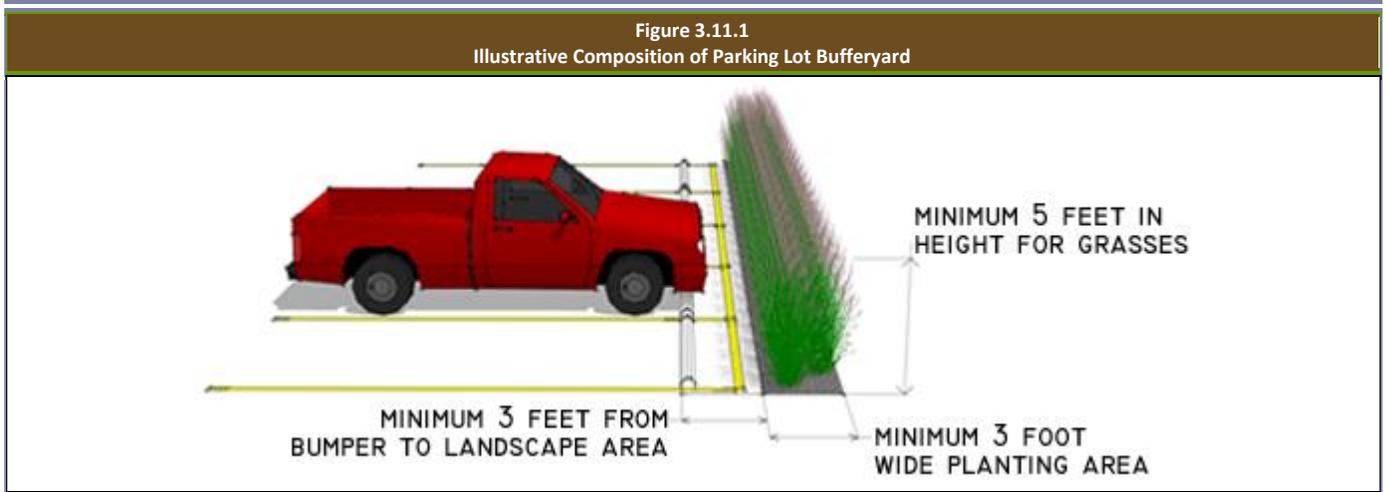
- B. **District Bufferyard Standards.** Table 3.11.1B, *District Boundary Bufferyard Standards*, sets out the classification of bufferyard that is required between zoning districts that are not separated by a public street. The table is a matrix in which all districts are shown. Rows show the zoning of the parcel proposed for development, and columns show the zoning of the adjoining land. Two letters are shown for each condition (for example, A and C). The bufferyard required for the proposed use is listed first. The letter listed second is the buffer that is required on the adjoining property. A "-" means that no bufferyard is required.

Table 3.11.1B District Boundary Bufferyard Standards							
Zoning of Proposed Development	Adjoining District						
	AG, CN	RE	SR, HR	EN, MH, NC	GC, HC	LI	HI
AG, CN	- / -	- / A	- / B	- / C	- / D	- / D	- / E
RE	A / -	- / -	B / A	B / B	B / C	B / B	A / D
SR, HR	B / -	A / B	- / -	B / C	B / D	B / C	A / E
EN, MH, NC	C / -	B / B	B / B	- / -	B / C	A / B	A / C
GC, HC	D / -	C / B	D / B	C / B	A / A	C / B	A / C
LI	D / -	C / B	C / B	B / A	B / C	- / -	A / B
HI	E / -	D / A	E / A	C / A	C / A	B / A	A / A

- C. **Existing Adjacent Development without Bufferyards.** Where the adjoining property is already developed and does not have the required bufferyard, the proposed development shall provide a bufferyard of the next most opaque classification than the more opaque of the two bufferyards required (*e.g.*, if the requirement is C / A, and the adjoining property is already developed and does not have a bufferyard, then the developer must install a Type D bufferyard).
- D. **Buffering Existing Residential Development.** The Parish may require an increase in the level of opacity of a bufferyard (*e.g.*, from Type A to Type B) between new residential development and existing residential development, if:
1. The lot widths of the new development are less than 80 percent of the lot widths of the nearest lots of the existing development;
 2. The building height of the new development is more than eight feet taller than the building height of the existing development; or
 3. The housing types that are located on the lots that abut existing development are different from the housing types of the existing development (*e.g.*, new townhome lots abutting existing single-family detached lots).
- E. **Parking Bufferyard Standards.** Parking lot bufferyards are located along the perimeter of parking lots. Their purpose is to mitigate the impact of headlights on streets and abutting residential property, and to reduce the aesthetic impact of parked cars on the character of the street.
1. *Where Required.* Parking lot bufferyards are required:
 - a. Between parking lots and abutting residential lots, unless:
 - i. The area between the parking lot and the abutting lot is occupied by a building; or
 - ii. Another type of bufferyard is required (*e.g.*, a district boundary bufferyard) and the other bufferyard provides screening between a height of zero and three feet above grade.
 - b. Between parking lots and streets, except in areas where:
 - i. The edge of the parking lot is at least 25 feet away from the edge of pavement; or
 - ii. The elevation of the parking lot is at least three feet below the crown of the street; or
 - iii. The area between the parking lot and the street is occupied by a building or access point to the parcel proposed for development; or
 - iv. Another type of bufferyard is provided along the street that includes buffering between a height of zero and three feet above grade.
 2. *Composition.* Parking lot bufferyards shall be composed of any of the following, set in a bufferyard area that is at least three feet wide:
 - a. A three-foot high masonry wall, measured from the surface of the parking lot in the area that is closest to the wall; and / or
 - b. Shrubs planted to form a continuous buffer that is at least three feet in height if the plants form a hedge with comparable opacity from the ground to three feet in height, or five feet in height if ornamental grasses are used that do not provide opacity that is comparable to a hedge at three feet in

height. If shrubs or ornamental grasses are used, the landscape area shall be set back from parking spaces:

- i. Three feet from the edge of pavement if there are no curbs or wheel stops; or
- ii. Three feet from the face of the curb or parking bumper that faces the parking space. *See Figure 3.11.1, Illustrative Composition of Parking Lot Bufferyard.*



F. **Street Bufferyard Standards.** The bufferyard standards in Table 3.11.1C, *Bufferyard Requirements for Streets*, address the type of bufferyard that is required along arterial, collector, and local streets (for classifications, *see* Table 3.11.1A, *Bufferyard Classifications*).

Zoning of Proposed Development	Adjoining Streets		
	Arterial	Collector	Local
AG, CN	- ¹	- ¹	- ¹
RE	C ²	B ²	-
SR	C	B ³	-
HR, MR, MH	B	-	-
NC	A	A	-
GC	-	-	-
HC	-	-	-
LI	B	A	A
HR	B	B	A

TABLE NOTES:
¹ For agricultural or forestry use only, no buffer is required. However, residential subdivisions in those areas shall follow the requirements for the Residential Estate district.
² Single-family cluster, conservation subdivisions, and preservation subdivisions shall provide a Type D bufferyard along arterials and a Type C bufferyard along collectors.
³ Not required along collectors within traditional neighborhood developments.

G. **Credit for Street Trees.** Street trees provided according to Section 3.11.2, *Development Landscaping*, shall be counted towards the buffering requirements of this Section.

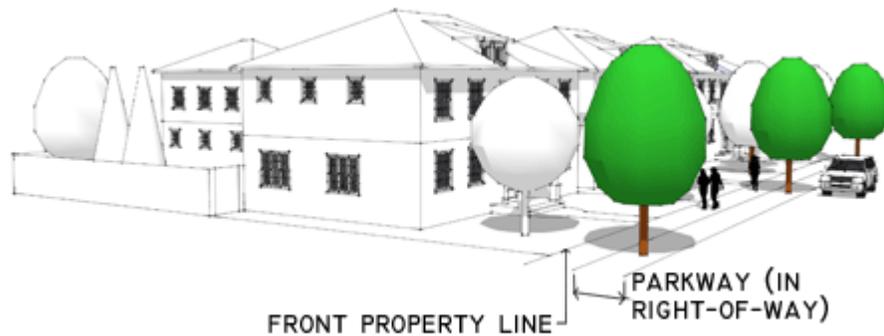
Sec. 3.11.2 Development Landscaping

A. **Street Trees.** Street trees are trees that are planted within the street right-of-way, either in parkways, tree grates in sidewalks, or medians. Street trees are required:

1. Along both sides of all new streets in the center and general subdistricts of traditional neighborhood developments; and
2. Along both sides of all new streets in RE, SR, HR, and LI districts.

Figure 3.11.2
Street Trees

Street trees are shown in color



- B. Types and Species of Street Trees.** To maintain a consistent appearance along individual street segments:
1. All street trees shall be canopy trees that are suitable for installation in the space within the parkway or within a tree grate, as applicable, unless the understory trees are approved for specific effect in limited area pursuant to subsection B.2., below.
 2. Understory trees may be approved in parkways, provided that:
 - a. 1.6 understory trees are provided for each canopy tree that would otherwise required, and spacing between trees is proportionately reduced; and
 - b. The understory trees are used in areas where buildings are close to the parkway, such that the installation of canopy trees would create a likely conflict between the street trees and the nearby buildings.
 3. The trees planted in a landscaped median shall be of a different species from those planted in the parkways. If the parkways are planted with canopy trees, then medians may be planted with understory trees instead of canopy trees.
- C. Location.** No street trees other than understory trees are planted under or within five lateral feet of any underground water line, sewer line, transmission line or other utility. The Parish may further limit the species of understory trees that are allowed in these locations to minimize interference with utilities.
- D. Spacing.**
1. *Minimum Spacing.* No trees may be planted closer than 25 feet together, except that special plantings may be clustered if the cluster does not negatively affect the continuing health of the clustered trees, and the cluster is approved in the landscape plan of the plat or land development.
 2. *Maximum Spacing.* Street trees shall be spaced not more than 60 feet on center for trees with large canopies (e.g., live oaks), or 40 feet on center for trees with smaller canopies. If the parkway or median is more than 16 feet in width and does not contain open ditch drainage, then canopy trees shall be installed in two rows, with trees staggered, each row spaced not more than 60 feet on-center.
- E. Maintenance.** Street Trees required by this UDC shall be maintained by a developer, lot owner, tenant, property owners' association or other entity having a legal interest in the ownership of the subdivision or lots in the subdivision. The entity that is in charge of the maintenance shall be indicated on the landscape plan, and documentation (e.g., covenants, conditions, and restrictions) shall be provided to the Parish that shows the legal obligation of the entity to perform the maintenance.
- F. Replacement.** If the Parish or a utility provider must remove trees to access utilities for repair or maintenance, then the developer or property owners' association shall pay the cost of removal and shall replace the trees within 30 days of the completion of the work unless the Director of Public Works determines that replacement would put utilities at material risk.

Sec. 3.11.3 Landscape Plan, Installation, and Maintenance

A. General.

1. Compliance with the standards of this Division shall be demonstrated by a schematic landscape plan and a landscape installation and maintenance plan. Collectively, these documents shall be referred to as the "landscape plan."
2. Landscape plans for nonresidential, mixed-use, and multiple-family development shall be prepared by a registered landscape architect who is licensed to practice in the State of Louisiana.

B. Contents of Schematic Plan. The landscape plan shall include a plan view, drawn to scale, tabular information (*e.g.*, number and species of trees, etc.), and other information (*e.g.*, installation and maintenance measures) deemed necessary by the Director to ensure compliance with the landscape and buffer requirements identified in this UDC.

C. Timing and Installation; Inspections.

1. *Completion of Landscape Improvements.* Bufferyard and street tree landscaping must be completed prior to a subdivision plat being recorded, or, if no plat is required, a certificate of occupancy being issued. If this requirement would result in the installation of landscaping during an inappropriate season, then the Parish may:
 - a. Allow the plat to be recorded upon condition that security is provided for the installation of the required landscaping during planting season; or
 - b. Issue a temporary certificate of occupancy, on the condition that a permanent certificate of occupancy will not be issued unless the required landscaping is installed.
 - c. All other landscaping must be installed before issuance of a permanent certificate of occupancy. A temporary certificate of occupancy may be issued if necessary to allow for the planting of landscaping improvements during an appropriate season or weather condition.
2. *Periodic Inspections.* The Parish may inspect each site periodically after approval of a subdivision plat or issuance of the certificate of occupancy to ensure compliance with the Division.

CHAPTER 4 ADMINISTRATIVE BODIES

DIVISION 4.1 PURPOSE AND APPLICATION OF CHAPTER

Sec. 4.1.1 Purpose of Chapter

The St. Mary Parish decision-making bodies and officials described in this Chapter, without limitation upon the authority each possesses by law, have responsibility for implementing and administering this UDC in the manner described in this Chapter or allowed by law.

Sec. 4.1.2 Application of Chapter

- A. Generally.** This Chapter sets out the roles and responsibilities of the Parish Council, Planning and Zoning Commission, Board of Adjustment, Airport Board of Appeals, and Parish Staff with respect to the processing and administering applications under this UDC. It lays the foundation for the procedures in Chapter 5, *Permits and Procedures*; and the enforcement proceedings in Chapter 7, *Enforcement, Remedies, and Interpretation*.
- B. Application of Powers of the Parish Council.** The provisions of Division 4.2, *Parish Council*, are intended to establish the Parish Council's role with respect to decisions about individual properties pursuant to this UDC. The Division does not restrict any other powers that are granted to the Parish Council by federal law, state statute, or other local ordinances.

DIVISION 4.2 PARISH COUNCIL

Sec. 4.2.1 Parish Council

In addition to the responsibilities and duties referenced in Article II, *Parish Council*, of the Charter of the Parish of St. Mary and in Chapter 2, *Administration*, of the St. Mary Parish Code of Ordinances, the Parish Council shall have the powers and duties to perform the following as it relates to zoning and land development within unincorporated areas of the Parish:

- A. **Delegate Authority.** Appoint and remove members of the Planning and Zoning Commission and Board of Adjustment or other boards or commission that may be added from time to time;
- B. **Amend Regulations.** Amend the zoning and land development regulations of the Parish, in accordance with state law, following consideration, public hearing and a report from the Planning and Zoning Commission;
- C. **Rezone Property.** Initiate, on behalf of the Parish, any amendment in the zoning classification of any land within the unincorporated portions of the Parish; and
- D. **Make Decisions.** Hear and decide on recommendations of the Planning and Zoning Commission or other boards and commissions, after receipt of a final report, for applications related to map (rezoning) and text amendments, and other applications related to land development in the Parish.

DIVISION 4.3 PLANNING AND ZONING COMMISSION

Sec. 4.3.1 Planning and Zoning Commission

- A. **Established.** The Planning and Zoning Commission is established in accordance with the provisions of R.S. 33-103, *Planning Commission; membership; appointment*, and the provisions in this Section.
- B. **Powers and Duties.** In addition to R.S. 33:106, general powers and duties, the Commission shall perform the following functions:
 1. *Hear Testimony.* Hear testimony on behalf of applicants and consider the facts, findings and recommendation of the Director;
 2. *Consider Public Interests.* Consider the interests of the public related to the public health, safety, morals and general welfare;
 3. *Determine Appropriateness.* Identify the appropriateness of requested map and text amendments considering conformance with the adopted UDC, official zoning district map, and adopted St. Mary Parish Comprehensive Plan;
 4. *Make Recommendations.* Make recommendations to the Parish Council, in the form of a final report, related to approval or denial of an application; and,
 5. *Other Powers and Duties.* Perform other such duties and be vested with such powers as the Parish Council shall from time to time prescribe.

DIVISION 4.4 BOARD OF ADJUSTMENT

Sec. 4.4.1 Board of Adjustment

- A. **Established.** The Board of Adjustment is established in accordance with the provisions of R.S. 33:4780.46, *Board of Adjustment; Membership; Powers and Procedures; Appeals from Decisions* and this Section.
- B. **Powers and Duties.** The Board of Adjustment shall perform the following functions:
 1. *Hear and Decide Appeals.* Hear and decide appeals:

- a. Where it is alleged that there is error in any order, requirement, decision or determination made by the Director in the enforcement of this UDC;
 - b. Of any interpretation of the text of this UDC made by the Director;
2. *Hear and Decide Variances.* Authorize in specific cases such variances from the terms of this UDC as will not be contrary to the public interest, where, owing to special conditions, a literal enforcement of the provisions of this UDC will result in unnecessary hardship, and so that the spirit of this section shall be observed and substantial justice done; and,
 3. *Other Powers and Duties.* Hear and decide all matters referred to it or upon which it is required to pass pursuant to this UDC.
- C. **Composition and Appointment.** The Board of Adjustment shall consist of five regular members and two alternate members, all of whom shall be landowners and qualified voters of the Parish, who are appointed by a majority of the Parish Council members present. The Board of Adjustment shall elect its own chairman, who shall serve for one year, to call, conduct and preside over meetings of the Board of Adjustment. The alternate members shall serve in the absence of one or more regular members.
- D. **Terms and filling vacancies.** The appointment of the Board of Adjustment shall serve terms as follows: one for one year, one for two years, one for three years, one for four years and one for five years. Thereafter, members shall be appointed for terms of five years each. Of the two alternate members first appointed, one alternate member shall be appointed for a term of three years and the other for a term of two years. Alternate members shall serve only when called upon to form a quorum and when so serving shall have all powers and duties of regular members. All members shall be removable for cause by the Parish Council upon written charges and after public hearings. Vacancies shall be filled for the unexpired term of any members whose position becomes vacant.
- E. **Rules.** The Board of Adjustment by majority vote shall adopt rules to carry out the duties conferred by this UDC , which shall not be effective until approved in writing by the Parish Council.
- F. **Meetings.** Meetings of the Board of Adjustment shall be held at the call of the presiding officer and at other times as determined by the Board of Adjustment. The presiding officer or acting presiding officer may administer oaths and compel the attendance of witnesses. All meetings of the Board of Adjustment shall be open to the public when exercising its quasi-judicial duties and responsibilities, and in all other situations shall be open to the public. The Board of Adjustment shall keep minutes of its proceedings that indicate the vote of each member on each question, or, if the member is absent or fails to vote, indicating the fact, and shall keep records of its examinations and other official actions, all of which shall be filed immediately with the Director and shall be public records. All testimony, objections thereto, and rulings thereon shall be taken down by a reporter employed by the Board of Adjustment for the purpose.
- G. **Concurring Vote.** The concurring vote of a majority of the members of the Board of Adjustment shall be necessary to:
1. Reverse any order, requirement, decision, or determination of the Director;
 2. Decide in favor of an applicant on a matter upon which the Board of Adjustment is required to pass under this UDC; or
 3. Effect any variation from the terms of this UDC.

DIVISION 4.5 AIRPORT BOARD OF APPEALS

Sec. 4.5.1 Airport Board of Appeals

- A. **Generally.** The Airport Board of Appeals is established in accordance with Louisiana R.S. 2:386, *Procedure for adoption and administration of regulations; appeals.* The Airport Board of Appeals is comprised of the members of the Board of Adjustment. It is appointed and conducts business in the same manner as the Board of Adjustment.

B. **Powers and Duties.** The following duties are assigned the Board of Adjustment. In addition to the duties normally under their purview:

1. Hear and decide appeals from any order, requirement, decision, or determination made in the administration of the provisions set out in Division 1.5, *Airport Zoning*;
2. Hear and decide special exceptions to the terms of Division 1.5, *Airport Zoning*, upon which the Airport Board of Appeals may be required to pass;
3. Hear and decide specific variances as it relates to the provisions found in Division 1.5, *Airport Zoning*.

DIVISION 4.6 PARISH STAFF

Sec. 4.6.1 Director

A. **Generally.** The Director of Planning ("Director") is a member of the Parish Staff who is ultimately responsible for processing an application to decision (in case of administrative approval) or recommendation to an another review body (in case of public hearing approvals). The Director shall designate staff members to manage applications through the review process and to be points of contact for applicants, and to perform such other functions and duties as may be required of the Director by this UDC. The Director may also designate review responsibilities to other members of the Parish Staff with relevant technical training or expertise, or, as appropriate, to consultants that are authorized by the Parish Council. The Director of Planning and Zoning shall be appointed by the Chief Administrative Officer, subject to approval by the President, and shall serve at the pleasure of the Chief Administrative Officer.

B. **Duties and Responsibilities.** For the purpose of reference, the Director has the following duties and responsibilities with respect to the administration of this UDC. Such duties may be allocated and reallocated by the Chief Administrative Officer in the exercise of the responsibilities of that office without amendment to this UDC:

1. *Processing Permits and Applications.*
 - a. Accept and process all submitted applications for specific uses, text amendments to this UDC, amendments to the official zoning district map (*i.e.*, rezonings), and all other development related permits and applications in the Parish; Prepare staff comments for review by the Planning and Zoning Commission, Parish Council, the Board of Adjustment, or other board or commission as assigned;
 - b. Make decisions on all matters administratively assigned in this UDC to the Director, or designee.
2. *Represent the Parish.* Represent the Parish at public hearings and in other official and unofficial capacities;
3. *Maintain Records.* Maintain all records, minutes and the official zoning district map, related to the enforcement and procedures of this UDC;
4. *Enforce Regulations.* Serve as the enforcement officer to ensure compliance with this UDC;
5. *Serve as a Liaison.* Serve as liaison between the Planning and Zoning Commission, Parish Council, and other boards and commissions as assigned; and
6. *Perform Other Duties.* Perform other duties as assigned or as necessary and appropriate to uphold the provisions of this UDC.

Sec. 4.6.2 Floodplain Administrator

A. **Generally.** The Director is hereby appointed the floodplain administrator to administer and implement the provisions of Division 3.8, *Floodplain Management and Flood Protection*, and other appropriate sections of 44 CFR (National Flood Insurance Program regulations) pertaining to floodplain management.

B. Duties and Responsibilities of the Floodplain Administrator. The duties and responsibilities of the floodplain administrator shall include, but not be limited to the following:

1. Maintain and hold open for public inspection all records pertaining to the provisions of Division 3.8, *Floodplain Management and Flood Protection*, and this Section.
2. Review permit applications to determine whether proposed building sites, including the placement of manufactured homes, will be reasonably safe from flooding.
3. Review, approve, or deny all applications for development permits required by adoption of Division 3.8, *Floodplain Management and Flood Protection*.
4. Review permits for proposed development to assure that all necessary permits have been obtained from those federal, state, or local governmental agencies (including section 404 of the Federal Water Pollution Control Act Amendments of 1972, 33 U.S.C. 1334) from which prior approval is required.
5. Where interpretation is needed as to the exact location of the boundaries of the areas of special flood hazards (for example, where there appears to be a conflict between a mapped boundary and actual field conditions) the floodplain administrator shall make the necessary interpretation.
6. Notify, in riverine situations, adjacent communities and the state coordinating agency which is the Department of Transportation and Development, Flood Plain Management Section, prior to any alteration or relocation of a watercourse, and submit evidence of such notification to the Federal Emergency Management Agency.
7. Assure that the flood-carrying capacity within the altered or relocated portion of any watercourse is maintained.
8. When base flood elevation data have not been provided in accordance with Section 3.8.3, *General Provisions*, the floodplain administrator shall obtain, review, and reasonably utilize any base flood elevation data and floodway data available from a federal, state, or other source, in order to administer the provisions of Division 3.8, *Floodplain Management and Flood Protection*.
9. When a regulatory floodway has not been designated, the floodplain administrator must require that no new construction, substantial improvements, or other development, including fill, shall be permitted within zones A1-30 and AE on the community's FIRM, unless it is demonstrated that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the water surface elevation of the base flood more than one foot at any point within the community.
10. Under the provisions of 44 CFR Chapter 1, Section 65.12, of the National Flood Insurance Program regulations, a community may approve certain development in Zones AI-30, AE, AH, on the community's FIRM which increases, the water surface elevation of the base flood by more than one foot, provided that the community first applied for a conditional FIRM revision through FEMA.

CHAPTER 5 PERMITS AND PROCEDURES

DIVISION 5.1 PURPOSE AND APPLICATION OF CHAPTER

Sec. 5.1.1 Purpose of Chapter

The purpose of this Chapter is to set out the Parish's development approval procedures in one place, and to standardize them to the maximum practicable degree.

Sec. 5.1.2 Application of Chapter

- A. **Generally.** All procedures for obtaining approvals pursuant to this UDC, and for appealing decisions of the Parish Staff or Planning and Zoning Commission, are set out in this Chapter.

- B. **General Procedures for All Applications.** Set out in Division 5.2, *General Procedures for All Applications*, are the minimum application requirements for all applications.
- C. **Procedures for Administrative Approvals.** Set out in Division 5.3, *Procedures for Administrative Approvals*, are the criteria for the issuance of administrative approvals.
- D. **Procedures for Public Hearings.** Set out in Division 5.4, *Procedures for Public Hearing Permits*, are the criteria for the issuance of public hearing approvals.
- E. **Standardized Development Approval Procedures.** Set out in Division 5.5, *Standardized Development Approval Procedures*, is the standard procedural framework for considering and deciding applications for development approval.

DIVISION 5.2 GENERAL PROCEDURES FOR ALL APPLICATIONS

Sec. 5.2.1 Minimum Application Requirements

- A. **Generally.** Every official and employee of the Parish vested with the duty or authority to issue a permit or license shall not issue a permit or license for any use, building, or purpose that conflicts with any provision of this UDC. Any permit or license or certificate issued in conflict with the provisions of this UDC shall be null and void.
- B. **Minimum Application Requirements.** The following are required for all administrative and public hearing applications, or any other application, submitted to the Department.
 - 1. *Form.* All applications for public hearing approvals (*e.g.*, rezonings) or administrative approvals (*e.g.*, permits) shall be on a form prepared by the Director. The Director shall have the authority to request any other pertinent information required to ensure compliance with this UDC.
 - 2. *Fees.* Applications shall not be processed until the established fee has been paid.
 - 3. *Deadlines.* All applications shall be completed and submitted to the Director in accordance with a schedule established by the Director.
 - 4. *Completeness.* An application shall be considered submitted only after the Director has determined it is complete, per Section 5.2.2, *Application Completeness Review*.

Sec. 5.2.2 Application Completeness Review

- A. **Generally.** All permit and approval applications shall be reviewed for completeness by the Director, or other responsible official.
 - 1. *Applications with Submittal Deadlines.* For all permit and approval application types that have an established submittal deadline, the application completeness review shall be complete no later than five business days after the specified submittal deadline.
 - 2. *Applications without Submittal Deadlines.* For all permit and approval application types that do not have an established submittal deadline, the application completeness review shall be complete no later than five business days from the date the application is submitted.
- B. **Incomplete Applications.**
 - 1. Incomplete applications shall be returned to the applicant, along with any fee included with the application, with a written explanation that describes in general terms the materials that must be submitted in order to complete the application.
 - 2. An application that does not include the applicable processing fee shall not be considered complete.
 - 3. Incomplete applications are not considered filed.
- C. **Complete Applications.** Complete applications shall be processed according to the applicable procedures of this Chapter.

- D. **Waiver of Application Requirements.** The Director may waive application requirements, except application fees, if it is obvious that they do not relate to the processing of the specific application for which the waiver is requested.

Sec. 5.2.3 Fees

- A. **Generally.** The Parish Council shall, from time to time, establish fees by resolution for the processing and review of the various applications that are required by this UDC. The fees shall be reasonable and are intended to help defray the actual cost of processing the application. The Parish Council may provide for a flat fee, plus require the reimbursement of extraordinary costs to the Parish that are necessitated by an application, such as fees for expert technical review or advice from consultants.
- B. **Published.** All fees shall be published in a manner that is readily available to the general public.
- C. **Relationship to application.** No application shall be eligible to be determined complete until all application fees are paid in full.
- D. **No refunds.** Once an application has been reviewed and determined complete, pursuant to Section 5.2.2, *Application Completeness Review*, the fee is non-refundable.

DIVISION 5.3 PROCEDURES FOR ADMINISTRATIVE APPROVALS

Sec. 5.3.1 Floodplain Permit Procedures

- A. **Generally.** A development permit shall be required to ensure conformance with the provisions of Division 3.8, *Floodplain Management and Flood Protection*. The procedures as set out in this Section shall be followed for a development permit.
- B. **Application Requirements.** Application for a development permit shall be presented to the floodplain administrator on forms furnished by him and may include but not be limited to plans in duplicate drawn to scale showing the location, dimensions, and elevation of proposed landscape alterations, existing and proposed structures, including the placement of manufactured homes, and the location of the foregoing in relation to areas of special flood hazard. Additionally, the following information is required:
1. Elevation, in relation to mean sea level, of the lowest floor, including the basement, of all new and substantially improved structures;
 2. Elevation in relation to mean sea level to which any nonresidential structure shall be floodproofed;
 3. A certificate from a registered professional engineer or architect that the nonresidential floodproofed structure shall meet the floodproofing criteria of Section 3.8.5C., *Nonresidential Construction*;
 4. Description of the extent to which any watercourse or natural drainage will be altered or relocated as a result of proposed development; and
 5. Maintain a record of all such information in accordance with Section 4.6.2B.1., *Duties and Responsibilities of the Floodplain Administrator*.
- C. **Standards for Issuance.** Approval or denial of a development permit by the floodplain administrator shall be based on all of the provisions of Division 3.8, *Floodplain Management and Flood Protection*, and the following relevant factors:
1. The danger of life and property due to flooding or erosion damage;
 2. The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner;
 3. The danger that materials may be swept onto other lands to the injury of others;
 4. The compatibility of the proposed use with existing and anticipated development;
 5. The safety of access to the property in times of flood for ordinary and emergency vehicles;

6. The costs of providing governmental services during and after flood conditions including maintenance and repair of streets and bridges and public utilities and facilities such as sewer, gas, electrical and water systems;
7. The expected heights, velocity, duration, rate of rise, and sediment transport of floodwaters and the effects of wave action, if applicable, expected at the site;
8. The necessity to the facility of a waterfront location, where applicable;
9. The availability of alternative locations, not subject to flooding or erosion damage, for the proposed use; and
10. The relationship of the proposed use to the Comprehensive Plan for that area.

DIVISION 5.4 GENERAL PROCEDURES FOR PUBLIC HEARINGS

Sec. 5.4.1 Required Public Notice

- A. **Generally.** Public notice, if required, shall be provided in accordance with the requirements of this Section. The content of notices shall be according to the policies adopted by the Parish Council.
1. *Published Notice.* A distinctive advertisement (public hearing notice) shall be placed by the Director notifying the public of the time and place of the public hearing held by the Planning and Zoning Commission or Board of Adjustment at which parties in interest have an opportunity to be heard. The advertisement shall be published once a week in three different weeks in the official journal or in a daily newspaper in general circulation in the geographical area of the Parish in which the parties have an interest of the Parish, and at least 10 days shall elapse between the first publication and the date of the public hearing.
 2. *Mailed Notice.* Before the 10th day before the date of the public hearing, written notice of the time and place of a public hearing for a change in district boundary shall be sent by the applicant to each owner, as indicated by the most recently approved tax roll, of real property within 200 feet of the property on which a change in classification is proposed. The mailed notice shall be given by certified mail, return receipt requested, and shall be in letter form stating the time and place of the hearing, a general description of the proposal, the legal description and general street location of the property subject to the proposed change, and a statement explaining that the public may be heard at the public hearing. When notice has been properly addressed and mailed by the applicant, failure to receive mailed notice shall not invalidate any action taken on the application. Prior to the public hearing, the applicant shall file with the Director the returned receipts from the certified mailings and an affidavit stating the names and addresses of the persons to who notice was sent; failure to submit the affidavit prior to the hearing may result in a continuance of the hearing.
 3. *Sign Posting.* Notice of required public hearings on landowner applications for a rezoning, a specific use, or a variance shall also be provided by way of a sign posted at least 10 days before the date of the public hearing on the land that is the subject of the application. One sign shall be posted by the applicant for each 200 feet of frontage along a public street, with a maximum of three signs required per frontage. The size of the sign shall be a 2 foot by 3 foot white sign with black lettering with the minimum size letter being two inches. Signs shall be located so that the lettering is visible from the street. Where land does not have frontage on a public street, signs shall be posted on the nearest public street with a notation indicating the location of the land subject to the application. The sign shall be furnished by the applicant, and the applicant shall maintain the sign for at least 10 days immediately preceding the date of the public hearing. The applicant shall file an affidavit, on a form provided by the Director, with the Director at the time of the public hearing verifying that the sign was posted as required by this Section.
- B. **Constructive Notice.** Minor defects in any notice shall not impair the notice or invalidate proceedings pursuant to the notice if a bona fide attempt has been made to comply with applicable notice requirements. Minor defects in notice shall be limited to errors in a legal description or location map that are not substantial with respect to the general location of the property, typographical or grammatical errors, or errors of actual acreage that do not impede communication of the notice to affected parties. Failure of a party to receive

written notice shall not invalidate subsequent action. In all cases, however, the requirements for the timing of the notice and for specifying the time, date, and place of a hearing shall be strictly construed. If questions arise at the hearing regarding the adequacy of notice, the decision-making body shall direct Parish staff to make a formal finding as to whether there was substantial compliance with the notice requirements of this UDC, and such finding shall be made available to the decision-making body at the same meeting or prior to final action on the request.

Sec. 5.4.2 Rezoning (Zoning Map Amendments)

- A. **Generally.** For the purpose of establishing and maintaining sound, stable, and desirable development within the Parish, the official zoning district map shall be amended only based upon changed or changing conditions in a particular area or in the Parish generally, or to rezone an area or extend the boundary of an existing zoning district. All amendments shall be in accordance with the Comprehensive Plan.
- B. **Initiation of Rezoning.** A rezoning may be initiated by:
1. Parish Council on its own motion;
 2. Planning and Zoning Commission;
 3. Director; or
 4. Application.
- C. **Application Requirements.** A complete application for a rezoning shall be submitted to the Director as established by Division 5.2, *General Procedures for All Applications*.
- D. **Approval Process.**
1. *Pre-Application Meeting* (optional). Prior to the submission of an application, an applicant may request a pre-application meeting with the Director to question the application procedures, standards or regulations.
 2. *Staff Report*. Once the rezoning application is complete, the Director shall review the proposed rezoning in light of the Comprehensive Plan, subject to the criteria enumerated in this UDC, and give a report to the Planning and Zoning Commission on the date of the scheduled public hearing.
 3. *Referral to Planning and Zoning Commission*. The Director shall refer the application to the Planning and Zoning Commission for study, hearing and report. The Parish Council may not enact the proposed rezoning until the Planning and Zoning Commission makes its final report.
 4. *Planning and Zoning Commission Consideration*. The Planning and Zoning Commission may give consideration to the following criteria, to the extent pertinent to the rezoning request. In addition, other factors may be considered which may be relevant to the application.
 - a. Conformance of the requested use with the Comprehensive Plan.
 - b. Conformance of the requested use with the Future Land Use Map of the Comprehensive Plan.
 - c. Conformance of the requested use with the other Parish policies.
 - d. The character of the surrounding area and, in the case of requests for non-residential uses, the proximity of the requested use to residential areas.
 - e. The zoning and use of nearby properties, and the extent to which the requested use would be compatible.
 - f. The suitability of the property for the requested use in the proposed zoning district.
 - g. The extent to which approval of the requested use would detrimentally affect nearby and adjacent properties.
 - h. The extent to which the requested use would affect the capacity or safety of that portion of the street network, other public facilities or utilities, or present public safety concerns in the vicinity of the property.

- i. The required utilities and other required public facilities are in place or committed that will provide an acceptable and appropriate level of service for development under the requested zoning classification;
 - j. The rezoning does not result in a constrained parcel with respect to resource protection or bufferyards (*See Section 3.11.1, Bufferyard Requirements*);
 - k. The rezoning would not cause untimely urban sprawl;
 - l. The rezoning would not cause material degradation of the quality of life of residential neighborhoods; including but not limited to such factors as:
 - i. The creation of material new demand for heavy truck traffic through the neighborhoods;
 - ii. The functional failure (degradation to Level of Service F) of any intersections within 1,320 feet of the entrances to the parcel for which rezoning is requested; or
 - iii. The introduction of uses that are prone to be nuisances when located near residential areas if insufficient spacing or room for buffering is available.
 - m. The extent to which approval of the requested use would harm the value and enjoyment of nearby properties.
5. *Planning and Zoning Commission Public Hearing.* A public hearing, subject to the provisions of this UDC, shall be held at which time the parties in interest have an opportunity to be heard. At the public hearing the Planning and Zoning Commission shall consider the application, the relevant supporting materials, and all comments and written materials submitted.
 6. *Planning and Zoning Commission Final Report.* After the public hearing, the Planning and Zoning Commission shall adopt and transmit a final report to the Parish Council recommending approval or denial of the request. A tie vote on a request for a rezoning is deemed to be a recommendation for denial.
 7. *Effect of Protest.* In case a protest against any proposed amendment to this UDC is presented in writing to the Chief Administrative Officer prior to the public hearing thereon duly signed and acknowledged by the owners of 20 percent or more either of the areas of land (exclusive of streets and alleys) included in the proposed change, or within an area determined by lines drawn parallel to and 200 feet distant from the boundaries of the district proposed to be changed, the rezoning shall not become effective except by the favorable vote of a majority of the members of the Parish Council.
 8. *Parish Council Public Hearing.* The Parish Council shall hold a public hearing and approve, approve with modifications, or disapprove the rezoning application using the same decision-making criteria as set for in subsection D.4 above.
 9. *Limitation on Re-application.* If a rezoning is denied by either the Planning and Zoning Commission or the Parish Council, another petition for reclassification of the same property or any portion thereof shall not be filed within a period of 180 days from the date of final denial, except with permission of the Planning and Zoning Commission or Parish Council.
 10. *Conditions of Approval.* A request for rezoning may be conditioned upon adherence to a site plan submitted by the applicant, which may limit the uses that are permitted on site. The site plan may be processed concurrently with the rezoning request.

Sec. 5.4.3 Specific Use Permits

- A. **Generally.** Certain uses of land, buildings or structures may not be appropriate under all circumstances in any given zoning district, but may be appropriate where adequate precautions can be taken to assure compatibility with surrounding uses, public need, and the orderly development of the Parish as a whole. It is the intent of this Section to allow for such uses by granting a specific use. The Parish Council, after receiving the findings and recommendations of the Planning and Zoning Commission, may by ordinance, grant a specific use for the following uses, in locations and zoning districts where they are not otherwise permitted by this UDC, and may impose appropriate conditions and safeguards to protect private property interests and values.

- B. Uses Requiring a Specific Use.** Permission shall be granted by the Parish Council for placing a specific use within the Parish. Specific uses listed in Table 1.3.2, *Residential, Home, and Institutional Uses*, Table 1.3.3, *Commercial, Recreation and Amusement Uses*, and Table 1.3.4, *Industrial, Agricultural, and Special Uses*, may be permitted, subject to Parish Council review and consideration, within the district(s) specified.
- C. Initiation of Specific Use Permit.** An application for a specific use may be initiated by:
1. Parish Council on its own motion;
 2. Director; or
 3. Application.
- D. Approval Process.**
1. *Staff Report.* Once the specific use application is complete, the Director shall review the proposed specific use in light of the Comprehensive Plan, subject to the criteria enumerated in this UDC, and give a report to the Planning and Zoning Commission on the date of the scheduled public hearing.
 2. *Referral to Planning and Zoning Commission.* The Director shall refer the application to the Planning and Zoning Commission for study, hearing and report.
 3. *Criteria for Consideration of Specific Uses.* In considering an application for a specific use, the Planning and Zoning Commission and Parish Council shall hold public hearings as with any amendment request and consider the criteria stated below, but shall not be precluded from consideration of other factors that may be relevant to a particular application. The criteria to be used in determining the suitability and appropriateness of a specific use request are as follows:
 - a. Conformance of the specific use with the Comprehensive Plan.
 - b. The character of the surrounding area and the proximity of the requested specific use to residential areas.
 - c. The zoning and use of nearby properties, and the extent to which the requested specific use would be compatible.
 - d. The suitability of the property for the requested specific use in the proposed zoning district.
 - e. The extent to which approval of the specific use would detrimentally affect nearby and adjacent properties.
 - f. The extent to which the requested specific use would affect the capacity or safety of that portion of the street network, other public facilities or utilities, or present public safety concerns in the vicinity of the property.
 - g. The extent to which approval of the specific use would harm the value and enjoyment of nearby properties.
 4. *Planning and Zoning Commission Public Hearing.* A public hearing, subject to the provisions of this UDC, shall be held at which time the parties in interest have an opportunity to be heard. At the public hearing the Planning and Zoning Commission shall consider the application, the relevant supporting materials, and all comments and written materials submitted.
 5. *Planning and Zoning Commission Final Report.* After the public hearing, the Planning and Zoning Commission shall adopt and transmit a final report to the Parish Council recommending approval or denial of the request. A tie vote on a request for a specific use is deemed to be a recommendation for denial.
 6. *Parish Council Public Hearing.* The Parish Council shall hold a public hearing and approve, approve with modifications, or disapprove the specific use application upon an adoption of an Ordinance.
- E. Decisions are Not Precedent Setting.** The approval of a specific use shall not be construed as a precedent for any subsequent specific use request. Each specific use request shall be considered on its merits and with regard to its specific location, the adjacent land uses, and such other factors as may be relevant to a particular application, as noted above.

- F. **Time Limits.** Use of property permitted by a specific use must commence within one year from the date of approval, unless extended by action of the Parish Council. Commencement of a specific use occurs upon the issuance of a building permit. A specific use request may be extended one time, not to exceed a period of six months. The extension shall be requested prior to the expiration of the specific use commencement period. The Director shall review a requested time extension to determine if any modifications have been made to the site, and if changes have occurred to the zoning regulations that would affect the extension request. The extension may be approved by Parish Council, subject to conditions, if any.

Sec. 5.4.4 Variances

- A. **Generally.** The Board of Adjustment shall have jurisdiction to hear requests for a variance from the terms of this UDC. The Board of Adjustment shall be authorized to grant a variance from the terms hereof if, and only if, they find that the strict enforcement of this UDC would create a substantial hardship to the applicant by virtue of unique special conditions not generally found within the Parish, and that the granting of the variance would preserve the spirit and intent of the UDC, and would serve the general interests of the public and the applicant. Variances may be granted only when in harmony with the general purpose and intent of this UDC so that public health, safety, and welfare may be secured and substantial justice done.
- B. **Initiation of Variance.** An application for a variance may be initiated by:
1. Parish Council on its own motion;
 2. Director; or
 3. Application.
- C. **Types of Variances Allowed.** The following details the exceptions and limitations to the authority of the Board of Adjustment.
1. *Exceptions.* Some variances are not within the jurisdiction of the Board of Adjustment, and are therefore not subject to this Section. These variances are:
 - a. Variances from the terms of one or more conditions of approval imposed by an administrative body described in Chapter 4, *Administrative Bodies*. Modifications to conditions of approval shall be sought from the body that granted the approval.
 - b. Variances that would have the effect of make existing nonconforming or illegal construction (*i.e.*, buildings and structures), site improvements, parking, or landscaping conforming. Nonconforming situations are subject to the requirements of Chapter 6, *Nonconformities*.
 - c. Variances shall not be used to allow a use in a zoning district in which the use is prohibited (*i.e.*, variances to Division 1.3, *Permitted; Limited; Specific; and Prohibited Uses*).
 2. *Limitations.*
 - a. Variances shall not be used to reduce spacing requirements for limited uses, which may be set out in Division 1.4, *Limited and Specific Use Standards*.
 - b. Variances shall not be used to modify any requirements that are set out in Division 1.4, *Limited and Specific Use Standards*, with respect to an application for specific use approval.
 - c. State and / or federal laws and / or regulations may not be varied by the Parish unless such authority is expressly granted to the Parish.
 - d. Variances shall not be used to grant a variance the effect of which would be any of the following:
 - i. To increase the density of a use above that permitted by the applicable district;
 - ii. To extend physically a nonconforming use of land; or
 - iii. To change the zoning district boundaries shown on the official zoning district map.
- D. **Application Requirements.** A complete application for a variance shall be submitted to the Director as established by Division 5.2, *General Procedures for All Applications*.
- E. **Approval Process.**

1. *Staff Report.* Once the variance application is complete, the Director shall review the variance in light of this UDC and give a report to the Board of Adjustment on the date of the scheduled public hearing.
2. *Referral to Board of Adjustment.* The Director shall refer the application to the Board of Adjustment for study, hearing and report.
3. *Board of Adjustment Consideration.* The Board of Adjustment may give consideration to the following criteria, to the extent pertinent to the variance request. In addition, other factors may be considered which may be relevant to the application. To approve an application for a variance, the Board of Adjustment shall make an affirmative finding that each of the following criteria are met:
 - a. Special circumstances exist that are peculiar to the land or structure.
 - b. These special circumstances are not self-imposed or the result of the actions of the applicant.
 - c. Literal interpretation and enforcement of the terms and provisions of this UDC would cause an unnecessary and undue hardship.
 - d. Granting the variance is the minimum action that will make possible the use of the land or structure which is not contrary to the public interest and which would carry out the spirit of this UDC and would result in substantial justice.
 - e. Such variance will not alter the essential character of the district in which it is located or the property for which the variance is sought.
 - f. The variance will not adversely affect the health, safety or welfare of the public.
4. *Variance Review.* Upon completion of the public hearing and after review of the variance application subject to the criteria listed in subsection E.3., the Board of Adjustment shall make a written finding and give its approval; approval with limitations; or disapproval of the variance.
5. *Written Decision.* If approval or approval with limitations is granted, the decision shall be communicated in writing to the applicant within 15 days from the decision.

Sec. 5.4.5 Appeals of Administrative Decisions

- A. **Generally.** As specified in R.S. 33:4727, *Board of adjustment; membership; powers and procedures; appeals from decisions*, appeals to the Board of Adjustment may be taken by any person aggrieved or by any officer, department, board, or bureau of the Parish affected by any decision of the Director.
- B. **Initiation of an Appeal.** An appeal shall be taken within 30 days, as provided by the rules of the Board of Adjustment.
- C. **Application Requirements.** A complete application for an appeal shall be submitted to the Director as established by Division 5.2, *General Procedures for All Applications*.
- D. **Stay of Proceedings.** An appeal stays all proceedings in furtherance of the action appealed from, unless the official from whom the appeal is taken certifies to the Board of Adjustment after the notice of appeal shall have been filed with him that, by reason of facts stated in the certificate, a stay would, in his opinion, cause imminent peril to life or property. In such case, proceedings shall not be stayed otherwise than by a restraining order that may be granted by the Board of Adjustment or by a court of record on application or notice to the officer from whom the appeal is taken and on due cause shown.
- E. **Approval Process.**
 1. *Staff Report.* Once the appeal application is complete, the Director shall give a report to the Board of Adjustment on the date of the scheduled public hearing. The Director shall refer the application to the Board of Adjustment for study, hearing and report.
 2. *Referral to Board of Adjustment.* The Board of Adjustment shall set a reasonable time for the appeal hearing and shall give public notice of the hearing and due notice to the parties in interest. A party may appear at the appeal hearing in person or by agent or attorney.
 3. *Board of Adjustment Consideration.* The Board of Adjustment shall decide the appeal within a reasonable time and shall apply the following standards in deciding the appeal:

- a. That there is a reasonable difference of interpretation as to the specific intent of the UDC or official zoning district map.
 - b. That the resulting interpretation will not grant a special privilege to one property inconsistent with other properties or uses similarly situated.
 - c. The decision of the Board of Adjustment must be such as will be in the best interest of the Parish and consistent with the spirit and intent of this UDC. An appeal that involves an interpretation of a term contained in this UDC, and that is decided contrary to the Director's decision, shall be kept on file with the Director and shall constitute the official meaning of the term until such may be amended by the Parish Council.
4. *Board of Adjustment Public Hearing.* In exercising its authority under this UDC, the Board of Adjustment may reverse or affirm, in whole or in part, or modify any order, requirement, decision or determination appealed from and may make such order, requirement, decision or determination as ought to be made, and for that purpose the Board of Adjustment has all the powers of the Director from whom the appeal is taken.

Sec. 5.4.6 Airport Variances

- A. **Generally.** Any person desiring to erect or increase the height of any structure, permit the growth of any tree, or use his property not in accordance with the regulations prescribed in Division 1.5, *Airport Zoning*, may apply to the Airport Board of Appeals for a variance from such regulations.
- B. **Application.** The application for a variance shall be accompanied by a determination from the Federal Aviation Administration (FAA) as to the effect of the proposal upon the operation of air navigation facilities and the safe, efficient use of navigable airspace. Additionally, no application for variance from the requirements of this Division 1.5, *Airport Zoning*, may be considered by the Airport Board of Appeals unless a copy of the application has been furnished to the assistant secretary, office of aviation, department of transportation and development for advice as to the aeronautical effects of the variance. If the assistant secretary does not respond to the application within 15 days after receipt, the Airport Board of Appeals may act on its own to grant or deny such application.
- C. **Decision Criteria.** Such variances shall be allowed where it is duly found that:
 1. a literal application or enforcement of the regulations would result in unnecessary hardship, and
 2. relief granted would not be contrary to the public interest, would not create a hazard to air navigation, but will do substantial justice and be in accordance with the spirit of Division 1.5, *Airport Zoning*.

Sec. 5.4.7 Airport Appeals

- A. **Who May Appeal.** Any person aggrieved or any taxpayer affected by any decision made in the administration of Division 1.5, *Airport Zoning*, may appeal to the Airport Board of Appeals.
- B. **Application Requirements; Procedures.** All appeals pursuant to the provisions of Division 1.5, *Airport Zoning*, must be taken within a reasonable time, as provided by the rules of the Airport Board of Appeals, by filing with the Chief Administrative Officer a notice of appeal specifying the grounds thereof. The Chief Administrative Officer shall forthwith transmit to the Airport Board of Appeals all the papers constituting the record upon which the action appealed from was taken.
- C. **Stay of Proceedings.** An appeal shall stay all proceedings in the furtherance of the action appealed from unless the president of the Parish Council certifies to the Airport Board of Appeals, after the notice of appeal has been filed with it, that by reason of the facts stated in the certificate a stay would, in the president's opinion, cause imminent peril to life or property. In such a case, proceedings shall not be stayed except by order of the Airport Board of Appeals on notice to the president, and on due cause shown.
- D. **Timeframe.** The Airport Board of Appeals shall fix a reasonable time for hearing appeals, give public notice and due notice to the parties in interest, and decide the appeal within a reasonable time. Upon the hearing, any party may appear in person, by agent, or by attorney.

- E. **Decision.** The Airport Board of Appeals may, in conformity with the provisions of Division 1.5, *Airport Zoning*, reverse or affirm, in whole or in part, or modify the order, requirement, decision, or determination as may be appropriate under the circumstances.
- F. **Judicial Review.** Any person aggrieved, or any taxpayer affected by any decision of the Airport Board of Appeals, may appeal to the district court of the parish having jurisdiction as provided in section 8 of Act 118 of the Public Laws of the state enacted by the 1944 session of the legislature.

Sec. 5.4.8 Floodplain Variances

- A. **Generally.** The Board of Adjustment as established by the Parish shall hear and render judgment on requests for variances from the requirements of Division 3.8, *Floodplain Management and Flood Protection*.
- B. **Procedures.**
1. The Board of Adjustment shall hear and render judgment on an appeal only when it is alleged there is an error in any requirement, decision, or determination made by the floodplain administrator in the enforcement or administration of Division 3.8, *Floodplain Management and Flood Protection*.
 2. Any person or persons aggrieved by the decision of the Board of Adjustment may appeal such decision in the courts of competent jurisdiction.
 3. The floodplain administrator shall maintain a record of all actions involving an appeal and shall report variances to the Federal Emergency Management Agency upon request.
 4. Variances may be issued for the reconstruction, rehabilitation, or restoration of structures listed on the National Register of Historic Places or the state inventory of historic places, without regard to the procedures set forth in Division 3.8, *Floodplain Management and Flood Protection*.
 5. Variances may be issued for new construction and substantial improvements to be erected on a lot of one-half acre or less in size contiguous to and surrounded by lots with existing structures constructed below the base flood level, providing the relevant factors in Section 5.3.1, *Floodplain Permit Procedures*, have been fully considered. As the lot size increases beyond the one-half acre, the technical justification required for issuing the variance increases.
 6. Upon consideration of the factors noted above and the intent of Division 3.8, *Floodplain Management and Flood Protection*, the Board of Adjustment may attach such conditions to the granting of variances as it deems necessary to further the purpose and objectives of Division 3.8, *Floodplain Management and Flood Protection*.
 7. Variances shall not be issued within any designated floodway if any increase in flood levels during the base flood discharge would result.
 8. Variances may be issued for the repair or rehabilitation of historic structures upon a determination that the proposed repair or rehabilitation will not preclude the structure's continued designation as a historic structure and the variance is the minimum necessary to preserve the historic character and design of the structure.
- C. **Prerequisites for Granting Variances:**
1. Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.
 2. Variances shall only be issued upon:
 - a. Showing a good and sufficient cause;
 - b. A determination that failure to grant the variance would result in exceptional hardship to the applicant; and
 - c. A determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisances, cause fraud on or victimization of the public, or conflict with existing local laws or ordinances.

3. Any applicant to whom a variance is granted shall be given written notice that the structure will be permitted to be built with the lowest floor elevation below the base flood elevation, and that the cost of flood insurance will be commensurate with the increased risk resulting from the reduced lowest floor elevation.
- D. Variances may be issued by the Parish for new construction and substantial improvements and for other development necessary for the conduct of a functionally dependent use provided that:
1. The criteria outlined in subsections A. and B.1. through 8. of this Section are met; and
 2. The structure or other development is protected by methods that minimize flood damage during the base flood and create no additional threats to public safety.

Sec. 5.4.9 Text Amendments

- A. **Generally.** For the purpose of establishing and maintaining sound, stable, and desirable development within the Parish, the text of this UDC shall not be amended except to correct errors in the text, because of changed or changing conditions in a particular area or in the Parish generally or to change the regulations and restrictions of this UDC. All text amendments shall be in accordance with the Comprehensive Plan.
- B. **Initiation of Text Amendment.** An amendment to the text of this UDC may be initiated by:
1. Parish Council on its own motion;
 2. Planning and Zoning Commission;
 3. Director; or
 4. Application.
- C. **Application Requirements.** A complete application for a text amendment shall be submitted to the Director as established by Division 5.2, *General Procedures for All Applications*.
- D. **Approval Process.**
1. *Staff Report.* Once the amendment application is complete, the Director shall review the proposed text amendment in light of the Comprehensive Plan and give a report to the Planning and Zoning Commission on the date of the scheduled public hearing.
 2. *Referral to Planning and Zoning Commission.* The Director shall refer the application to the Planning and Zoning Commission for study, hearing and report. The Parish Council may not enact the proposed text amendment until the Planning and Zoning Commission makes its final report.
 3. *Planning and Zoning Commission Public Hearing.* A public hearing, subject to the provisions of this UDC, shall be held at which time the parties in interest have an opportunity to be heard. At the public hearing the Planning and Zoning Commission shall consider the application, the relevant supporting materials, and all comments and written materials submitted. The criteria to be used in determining the suitability and appropriateness of a text amendment are as follows:
 - a. The proposed amendment will help to implement the adopted Comprehensive Plan, or, if it addresses a topic that is not addressed or not fully developed in the Comprehensive Plan, the proposed amendment does not impair the implementation of the adopted Comprehensive Plan when compared to the existing UDC.
 - b. The proposed amendment is consistent with the stated purposes of this UDC.
 - c. The proposed amendment will maintain or advance the public health, safety or general welfare.
 - d. The proposed amendment will help to mitigate adverse impacts of the use and development of land on the natural or built environment, including, but not limited to mobility, air quality, water quality, noise levels, stormwater management, wildlife protection, and vegetation; or will be neutral with respect to these issues.
 - e. The proposed amendment will advance the strategic objectives of the Parish Council, such as fiscal responsibility, efficient use of infrastructure and public services, and other articulated Parish objectives.

4. *Planning and Zoning Commission Final Report.* After the public hearing, the Planning and Zoning Commission shall adopt and transmit a final report to the Parish Council recommending approval or denial of the request. A tie vote on a request for a text amendment is deemed to be a recommendation for denial.
5. *Parish Council Public Hearing.* The Parish Council shall hold a public hearing and approve, approve with modifications, or disapprove the application to amend the text of this UDC.

Sec. 5.4.10 Pattern Book Approvals

A. **Generally.** The pattern book is a design guide for a specific development. It is submitted by the applicant to address the design of individual buildings or dwellings. The pattern book ensures that the development will be attractive and harmonious. The pattern book:

1. Provides a palette of development styles and materials (as such, it addresses the design elements not the use or intensity of development);
2. Provides details of streetscape design and landscaping; and
3. May provide for specific modifications of the requirements of this UDC in order to ensure that the development is a cohesive whole.

B. **Application.**

1. An application for Pattern Book approval shall accompany all applications for approval of a Traditional Neighborhood Development, and any application for approval of a mixed-housing neighborhood which also seeks to deviate from minimum lot size, lot averaging, lot width, or setback requirements.
2. The Pattern Book shall include the following elements:
 - a. A description of each type of housing that is proposed.
 - b. Standards for lot dimensions for each type of housing, expressed either as lot width and lot depth or lot width and lot area. Such standards may be expressed as averages.
 - c. Standards for setbacks or build-to lines for front, street side, interior side, and rear lot lines, which may be different for principal buildings and accessory buildings. Such standards may be presented in tabular or illustrated format.
 - d. Standards for yards or courtyards, if different from areas between required setback lines and lot lines.
 - e. Standards for the design of each type of building (residential, nonresidential, and mixed-use) that is proposed in the development, which shall include:
 - i. Architectural style / typology;
 - ii. Typical architectural elements for each style / typology; and
 - iii. Typical building materials for each style / typology.
 - f. A collection of illustrative elevations for each architectural style / typology, with standards that will ensure diversity of architectural presentation; or a collection of proposed elevations for each architectural style / typology, which demonstrates diversity of architectural presentation.
 - g. Standards for fences and garden walls, if different from those set out in Section TBD, *Fences and Garden Walls*.
 - h. Standards for accessory buildings, if different from those set out in Section 1.7.2, *Residential Accessory Uses, Buildings, and Structures*.

C. **Decision Criteria.** Upon recommendation by the Planning and Zoning Commission, the Parish Council shall review the pattern book to ensure that it will accomplish the following objectives:

1. *Limitations on Modulation.* Pattern books may modulate residential development standards if the modulations occur in the following ranges:
 - a. Front setbacks (or build-to lines) are in the following ranges:

- i. Center Subdistrict: 0 ft. to 8 ft.
 - ii. General Subdistrict: 0 ft. to 15 ft.
 - iii. Edge Subdistrict: 10 ft. or more
 - b. Side setbacks shall comply with applicable fire codes.
2. *Harmony*. The municipality, neighborhood, and development should be harmonious. Harmony is defined as the middle, or balance, of two continuums, both of which have ends that, at their extremes, are unattractive. The balance shall be struck between:
 - a. Monotony and chaos; and
 - b. Unity and interest.
3. *Quality*. Quality not only refers to the materials and care with which a building or environment is built, but also to its visual richness (e.g., details that are attractive to the resident or visitor). In order to ensure visual interest, the pattern book shall demonstrate the following:
 - a. Single-Family homes (attached or detached) are designed to provide a unit that has a unified appearance from the street with any street façade (front façade and street side façade), having comparable treatment in materials, color, and trim.
 - b. If masonry is used on a front façade, it is also applied to side facades in one or more of the following ways:
 - i. Masonry returns to a break in the side façade, such as a chimney, room projection, or projecting window area;
 - ii. An architectural return is applied to all corners so that the greater of ten percent of the length of the side building wall or three feet is finished with masonry to the same height as the front facade;
 - iii. Quoins are used, if consistent with the architectural typology of the building;
 - iv. An architectural detail with a minimum width of 16 inches is applied, such as a pilaster that caps the masonry and the other material that completes the corner; or
 - v. A wing wall screens the view of the side of the building from the street.
 - c. Detached single-family homes will be articulated and detailed, and shall avoid undue imposition of building mass on the street.
 - d. There should be some detailing or doors, windows and their trim that carries around the buildings sides so that even if the trim is plainer, they show a relationship to the general style and character of the front.
 - e. Front porches will be provided on all detached housing types within 1,320 feet along street centerlines from the Center subdistrict, and may be provided elsewhere and on other housing types.
 - f. Balconies will be provided on all multistory townhomes and multistory multiple-family buildings.
 - g. Utility meters shall not be on front or side elevations unless screened by vegetation or other approved screening.
4. *Diversity*. The pattern book shall demonstrate that one or more of the techniques below will be used to achieve harmony (the pattern book is not required to include all of these elements):
 - a. Varied Housing Types at a Fine-Grained Scale. Multiple housing types are required, yet this requirement could result in areas or “pods” of each type, which has the potential to lead to monotony. Mixing types on a smaller scale, even having differing dwelling unit types in a block face, is a technique to reduce monotony and add interest.
 - b. Varied Architectural Styles. Different architectural styles (e.g., Colonial Revival and Neoclassical) can be used to vary the appearance of buildings with comparable floor plans. The variations in architectural styles must be meaningful, but must not create a chaotic appearance. For this technique to be reviewed, a number of elements, including roof type and orientation, roof pitch, eve

overhangs, windows, doors, decorative elements shall be specified for each architectural style that will be used in the TND. The reference for architectural style shall be *A Field Guide to American Houses* by Virginia and Lee McAlester, et al. (Knopf 1984).

- c. **Varied Floor Plans.** If floor plans are meaningfully different, homes will look different. If floor plans are not meaningfully different, homes will often look monotonous. The differences in floor plans must significantly alter the width and shape in order to present a building volume or mass that is different. Such differences include, but are not limited to:
 - i. Minimum of 10 percent difference in front façade width; or
 - ii. Different forms (rectangle, L, or X shapes), if the differences affect the front façade; or
 - iii. Different numbers of stories; or
 - iv. Different symmetry (symmetrical or asymmetrical).
- d. **Varied Gable Orientation.** In many cases, a front or side gable roof can be constructed over the same floor plan. This change significantly alters the roof profile of the house, its front elevation massing, and may also alter the height of the roof peak.
- e. **Varied Elements.** The pattern book may demonstrate that architectural elements will be varied in a way that creates meaningful differences in building appearance. Such details may include trims, materials, color, window arrangement (grouping), window fenestration, doors, door lights, window and garage doors, porches, chimneys, bay windows, towers, and balconies, as necessary to create the required variation. This technique is particularly useful when a single architectural style, or two very closely related styles (*e.g.*, Prairie and Craftsman) are used in the development. The pattern book must include detailed elevations, lists of specific elements to be used, and an explanation of how the elements will be mixed to differentiate nearby buildings.
- f. **Averaged Lot Width.** Meaningful variation of lot width generally causes meaningful variations in building width and floor plan. A pattern book may show that block faces will include lots of varying widths, as follows:
 - i. Three lots size categories for each type of housing are created, using a required average (*e.g.*, 50 percent of the lots would be average, 25 percent small, and the remainder large).
 - ii. The difference in frontage among the lot sizes should be in the range of 10 to 20 percent. For example, an average 10,000 square foot lot that is 80 feet wide is 125 feet deep. The “small” lot could be 70 feet wide, and the “large” lot 90 feet wide. The resulting lots, all 125 feet deep, would have areas of 8,750, 10,000, and 11,250 square feet.

5. **Light and Air.** The pattern of development, and the open space available on each lot and for the community are such that adequate light and air are provided for residents. Residents of the General Subdistrict and Edge Subdistrict shall have a private outdoor space that is at least 100 square feet in dimension, and which may be a rear lawn, courtyard, patio, deck, or useable rooftop area.

6. **Pedestrian-Oriented.** The pattern book shall demonstrate that the residential areas of the development are designed for the comfort and convenience of the pedestrian, with continuous sidewalks; tree-lined, traffic-calmed streets; and architecture that provides street-level interest and accessibility.

D. Conditions of Approval. The Parish Council may place conditions of approval on the Pattern Book as necessary to ensure compliance with the decision criteria of subsection C., above.

E. Prohibited Issues. The Parish Council will not impose conditions on the Pattern Book that:

1. Limit density, intensity, amount of open space, or land use in a manner that is different from the requirements of this UDC.
2. Address the design of the development, in ways that are covered in the preliminary plat or site plan review. The pattern book approval shall defer any overall plan layout issues to be addressed in the plat approval.

DIVISION 5.5 STANDARDIZED DEVELOPMENT APPROVAL PROCEDURES

5.5.1 General Provisions

- A. **Generally.** As a step toward sound planning in the growth of the Parish, a five-phase procedure will be followed for the purpose of approving and accepting new subdivisions and developments.
- B. **Submittal Requirements.** All applications for plans and plats shall be submitted on a form and schedule determined by the Director. The Director may waive any specified requirements if it is obvious that they do not relate to the processing of the individual application for which the waiver is requested.
- C. **Survey Required.**
1. All property situated in the Parish which is hereafter divided, subdivided or partitioned to be used for commercial or industrial purposes shall, prior to such use, be surveyed by a Louisiana registered land surveyor. Such survey shall clearly delineate all corners of the property intended to be so used, with designations of Lambert Coordinates (Louisiana South Zone).
 2. All property situated in the Parish which is hereafter subdivided in accordance with the ordinances of the Parish shall, prior to the approval of such subdivisions, be surveyed by a Louisiana registered land surveyor. Such survey shall clearly delineate all corners of the property intended to be so used, with designations of Lambert Coordinates (Louisiana South Zone).
 3. All property situated in the Parish which is hereafter developed for public use by any public body of the Parish shall, prior to such development, be surveyed by a Louisiana registered land surveyor. Such survey shall clearly delineate all corners of the property intended to be so used, with designations of Lambert Coordinates (Louisiana South Zone).
 4. All urban residential property situated in the Parish, forming a part of any recognized subdivision, which is hereafter surveyed shall contain references on such survey to Lambert Coordinates (Louisiana South Zone) if National Geodetic Survey or Parish of St. Mary monuments are within a 1,500-foot radius of the property; otherwise the survey shall contain a reference to the nearest street or roadway intersection.
 5. All rural residential properties situated in the Parish, lying outside any recognized subdivision, which are hereafter surveyed shall contain references to Lambert Coordinates (Louisiana South Zone) if the properties are within a 1,500-foot radius of National Geodetic Survey or St. Mary Parish monuments. If such properties are inside a 3,000-foot radius the survey shall contain a reference to any state, Parish or municipal road intersection. If such property is outside a 3,000-foot radius, the survey shall contain a reference to at least two physical monuments such as water tower, radio tower, bridge, railroad or similar permanent structure.
 6. All such surveys shall be performed by Louisiana registered land surveyors at the cost of the land owner.
 7. All such surveys shall be filed with the assessor of the Parish once final approval has been given and said plats have been signed by the Director.
- D. **Change of Development to a Subdivision.** Should a developer in the future decide to subdivide and sell any part of a development, he shall follow the procedure provided for new subdivision approvals.

Sec. 5.5.2 Conceptual Approval

- A. **Generally.** The purpose of this phase is to consider and review proposed and existing land use in the area, the arrangement, location and width of existing streets, existing drainage courses and existing servitudes that may affect the proposed improvements. The conceptual approval may be waived or combined with the preliminary approval by the Director at his discretion.
- B. **Submittal Requirements.** The subdivider/developer or his agent shall furnish to the Director all submittal information required in Division 5.2, *General Procedures for all Applications*.
- C. **Staff Review.** The Director of Public Works and other staff involved in land development review process will review the conceptual master plan for compliance with this UDC and to ensure that the proposed development

does not endanger the health, safety and general welfare of the Parish and will submit comments and recommendations in writing to the Director.

D. Conditional Variances.

1. The Planning and Zoning Commission shall have the authority to grant conditional variances subject to the approval of the Parish Council in the engineering approval phase.

E. Approval Procedures.

1. The Director may grant, in writing, conceptual approval, listing any variances conditionally given by the Planning and Zoning Commission, which will permit the subdivider/developer to proceed with the preliminary phase. The Director shall mark two copies of the conceptual master plan to accurately reflect the recommendations and/or compromises conditionally approved by the Planning and Zoning Commission in the conceptual phase. One copy shall be returned to the subdivider/developer.
2. If a compromise is not reached between the subdivider/developer and the Planning and Zoning Commission, or the Director rejects the conceptual plan because it does not conform to this UDC, the subdivider/developer shall be required to amend or revise and resubmit this conceptual master plan.

F. Duration of Approval. If more than one year lapses between conceptual and preliminary approval, then the conceptual plan must be resubmitted for approval.

Sec. 5.5.3 Preliminary Approval

A. Generally. The purpose of this phase is to consider the subdivision/development from the point of view of layout and configuration of lots, streets, servitudes, access, internal circulation, utilities, drainage, buildings and other improvements.

B. Submittal Requirements. The subdivider/developer or his agent shall furnish the Director all submittal information required in Division 5.2, *General Procedures for all Applications*.

C. Public Hearing Required.

1. A public hearing shall be called on the proposed subdivision/development prior to the granting of preliminary approval by the Planning and Zoning Commission. Mailed notice shall be sent to the adjacent property owners by the subdivider/developer per the provisions set forth in Section 5.4.1, *Required Public Notice*. The subdivider/developer may present the conceptual plan in addition to the preliminary subdivision plan or the preliminary development plan at the public hearing. Each future addendum to the subdivision or addition to a development will require an additional public hearing, when the addendum or addition is submitted for preliminary approval.

D. Conditional Variances. The Planning and Zoning Commission shall have the authority to grant conditional variances subject to the approval of the Parish Council in the engineering approval phase.

E. Approval Procedures.

1. The Director may grant in writing preliminary approval listing any variances conditionally given by the Planning and Zoning Commission which will permit the subdivider/developer to proceed with the engineering phase. The Director shall mark two copies of the preliminary plan to accurately reflect the recommendations and/or compromises approved by the Planning and Zoning Commission in the preliminary phase. One copy shall be returned to the subdivider/developer.
2. The Planning and Zoning Commission shall review the comments of public and private utilities along with the comments received at the public hearing. The subdivider/developer may wish to meet with the Planning and Zoning Commission to offer compromises after the public hearing and before the Planning and Zoning Commission reaches a decision to grant or deny preliminary approval.
3. If the Planning and Zoning Commission rejects the preliminary plan, the subdivider/developer shall be required to amend or revise and resubmit his preliminary plan.

F. Appeal. In the event the subdivider/developer rejects any or all of the Planning and Zoning Commission's recommendations and mutually acceptable compromises cannot be reached, the developer shall have the right of appeal to the Parish Council at a regular meeting.

- G. **Modifications.** If the subdivider/developer makes changes in the plans after preliminary approval, he shall submit these changes to the Director prior to proceeding with the next phase. The Director will review the requested change(s) in relation to all applicable regulations. If the amendment(s) conforms to the UDC and are not in conflict with the terms and conditions set by the Planning and Zoning Commission during preliminary approval, the developer may proceed with the next phase.
- H. **Duration of Approval.** If more than one year lapses between preliminary and engineering approval, then the preliminary plan must be resubmitted again for approval.

Sec. 5.5.4 Engineering Approval

- A. **Generally** The purpose of this phase is to review the construction drawings and specifications of a proposed subdivision or development, the subdivision plat, and the site plan of developments, prior to construction.
- B. **Submittal Requirements.** The subdivider/developer or his agent shall furnish the Director all submittal information required in Division 5.2, *General Procedures for all Applications*.
- C. **Staff Review.**
1. The Director of Public Works and other staff involved in the land development review process, will review the submittal information for conformance with this UDC. They shall additionally review the preliminary subdivision plat or the development site plan to determine the adequacy of all street, drainage and utility servitudes and will submit comments and recommendations in writing to the Director.
 2. The Director of Public Works shall indicate on the set of drawings to be returned to the subdivider/developer the required traffic signs as per the State of Louisiana Uniform Traffic Control Devices Manual, as amended from time to time.
 3. The Director shall review the comments of the Director of Public Works and the land development review team and allow the subdivider/developer to make revisions in the submittals prior to reaching a decision to grant or deny engineering approval.
- D. **Approval of Conditional Variances Required.** Prior to granting engineering approval, the Director, with the assistance of the subdivider/developer, shall obtain Parish Council approval of all variances recommended through the engineering phase approval.
- E. **Approval Procedures.**
1. The Director may grant in writing engineering approval listing all variances granted by the Parish Council, which will permit the subdivider/developer to proceed with construction. If the Parish Council rejects the variances or the Director rejects engineering approval, the subdivider/developer shall be required to amend or revise the engineering phase submittals and reapply for engineering approval.
- F. **Appeal.** In the event the subdivider/developer rejects any or all of the Director's recommendations and mutually acceptable compromises cannot be reached, the developer shall have the right of appeal to the Parish Council at a regular meeting.
- G. **Duration of Approval.** If more than one year lapses between engineering approval and the commencing of construction, then the subdivider/developer must reapply for engineering approval.

Sec. 5.5.5 Final Approval

- A. **Generally.** The purpose of this phase is to assure that the subdivision or development was constructed in accordance with the approved engineering phase submittals.
- B. **Submittal Requirements.**
1. The subdivider/developer or his agent shall, in writing, request a final field inspection and final approval per the submittal deadlines established by the Director.
 2. At the time of the request for final field inspection, the subdivider/developer, or his agent, shall furnish the Director all submittals information required in Division 5.2, *General Procedures for all Applications*.

C. **Staff Review.**

1. The Director shall forward to the Director of Public Works a copy of the engineers/architects statement that he had a project representative present during at least 60 percent of the construction time and that to the best of his knowledge, the construction was completed in accordance with the approved plans and specifications, with a request that the Director of Public Works make an on-site inspection of the subdivision/development. After the inspection, the Director of Public Works shall submit to the Director a statement that to the best of his knowledge the improvements are in compliance with the approved submittals and that he recommend final acceptance to the Director.
2. The Director shall review all submittals, and the recommendation of the Director of Public Works and other members of the land development review team, prior to reaching his decisions to grant final approval and recommending acceptance by the Parish Council.

D. **Conditions to Allow Sale of Lots Prior to Approval.** In the event a subdivider wishes to proceed with the sale of lots prior to 100 percent completion of the construction of the improvements, the subdivider shall:

1. Have a construction contract with a licensed contractor.
2. Enter into an assigned agreement wherein the developer assigns his interest in the construction agreement for the improvements to the Parish Council.
3. File with the Director a performance bond made payable to the St. Mary Parish Council for 100 percent of the remaining construction work to be completed.
4. Comply with all provisions of R.S. 33:5051 and all other applicable state statutes. The fulfilling of these obligations will allow the contractor to record the subdivision plat and commence the sale of lots. It will not, however, constitute acceptance of the completed facility by the Parish Council. Upon the completion of the improvements, the subdivider will apply to the Director for the acceptance phase.

Sec. 5.5.6 Acceptance

- A. **Generally.** The purpose of this phase is to provide for the final acceptance of the improvement by the Parish Council for public use and provide for perpetual maintenance by the Parish.
- B. **Recommendation and Referral to Parish Council.** After final approval by the Director, he will submit to the Parish Council his statement that to the best of his knowledge, the subdivision/development has been completed in accordance with this UDC and any variations granted by the Parish Council, and recommend to the Parish Council its acceptance of the improvements into the road, street, drainage and street lighting system of the Parish for perpetual maintenance by the Parish.
- C. **Recordation of Plat.** After the Parish Council has accepted the improvements by resolution, the Director shall note the acceptance on the subdivision plat or the tract plat. The subdivider/developer may then record the plat. The recordation of the plat is the authority of the subdivider to begin the sale of lots and a prerequisite for the Director to issue to the developer the floodplain permit as specified in Section 5.3.1, *Floodplain Permit Procedures*. No lot may be sold, rented, or leased which is shown on a plat that has not been accepted by the Parish Council, and duly recorded with the clerk of court of St. Mary Parish.

Sec. 5.5.7 Subdivision Variances

- A. **Generally.** A subdivider/developer may initiate variance proceedings where there may be extraordinary hardships or practical difficulties resulting from strict compliance with the UDC. The Planning and Zoning Commission may grant a conditional variance during the conceptual and preliminary phases, and may recommend to the Parish Council that a variance from this UDC be granted during the engineering approval phase; provided, such variance shall not have the effect of nullifying the general intent and purpose of this UDC and provided, further, that the Planning and Zoning Commission shall only consider and grant conditional variances in conformance with the exceptions and limitations set forth in Section 5.4.4C., *Types of Variances Allowed*, and shall not recommend variations unless they have made findings based upon written evidence presented by the subdivider/developer to them in each specific case utilizing the criteria established below:

B. Approval Process.

1. *Staff Report.* Once the application is complete, the Director shall prepare a report for the Planning and Zoning Commission.
2. *Referral to Planning and Zoning Commission.* The Director shall refer the application to the Planning and Zoning Commission for study, meeting and report.
3. *Planning and Zoning Commission Consideration.* Utilizing the criteria below, the Planning and Zoning Commission, may recommend any variation from this UDC, subject to the exceptions and limitations set forth in Section 5.4.4C., *Types of Variances Allowed.* The Planning and Zoning Commission, through the Director, shall record fully the grounds for the variation and all of the facts upon which their decision is made.
 - a. The granting of the variance will not be detrimental to the public safety, health or welfare, or be injurious to other property or improvements in the neighborhood in which the property is located;
 - b. The conditions upon which the request for a variance is sought and are not applicable generally to other property;
 - c. Because of the particular physical surroundings, shape or topographical condition of the specific property involved, a particular hardship (not self-imposed) to the owner would result, as distinguished from a mere inconvenience, if the strict letter of this UDC was carried out; and
 - d. The variance will not in any manner alter the provisions of the land development plan or thoroughfare plan.
4. *Recommendation.* Where the Planning and Zoning Commission concludes that the purpose of this UDC may be specifically served to an equal or greater extent by an alternative proposal, condition, or circumstance, they may recommend to the Parish Council that they grant variations to this UDC.
5. *Conditions.* In recommending variations, the Planning and Zoning Commission may suggest such conditions as in their judgment will secure substantially the objectives, standards, and requirements of the specific UDC regulation being varied.

Sec. 5.5.8 Minor Modifications of Plats or Parcel Lines

A. **Generally.** Minor modifications of existing plats or parcels of land are those that involve:

1. The realignment or shifting of lot boundary lines, including removal, addition, alignment, or shifting of interior lot boundary lines, or the redesignation of lot numbers, provided that the application meets the following requirements:
 - a. It does not involve the creation of any new street or other public improvement, except as otherwise provided in this subsection D.;
 - b. It does not involve more than the greater of:
 - i. Two acres of land; or
 - ii. Ten lots of record;
 - c. It does not reduce a lot size below the minimum applicable dimensional requirements for the type of development proposed; and
 - d. The resulting subdivision meets all applicable requirements of this UDC; or
2. Parcels of land where a portion has been expropriated or has been dedicated, sold, or otherwise transferred to the Parish, thereby leaving a severed portion of the original property which requires a redesignation of lot number and establishment of new lot boundary lines; or
3. The dedication, acceptance, relocation, or deletion of public utility servitudes, other than public roads or streets, or the deletion of gas, electric, or telephone utility servitudes acquired by private act or pursuant to the provisions of R.S. 19:1 *et seq.* on the property being resubdivided.

- B. **Required Approval.** Planning and Zoning Commission recommendation, followed by approval by the Parish Council.
- C. **Application Materials.** Applications shall require, at a minimum, the following information:
1. A copy of the existing recorded plat (for modifications of plats); or a survey of the area of a parcel to be modified, with enough detail to show the expropriated or dedicated parcel, its context with respect to the original parcel, and compliance with this UDC.
 2. A proposed plat containing the proposed parcel or lot lines, which demonstrates compliance with this UDC.
 3. For parcel modifications, a copy of the legal instrument (*e.g.*, deed or court order) which, if applicable:
 - a. Subdivided the parcel that is the subject of the application; or
 - b. Deleted an existing servitude.
- D. **Public Improvements.**
1. Subdivisions that are approved pursuant to this Section may involve:
 - a. The dedication, acceptance, relocation, or deletion of public utility servitudes, other than streets; or
 - b. The deletion of gas, electric, or telephone utility servitudes acquired by private act or pursuant to the provisions of R.S. 19:1, *et seq.* on the property being resubdivided.
 2. No subdivision may be approved under this Section if it does not connect to a public sewer system.
- E. **Certifications.** All plats approved or certified pursuant to this Section shall designate such fact on the plat and the plats shall be filed at the assessor of the Parish and recorded at the clerk of court of St. Mary Parish. Any plat so approved shall have the same force and effect and legal status of a standard subdivision plat.

Sec. 5.5.9 Major Modifications of Plats; Change of Subdivision Name

- A. **Generally.** Major modifications of plats are any modifications that are not considered minor modifications under Section 5.5.8, *Minor Modifications of Plats or Parcel Lines*.
- B. **Approval Required.** Planning and Zoning Commission recommendation, followed by approval by the Parish Council.
- C. **Application Materials for Major Modifications.** Applications for a major modification shall require, at a minimum, the following information:
1. A copy of the plat proposed to be modified;
 2. A sketch drawing that includes enough detail to show the context of the subdivision with respect to abutting property within 300 feet of any lot line;
 3. A proposed plat containing the proposed parcel or lot lines, which demonstrates compliance with this UDC;
 4. If site drainage is affected by the modification, a drainage plan.
- D. **Application Materials for Change of Subdivision Name.** Applications for a change of subdivision name (without other modifications) shall require, at a minimum, the following information:
1. A petition by all owners of lots in the subdivision;
 2. A copy of the revised plat, which shall be the same as the existing plat, but with the following additional text appearing on its face:
 - a. "This is an existing approved subdivision that is filing for a name change only. Approved by the Planning and Zoning Commission on ____ (date) ____"; and
 - b. A signature line for the Parish President.

Sec. 5.5.10 Combinations

- A. **Generally.** Combinations (except single-owner combinations, described in subsection E., below) are real estate transactions where property is split from one parcel and combined to an adjacent parcel. Combinations are a way for neighboring landowners to sell property to each other without extensive review.
- B. **Required Approval.** Approval of the Parish Council is required.
- C. **Application Materials.** Applications shall require, at a minimum, the following information:
1. A copy of the proposed deed.
 2. A sketch of the property that is the subject of the transaction.
 3. A sketch of the parent tract with the property that is the subject of the transaction removed.
 4. An executed covenant, to be recorded with the deed, that requires the property that is the subject of the deed to be combined with the purchaser's property under unity of title. The original lots or parcels of land that are combined pursuant to this Section are not considered to be "lots of record," and may not be separately conveyed to third parties except pursuant to this UDC.

D. **Approval Standards.** The Director shall approve combinations if it is demonstrated that:

1. The combination does not increase the lot area of a lot in a Existing Neighborhood (EN) district to more than two times the minimum lot area of the subdistrict, as set out in Section 1.8.2, *General Development Standards*.
2. The property that will be retained by the seller will meet the applicable requirements of this UDC with regard to:
 - a. Lot area;
 - b. Lot width;
 - c. Frontage;
 - d. Drainage; and
 - e. Access.
3. The transaction does not convey individual water or sewerage facilities that are needed to serve the property that will be retained by the seller; and
4. The combined parcels will have a relatively regular shape.

E. **Single-Owner Combinations.** Where "lots of record" (*i.e.*, lots created by formal subdivision prior to the effective date of this UDC) are held in common as of the effective date, said lots shall be combined to create a lot that conforms to this UDC, or if the holdings are insufficient to create a conforming lot, a combined lot that is more compliant with these regulations than the two separate lots.

CHAPTER 6 NONCONFORMITIES

DIVISION 6.1 PURPOSE AND APPLICATION OF CHAPTER

Sec. 6.1.1 Purpose

- A. **Generally.** The purpose of this Chapter is to specify how this UDC applies to and affects uses, buildings and structures that were legally established as of the effective date of this UDC but were not in full compliance with this UDC. In addition, amendments to this UDC may cause established uses, buildings and structures to fall into noncompliance, which is also addressed through this Chapter.
- B. **Unlawful Uses, Buildings, Structures, or Signs.** This Chapter does not authorize or legitimize uses, buildings or structures that were not legally established or constructed. Such uses, buildings, structures are not "legally nonconforming," but instead remain "unlawful," and are subject to all of the provisions of this UDC (including enforcement provisions) and any other applicable law. Likewise, this Chapter does not legitimize unlawful subdivisions of property that may have occurred before the effective date of this UDC.

Sec. 6.1.2 Application of Chapter

- A. **Generally.** This Chapter applies to uses, buildings, structures, landscaping, signs, parking, and lots that were lawfully constructed but do not conform to the requirements of this UDC.
- B. **Types and Classes of Nonconformities.** Set out in Division 6.2, *Types and Classes of Nonconformities*, are the different types of nonconformities and specifies to what degree nonconformities will be allowed to exist as is, to rebuild or after damage or destruction, or to be terminated or removed.
- C. **General Provisions.** Set out in Division 6.3, *General Provisions*, are the standards to which nonconformities may be brought into conformance.

- D. **Conversion of Nonconformities.** Set out in Division 6.4, *Conversion of Nonconformities*, are the standards to which an existing nonconformity may go through a process to remove the classification of "nonconforming."

DIVISION 6.2 TYPES AND CLASSES OF NONCONFORMITIES

Sec. 6.2.1 Nonconforming Uses

Generally. A nonconforming use is a use of land that was lawfully established (*i.e.*, it was allowed and issued a permit, if a permit was required at the time the use was established) on a parcel or lot before the effective date of this UDC, that is no longer allowed after the effective date of this UDC. Amendments to this UDC may also make uses nonconforming. The following uses are legally nonconforming uses:

- A. Uses that were lawfully established but are not currently listed as Permitted, Limited, or Specific Uses in the district in Division 1.3, *Permitted, Limited, Specific, and Prohibited Uses*.
- B. Uses that are listed as Limited Uses in the district in Division 1.3, *Permitted, Limited, Specific, and Prohibited Uses*, but were lawfully established without a limited use permit and do not comply with the applicable standards of Division 1.4, *Limited and Specific Use Standards*.
- C. Uses that are listed as Specific Uses in the district in Division 1.3, *Permitted, Limited, Specific, and Prohibited Uses*, but were lawfully established without a specific use permit. For these uses, the nonconforming use status may be removed by obtaining a specific use permit.
- D. Uses that were lawfully established within a floodplain or floodway, but are no longer permitted in the floodplain or floodway.

Sec. 6.2.2 Nonconforming Structures

Generally. A nonconforming structure is a structure other than a building that was lawfully constructed prior to the effective date of this UDC (or amendment hereto) that does not conform to the standards that are applicable to the same type of structure in the district in which the structure is located. The following are illustrative examples of nonconforming structures:

- A. Fences or garden walls that do not comply with the height, setback, or materials standards of this UDC; and
- B. Structures that are located in floodplains, floodways, or open space areas that do not comply with the applicable regulations of this UDC.

Sec. 6.2.3 Nonconforming Lots

- A. **Generally.** Nonconforming lots are lots that were lawfully created before the effective date of this UDC or amendments hereto, but which no longer comply with the lot width, frontage, area, or access requirements of this UDC.
- B. **Exception.** All lots within EN districts that were lawfully created before the effective date of this UDC are conforming, regardless of their dimensions.

Sec. 6.2.4 Nonconforming Manufactured Home Subdivision and Park

- A. **Generally.** Any manufactured home park or manufactured home subdivision, which is lawfully existing and occupied on the effective date of the provisions of this UDC, and which does not comply with all applicable provisions of this UDC, shall be considered a nonconforming manufactured home park or nonconforming manufactured home subdivision and may continue as a nonconforming use provided the park shall not be discontinued as set out in Section 6.3.3, *Abandonment*.
- B. **Expansion.** Any addition of land to a nonconforming manufactured home park or manufactured home subdivision must conform to all requirements of this UDC.

- C. **Unit Placement and Replacement.** The placement or replacement of a manufactured home on any lot within a nonconforming manufactured home park or manufactured home subdivision shall be permitted, provided such placement complies with all requirements of this UDC.

Sec. 6.2.5 Nonconforming Mobile Homes and Manufactured Homes

Generally. Mobile homes and manufactured homes lawfully existing and occupied within the Parish prior to the effective date of this UDC, shall be allowed to continue and be maintained. No expansion or enlargement of a mobile home shall be allowed.

Sec. 6.2.6 Nonconforming Airport Uses

- A. **Regulations Not Retroactive.** The regulations prescribed in Division 1.5, *Airport Zoning*, shall not be construed to require the unreasonable removal, lowering, or other changes or alteration of any structure or tree not conforming to the regulations as of the effective date of Division 1.5, *Airport Zoning*, or otherwise interfere with the continuance of a nonconforming use. Nothing contained in Division 1.5, *Airport Zoning*, shall require any unreasonable change in the construction, alteration, or intended use of any structure, the construction or alteration of which was begun prior to the effective date of Division 1.5, *Airport Zoning*, and was diligently prosecuted.
- B. **Marking and Lighting.** Notwithstanding the preceding provisions of this Section, the owner of any existing nonconforming structure or tree is hereby required to permit the installation, operation, and maintenance thereon of such markers and lights as shall be deemed necessary by the assistant secretary, office of aviation, department of transportation and development to indicate to the operators of aircraft in the vicinity of the airport the presence of such airport hazards. Such markers and lights shall be installed, operated, and maintained at the expense of the state department of transportation and development.
- C. **Nonconforming Uses Abandoned or Destroyed.** Whenever the assistant secretary, office of aviation, department of transportation and development advises the Parish that it has been determined that a nonconforming tree or structure has been abandoned or more than 80 percent torn down, physically deteriorated, or decayed, no permit shall be granted that would allow such structure or tree to exceed the applicable height limit or otherwise deviate from this UDC.

DIVISION 6.3 GENERAL PROVISIONS

Sec. 6.3.1 Generally

- A. **Generally.** Except as specified in this Chapter, any land use, building or structure existing at the time of enactment of this UDC, or the enactment of any applicable amendments, may be continued even though such use, building or structure may not conform to the provisions of this UDC for the district in which it is located.
- B. **Nonconforming Accessory Buildings and Structures.** Continuation of nonconforming accessory uses and nonconforming accessory buildings and structures may occur subject to the same provisions governing the continuation of nonconforming principal uses, buildings and structures. However, if a nonconforming use is later terminated, an accessory use on the same property may only continue if such accessory use complies with this UDC.
- C. **Change in Ownership and/or Occupancy.** The status of nonconforming uses and nonconforming structures is not affected by ownership and/or occupancy change, except as otherwise provided.
- D. **Other Violations.** This Chapter shall not apply to any use, building or structure established in violation of any ordinance previously in effect in the Parish.
- E. **Repair and Maintenance.** Normal maintenance and incidental repair may be performed on a complying structure that contains a nonconforming use or on a nonconforming structure. This UDC shall not be interpreted to prevent the strengthening or restoration to a safe condition of a structure in accordance with an order of the Director who declares a structure to be unsafe and orders its restoration to a safe condition.

Sec. 6.3.2 Elimination of Nonconforming Status

- A. **Elimination of Nonconforming Uses.** The owner of a nonconforming use may attempt to eliminate the nonconformity by:
1. Replacing the existing use with a conforming use;
 2. Requesting a zone change to a district in which the use is permitted; or
 3. Moving the use to a district in which the use is permitted.
- B. **Elimination of Nonconforming Structures.** The owner of a nonconforming structure may attempt to eliminate the nonconformity by:
1. Modifying the structure to conform;
 2. Requesting a zone change to a district in which the structure would conform;
 3. Applying for a variance to the area or height regulations with which the structure does not comply;
 4. Undertaking real estate transactions, provided adjacent land is available and any necessary re-subdivision is feasible, to enlarge the property sufficiently to conform with building setback or coverage requirements; or
 5. Moving the structure to a district in which the structure would conform.

Sec. 6.3.3 Abandonment

- A. **Generally.** A nonconforming use of land or of a structure shall be considered abandoned if the use is discontinued or the land or structure remains vacant for a continuous period of six months. Any such nonconforming use may not be re-established or resumed after abandonment occurs. Any subsequent use or occupancy of the land or structure must conform to this UDC for the district in which it is located. Any such period of discontinued use or occupancy that is caused by government action, fire or natural calamities and without any contributing fault by the nonconforming user shall not be considered in determining abandonment status.
- B. **Overcoming an Abandonment Determination.** An abandonment determination may be rebutted upon showing to the satisfaction of the Director that during such period the owner of the land or structure has been:
1. Maintaining the land and structure in accordance with Parish building regulations and other applicable ordinances and not intending to discontinue the use;
 2. Actively and continuously marketing the land or structure for sale or lease for that particular nonconforming use; or
 3. Engaging in other activities that would prove there was not intent to abandon.

Sec. 6.3.4 Enlargement

- A. **Generally.** A nonconforming use may not be enlarged, expanded or extended to occupy all or a part of another structure or property that it did not occupy on the effective date of this UDC. However, a nonconforming use may be extended within the same structure, provided no structural alteration of the structure is proposed or made for the purpose of the extension.
- B. **Exemption.** The enlargement, expansion or extension of a nonconforming residential use shall be excepted from this limitation, provided that the enlargement, expansion or extension does not exceed 50 percent of its appraised value as it existed prior to the enlargement, expansion or extension; it was not destroyed to the extent of 50 percent or more; and, it complies with all other regulations (*e.g.*, height, setbacks, etc.) for the property on which it is located.

Sec. 6.3.5 Alteration of a Structure with a Nonconforming Use

Generally. Exterior or interior remodeling or improvements to a structure containing a nonconforming use shall be allowed provided there is no expansion of the nonconforming use.

Sec. 6.3.6 Moving a Nonconforming Use

Generally. A structure containing a nonconforming use may not be relocated to another site unless the use shall conform to the regulations of the district into which the structure is relocated.

Sec. 6.3.7 Change of Nonconforming Nonresidential Use

Generally. Upon application to the Director, a nonconforming use may be changed to another nonconforming use of the same or similar type or intensity, or of less intensity. Whenever any nonconforming nonresidential use is changed to a less intensive nonconforming nonresidential use, such use shall not be changed back to a more intensive nonconforming nonresidential use. Whenever any nonconforming nonresidential use is changed to a conforming use, such use shall not later be changed to a nonconforming use.

Sec. 6.3.8 Destruction of Structure with Nonconforming Use

Generally. If a structure that contains a nonconforming use is destroyed to the extent of 50 percent or more of its appraised value by fire or natural calamity or is voluntarily razed or is required by law to be razed, the nonconforming use shall not be resumed. The determination of the extent of damage or destruction shall be based on the ratio of the estimated cost of restoring the structure to its pre-existing condition to the estimated cost of duplicating the entire structure as it existed prior to the damage or destruction.

Sec. 6.3.9 Nonconforming Structures

- A. **Repair, Maintenance, Alteration and Enlargement.** Any nonconforming structure may be repaired, maintained, altered or enlarged; provided, however, that no such repair, maintenance, alteration or enlargement shall either create any new noncompliance or increase the degree of the existing noncompliance of all or any part of such structure.
- B. **Moving a Nonconforming Structure.** A nonconforming structure shall not be moved in whole or in part, for any distance whatsoever, to any other location on the same or other property unless the entire structure shall thereafter conform to the regulations of the district in which it is located after being moved.
- C. **Damage or Partial Destruction.** If a nonconforming structure is damaged or destroyed by fire or natural calamity to the extent of 50 percent or less of its appraised value, the structure may be restored if restoration is started within six months and diligently pursued to completion. Any delay in starting such restoration that is caused by government action or natural calamities and without contributing fault by the owner shall be deducted in calculating the starting date of restoration.

Sec. 6.3.10 Nonconforming Lots

Generally. Notwithstanding the minimum requirements for lot size within the various zoning districts, structures may be constructed, built, moved onto, expanded, reconstructed, occupied or used on a nonconforming lot of record that existed prior to the effective date of this UDC, or any later amendments, provided all such structures shall meet all other applicable requirements of this UDC and other applicable Parish ordinances.

Division 6.4 Conversion of Nonconformities

Sec. 6.4.1 Purpose

Generally. Many nonconforming uses have existed for a period of time, and some may have only recently become nonconforming. In many instances, nonconforming uses are integral parts of the Parish's fabric, that is, its character and function, so their continuing existence promotes the Parish's policy objective of protecting its neighborhoods. In these instances, the classification "nonconformity" and resulting restriction on investment may not be what the community desires. As such, the use may be made conforming pursuant to this Division in order to remove the potential stigma that may be associated with the "nonconforming" designation.

Sec. 6.4.2 Procedure

- A. **Generally.** An owner of a nonconforming use may apply for a specific use permit which has the effect of making the nonconforming use conforming. The procedures for specific use approval are set out in Section 5.4.3, *Specific Use Permits*.
- B. **Exclusions.** This procedure does not apply to nonconforming lots.

Sec. 6.4.3 Criteria for Approval

- A. **Generally.** A specific use approval may be granted to make a nonconforming building, structure, use, or sign conforming, if, in addition to the criteria for approval of a specific use set forth in Section 5.4.3, *Specific Use Permits*, all of the criteria of this Section are satisfied.
- B. **Approval Criteria.** The use, as conducted and managed, has minimal nonconformities and has been integrated into the neighborhood's (or district's if it is not in or adjacent to a residential neighborhood) function, as evidenced by the following demonstrations:
1. The neighborhood residents regularly patronize or are employed at said use (for nonresidential uses in or abutting residential neighborhoods).
 2. Management practices eliminate nuisances such as noise, light, waste materials, unreasonably congested on-street parking, or similar conflicts.
 3. There is no material history of complaints about the use (a history of complaints is justification for denying the specific use permit, unless the conditions of the permit will eliminate the sources of the complaints).
 4. The use has been maintained in good condition and its classification as a nonconformity would be a disincentive for such maintenance.
- C. **Conditions.** Conditions may be imposed relative to the expansion of bufferyards, landscaping, or other site design provisions, or other limitations necessary to ensure that, as a conforming use, the use will not become a nuisance. Such conditions may relate to the lot, buildings, structures, or operation of the use.

Sec. 6.4.4 Effect and Annotation

- A. **Generally.** Uses that comply with the terms of a specific use permit issued in accordance with this Division are converted from "legally nonconforming uses" to "conforming uses" by virtue of the issuance of the permit.
- B. **Written Approval.** Specific use approvals shall be provided to the applicant in writing and may be recorded by the applicant at the applicant's expense.
- C. **Annotation of Official Zoning District Map.** Upon granting a specific use permit and the applicant's demonstration of compliance with any conditions placed upon it, the Director shall place an annotation on the official zoning district map that states that the property has a specific use permit, as well as the permit number and date of approval.

CHAPTER 7 ENFORCEMENT, REMEDIES, AND INTERPRETATION

DIVISION 7.1 PURPOSE AND APPLICATION OF CHAPTER

Sec. 7.1.1 Purpose of Chapter

Generally. The purpose of this Chapter is to set out the procedures for enforcing this UDC, the remedies available to the Parish for violations, and how this UDC should be interpreted.

Sec. 7.1.2 Application of Chapter

- A. **Generally.** This Chapter provides the general process for enforcing the UDC, and the general remedies that are available to the Parish. However, the Chapter is not intended to bar the Parish from using other enforcement procedures as are lawful and appropriate, nor is it intended to elect remedies. The Parish may take any lawful action to remedy violations of this UDC, including seeking any remedy and / or imposing any penalty that is available under this UDC, state law or administrative rules promulgated thereunder, or federal law.
- B. **Penalties and Violations.** In Division 7.2, *Enforcement and Remedies*, the Director is designated as the responsible official for administering and enforcing the provisions of this UDC and it details various violations and enforcement procedures and the remedies available.
- C. **Interpretation.** Set out in Division 7.3, *Interpretation*, are the steps for objectively interpreting the provisions found throughout this UDC.

Division 7.2 Enforcement and Remedies

7.2.1 Violations, Generally

- A. **Civil Nature of Violations.** The civil regulations of the building permit, planning and zoning, subdivision and development, and Uniform Construction Code Ordinances within the unincorporated areas of St. Mary Parish shall be governed by the provisions of this Section. Any violation prohibited by this Section shall be a civil violation only, and no criminal penalty will be imposed for its commission. For purposes of this Section, a violation is the non-compliance of any provision of this UDC and Uniform Construction Code Ordinances and/or any provision of this Section. The provisions of this Section shall in no way be viewed as an abrogation of the criminal enforcement provisions provided for under state statutes, or in the ability of a law enforcement officer who in the course of his official duties witnesses an act in violation of the aforementioned statutes and issues a citation therefor. The Director is hereby authorized and directed to administer the provisions of this Section. In carrying out his/her administrative duties, the officer shall:
 - 1. *Procedures.* Establish and administer rules and regulations for proceedings within the office and the violation adjudication bureau, together with the maintenance of regular forms for any such proceedings regarding the operations of the office, subject to review and approval of the Chief Administrative Officer.
 - 2. *Record of Actions.* Maintain records of all actions taken by the office in the administration of the provisions of this Section.
 - 3. *Violation Adjudication Bureau Hearings.* Intervene for and on behalf of the Parish in all hearings before the bureau; present facts and information to assist the bureau in reaching a decision; and, resist and oppose any deviations from the provisions of this Section, when necessary.
 - 4. *Investigations and Surveys.* Conduct investigations and surveys to determine compliance or non-compliance with the provisions of this Section. Incidental to such surveys and investigations, the officer, or his duly authorized representative, may enter into and upon any land or structure to be inspected and examined.
 - a. **Right of Entry.** Whenever it is necessary to make an inspection to administer any of the provisions of this Section, the officer or his duly authorized representative, may enter upon such property, at all reasonable times, to perform his duties. If such property is occupied, he shall first present proper credentials and request entry. If entry is refused, then the officer or his duly authorized representative, shall have recourse to every remedy provided by law to secure entry onto the property or entrance into the structure.
 - 5. *Enforcement.* Issue written warnings, citations and orders requiring compliance with the provisions of this Section. Such citations and/or orders shall be served personally or by certified or registered mail upon the person, firm, corporation, or proprietary party deemed by the officer to be violating the provisions of this Section; provided, however, that if such person, firm, or corporation is not the owner of

the land or the structure in which the violation is deemed to exist or to have occurred, a copy of the order shall be sent by certified or registered mail to the owner of such land or structure, with the owner to be determined from the tax roll for the preceding year in the office of the Tax Assessor of St. Mary Parish. The date of mailing shall be deemed the date of service of any citation or order served by certified or registered mail.

- a. The Director shall have the discretion to issue a warning to any person, firm, corporation, proprietary party or occupant of the necessity to abate the existence of a violation of this Section. The warning may be issued verbally or by posting a placard directly onto the violating property giving notice of the violation. No more than 15 days shall be allowed for abatement of the violation. Failure to comply with the warning shall result in the issuance of a written citation.

B. Violation Warnings, Forms, Required Contents, Form of Service.

1. The violation warning shall be the preliminary notice of a violation of this Section.
2. The warning shall contain information containing the nature, date, time, and location of the alleged violations; the corrective action to be taken to abate the violation, and the time period not to exceed 15 days in which the corrective action is to be completed.
3. The warning shall also contain information advising the person that failure to abate the violation in accordance with the issued warning will result in the issuance of a written citation, and the assessment of fines incidental thereto.

C. Violation Citation Forms.

1. The violation citation shall be the notice of violation for purposes of this Section.
2. The citation shall contain information concerning the nature, date, time, and location of the alleged violation; the corrective action to be taken to abate the nuisance, the fine assessed, and the time period in which the fine is to be paid and the corrective action is to be completed.
3. The citation shall also contain information advising the person charged of the manner and time in which he/she may contest the violation charged in the notice. The citation shall also provide that a failure to timely answer or appear before the hearing examiner shall be considered a prima facie admission of the violation set forth in the violation citation, in which the hearing examiner may assess the appropriate fine, administrative costs, and issue the abatement order.

D. Service of Violation Citations.

1. Except as provided for in subsection D.6., of this Section, a violation citation shall be served personally or by certified or registered mail upon the person, firm, corporation, or proprietary party deemed by the officer to be violating the provisions of this Section; provided, however, that if such person, firm, or corporation is not the owner of the land or the structure in which violation is deemed to exist or to have occurred, a copy of the citation shall be sent by certified or registered mail to the owner of such land or structure with the owner to be determined from the tax roll for the preceding year in the office of the Tax Assessor of St. Mary Parish. The date of mailing shall be deemed the date of service of any citation or order served by certified or registered mail or personally upon the occupant of the property who is present at the time of service. If the occupant is not so served, or is not present, the violation citation shall be served upon the recorded owner of the property.
2. The original violation citation shall bear the name or initials, title and contact number of the issuing officer, who shall affirm the truth of the facts set forth therein.
3. In the event that the violation citation is refused by either occupant or owner of the property on which the violation is located, this fact shall be duly noted on the original and all copies of the citation.
4. The original and all copies of a citation shall constitute a business record of the Parish, and shall constitute prima facie evidence that the citation was issued and that an attempt at service thereof was made in accordance with the provisions of this Section.
5. Notice of one co-owner by any method shall be deemed to be notice to all other co-owners.

6. Absentee or unknown owners. If the owner of the property is unknown and cannot be ascertained, or if attempts to serve notice of violation and citation by certified or registered mail or personal service have been unsuccessful, notice of the nature and location of the violation shall be published once in the official journal of the Parish or in a daily newspaper in general circulation in the geographical area of the Parish of which the violation exists and such publication shall be deemed to be notice to the owner of the property upon which the violation is found to occur. Notice to one co-owner by any method shall be deemed to be notice to all other co-owners.

E. **Disposition of Citations.** The original citation shall be processed in accordance with the provisions of this Section, and such other procedures as may be established and promulgated by the Chief Hearing Examiner subject to the approval of the Parish Council.

F. **Creation of the Violation Adjudication Bureau.**

1. *Violation Bureau Established.* There is hereby created and established within the Department, and administratively assisted by the Director, a violation adjudication bureau which shall have jurisdiction of violations of any civil regulations of this UDC or the Uniform Construction Code Ordinances, as provided for in this Section. Pursuant to the provisions of the St. Mary Parish Home Rule Charter, the Chief Administrative Officer, with the approval of the Parish president, shall contract for the services of a Chief Hearing Examiner and/or other hearing examiners who shall preside at hearings for the adjudication of violations of this Section.

a. The Chief Hearing Examiner shall supervise the operations of the bureau, and all other hearing examiners.

b. Each hearing examiner shall be a resident of the Parish of St. Mary, and shall have been admitted to the practice of law in the state.

c. A hearing examiner shall be selected from the list of qualified candidates who are members of the St. Mary Parish Bar Association. Such hearing examiners shall not be employees of the Parish.

2. *Functions, Powers and Duties.* The violation adjudication bureau, organized, supervised, and headed by Chief Hearing Examiner, shall have the following functions, powers, and duties:

a. To accept admissions to and to hear and determine contests of violations under the provisions of this Section.

b. To issue subpoenas to compel the attendance of a person to give testimony at hearings and to compel the production of relevant books, papers, and other things.

c. To adjudicate all violations for which a citation has been issued under this Section.

d. To compile and maintain complete and accurate records relating to all citations, violations and/or dispositions of violations and citations; and, upon request, to provide complete and accurate transcripts of all hearings conducted by the bureau and to furnish such transcripts to the violator, at said violator's expense.

e. To answer, within a reasonable period of time, all relevant and reasonable inquiries made by a person charged with a violation, or his/her attorney concerning the notice of violation served upon that person. The bureau must also furnish within a reasonable period of time to the person charged, on his request, and upon complying with the regulations of the bureau, a copy of the original notice of violation, including all information contained thereon. Failure by the bureau to comply with the provisions of this subsection or any part of the provisions of this subsection, within 45 days of such inquiry, forwarded to the bureau by certified or registered mail, return receipt requested, will result, on request of the person charged, in an automatic dismissal of all charges relating to and only to that notice of violation to which the inquiry was made.

f. To determine whether the violation should be removed or any other method deemed appropriate in the abatement of the violation.

g. To assess civil fines in the abatement of the violation and to assess and collect administrative costs incurred in the abatement of the violation.

G. **Citation as Legal Demand and Prima Facie Evidence.** The original violation citation or any true copy thereof shall constitute an ordinary business record of the Parish , and prima facie evidence of the facts contained therein.

H. **Responsibility of Owner and Occupant.** The owner and the occupant of the land and/or structure on which the violation is located, when not the same, shall be solitarily liable to the Parish for the violations, unless the owner can prove that the violation occurred without his consent, expressed or implied. An owner who pays any violation fines, abatement costs, or administrative fees pursuant to this Section, shall have the right to recover the same from the occupant.

I. **Answering Violation Citations.**

1. A person to whom a violation citation has been issued under this Section may answer to the same in the manner and within the delays indicated on the citation. An answer may take the form of:
 - a. Admission of the violation with payment of the scheduled civil penalty/fine and abatement of the violation in accordance with the directive issued and within the time period specified on the citation;
 - b. A written denial of liability and promise to appear at the adjudicatory hearing; or
 - c. A written admission of liability with explanation and promise to appear at the adjudicatory hearing.
2. Payment of the civil penalty/fine may be made either in person or by mailing to the agent designated by the Parish, provided however, that such payment is made only by money order or by check and made to the order of the Parish. Payment of the civil penalty and verification by the officer of the abatement of the violation shall operate as a final disposition of the case. Failure to abate the violation in conjunction with the payment of the civil penalty will result in the payment being forfeited and the matter being continued. Conversely, abatement of the violation without payment of the civil penalty will result in the matter being continued.

J. **Failure to Answer Violation Citations; Additional Penalties.** If the owner and/or occupant fails to either respond appropriately to the citation or appear at the adjudicatory hearing, there shall be assessed an additional penalty in the amount equal to the original fine. The bureau shall issue the appropriate order to the owner and/or occupant or their agent to appear at a specified subsequent hearing to respond to the citation issued.

K. **Notice of Hearing.** Whenever a person charged with a violation either fails to respond, denies liability, or admits liability with explanation, the violation adjudication bureau shall advise such person personally or by U.S. Mail, postage prepaid, of the date on which he must appear to answer the charge at a hearing. The form and content of such notice of hearing shall be prescribed by the Chief Hearing Examiner, and shall contain the warning to advise the person that failure to appear on the date designated or on any subsequent date, to which the hearing is adjourned, shall be deemed an admission of liability.

L. **Adjudication by Mail.**

1. In cases where a person charged with a violation shows good cause for not attending a hearing, either personally or through a representative, the hearing examiner may permit the matter to be adjudicated by mail which adjudication shall be made within 60 days of the date of the citation. Letters, memoranda, affidavits, photographs, or other documentary material shall be admissible as evidence for the purposes of adjudications by mail. The hearing examiner may exclude from consideration any material which is not relevant to the adjudication of the alleged violation.
2. Failure of the person charged to proceed with an adjudication by mail, after requesting and receiving permission to adjudicate by mail, shall constitute an admission by the person charged with liability of the violation, and shall subject the person, who requested the adjudication by mail, to the appropriate fines and costs assessed by the violation adjudication bureau.
3. If a hearing examiner determines that an adjudication cannot proceed by mail, the violation adjudication bureau shall advise the person charged by first class mail that he must appear to answer the charges at a hearing.

M. **Hearings for Dispositions of Violation Citations.**

1. Every hearing for the adjudication of a charge of violation under the authority of this Section shall be held before a hearing examiner.
2. The conduct of hearings of violations charged under this Section shall be governed by the rules of evidence of the Administrative Procedures Act, R.S. 49:951 et seq.
3. The Parish shall have the burden of proving the violation by a preponderance of evidence; however, proof that a particular violation, described in the violation citation, was in violation of the provisions of this Section, together with the proof that the person was, at the time of the violation, either the owner of the property on which the violation was occurring or was the occupant of the property on which the violation was occurring and was responsible for its existence shall be as follows:
 - a. Said proof of ownership that the person was, at the time of the violation, the owner of the property on which the violation was occurring shall be in the form of a written statement from the assessor's office.
 - b. In the case of the violation occurring on the property on which the responsible party was an occupant of the property and not the owner of same, said proof shall be in the form of either the signature of the occupant on the citation, or a written statement from the owner of the property attesting to the fact that, as owner, the responsibility for occurrence of the violation was the occupant of the property.
 - c. The aforementioned proof shall constitute an ordinary business record of the Parish; and further, constitute a prima facie presumption that the owner or occupant, whichever the case may be, was the party responsible for the violation.
 - d. The duly authorized person who issued the citation shall not be required to appear at the hearing, unless the person charged with the violation herein has denied that the offense occurred; or the hearing examiner determines that the authorized persons presence is required. The hearing examiner may grant one postponement, if the authorized person is unavailable at the time of the hearing.
 - e. At the conclusion of the contradictory hearing, the hearing examiner shall immediately render a decision, either finding the person cited liable, ordering the abatement of the violation within the specified time period, and assessing the fine and administrative cost or a portion thereof; or declaring the violation unproven and/or invalid pursuant to R.S. 49:958.

N. Failure to Appear at Hearing; Consequences. In addition to the provisions set forth in other subsections of this Section, failure to appear at a hearing when required to appear shall constitute an admission of liability of the violation and shall subject the person charged with a violation herein to the appropriate fines, administrative costs and abatement costs assessed by the violation adjudication bureau, acting through a hearing examiner in the remedying of the violation.

O. Schedule of Fines; Administrative and Abatement Costs.

1. The following rates for violation fines within the unincorporated areas of the Parish under this Section are as follows:
 - a. For the first violation up to \$100.00 per day of violation.
 - b. For the second violation up to \$200.00 per day of violation.
 - c. For the third and subsequent violations, up to \$500.00 per day of violation.
 - d. Administrative fees. A schedule of administrative fees shall be established by the Director subject to the approval of the Chief Administrative Officer and with the concurrence of a majority of the Parish Council. Administrative fees shall include but not be limited to the costs associated in the investigation of property to determine if a violation is occurring, determining ownership, processing the notice and citation, serving, sending and/or providing notice to the owner, attendance at hearings, and any other administrative tasks required in the proper enforcement of the provisions of this Section.

P. Rehearings.

1. There shall be a review examiner, appointed by the Chief Hearing Examiner, within the violation adjudication bureau.
2. A request for review of a decision of any hearing examiner shall be submitted to the review examiner within 15 days of the original hearing examiner's decision. The review examiner shall have the power to review the facts and the law in order to affirm, reverse or modify any original decision for error of fact or law.

Q. Judicial Review. The decision of the review examiner shall be the final decision by the Parish. Any person or persons, aggrieved by any decision may file a petition for a judicial review to the Civil District Court of the Parish of St. Mary, within 30 days after the date of the entry of the decision, pursuant to the provisions of R.S. 49:964.

R. Method of Notice. Any notice permitted or required to be given by the violation adjudication bureau in the proper conduct of its business, as specified herein, shall be considered given when mailed by U.S. Mail, postage prepaid, to the owner or occupant at the address appearing in the official property ownership records of the St. Mary Parish Assessor's Office. Notice to one co-owner shall serve as notice to all other co-owners.

S. Disposition of Monetary Penalties. The monies collected pursuant to operations of the violation adjudication bureau shall be forwarded to the Parish treasurer, who shall deposit same to the credit of the Parish of St. Mary.

T. Penalty for Violation of Airport Regulations. Each violation of Division 1.5, *Airport Zoning*, or of any regulation, order, or ruling promulgated in Division 1.5, *Airport Zoning*, shall constitute a misdemeanor and be punishable by a fine of not more than \$100.00 or imprisonment for not more than 90 days, or both. Each day a violation continues to exist shall constitute a separate offense.

Sec. 7.2.2 Enforcement Procedures

Generally. If a building or other structure is erected, constructed, reconstructed, altered, repaired, converted or maintained or if a building, other structure or land is used in violation of this UDC, the Parish may institute appropriate action to:

- A. Prevent the unlawful erection, construction, reconstruction, alteration, repair, conversion, maintenance or use;
- B. Restrain, correct or abate the violation;
- C. Prevent the occupancy of the building, structure or land; or
- D. Prevent any illegal act, conduct, business or use on or about the premises.

Sec. 7.2.3 Enforcement of Division 1.5, Airport Zoning

- A. **Generally.** It shall be the duty of the Chief Administrative Officer to administer and enforce the regulations prescribed in Division 1.5, *Airport Zoning*. Applications for permits and variances shall be made Chief Administrative Officer.
- B. **Application.** Applications required by Division 1.5, *Airport Zoning*, are to be submitted to the Chief Administrative Officer and shall be promptly considered and granted or denied by the applicable administrative body with jurisdiction.

Sec. 7.2.4 Remedies

- A. **Generally.** The Parish may pursue any appropriate remedy to redress a violation of this UDC.
- B. **Penalties for Violation.**
 1. Any person who violates or fails to comply with this UDC, or who builds or alters any building or structure in violation of any plan or statement submitted and approved hereunder, shall be guilty of a misdemeanor and be liable to a fine pursuant to Section 2-11.A(2), and Section 2-18, *Powers of Enforcement*, of the Charter of St. Mary Parish, Louisiana.

2. Whoever, be it 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 uses of a plat of a subdivision, before such plat has been accepted by the Parish Council and recorded or filed in the office of the clerk of court of the Parish, shall pay a penalty of \$500.00 for each lot or parcel so transferred or sold or agreed or negotiated to be sold; and the description of such lots or parcels 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 Parish may enjoin such transfer or sale or agreement by suit for injunction, brought in any court of competent jurisdiction or may recover the penalty by a civil action in any court of competent jurisdiction.

DIVISION 7.3 INTERPRETATION

Sec. 7.3.1 Interpretations

- A. **Generally.** The Director shall have authority to make all written interpretations concerning the provisions of this UDC.
- B. **Request for Interpretation.** A request for interpretation shall be submitted to the Director on a form established by the Director and made available to the public.
- C. **Interpretation by Director.** The Director shall:
 1. Review and evaluate the request in light of the text of this UDC, the official district zoning map, the Comprehensive Plan and any other relevant information;
 2. Consult with other staff, as necessary; and render an opinion.
 3. Provide the interpretation to the applicant in writing on a form specified by the Director.
- D. **Official Record.** The Director shall maintain an official record of interpretations. The record of interpretations shall be available for public inspection during normal business hours.
- E. **Appeal.** Appeals of written interpretations shall be filed only by a party affected by the written interpretation with the Board of Adjustment within 30 days of the decision in conformance with Section 5.4.5, *Appeals of Administrative Decisions*. If no Appeal of Administrative Decision is filed within 30 days, the written interpretation shall be considered contractually agreed to by the applicant and shall be final.

CHAPTER 8 TITLE; AUTHORITY; PURPOSE; AND LEGAL STATUS

DIVISION 8.2 TITLE; AUTHORITY; JURISDICTION; EFFECTIVE DATE

Sec. 8.2.1 Title; Reference

- A. **Title.** The Code shall be known as the St. Mary Parish Unified Development Code.
- B. **Reference.** The St. Mary Parish Unified Development Code may hereinafter be referred to as "this UDC."

Sec. 8.2.2 Authority and Jurisdiction

These regulations are adopted under authority granted by the Constitution and Laws of the State of Louisiana and pursuant to provisions of the Charter and Ordinances of St. Mary Parish, Louisiana. St. Mary Parish wishes to exercise all its power allowed under the police powers of the United States Constitution, the Louisiana Constitution, and Louisiana Revised Statute 33:4780.40, *Zoning Regulations for Parishes*, as amended. This UDC shall be effective throughout all unincorporated portions of St. Mary Parish, excluding lands under the authority and jurisdiction of state and federal agencies and other governmental authorities including the Chitimacha Tribe of Louisiana, Bayou Teche National Wildlife Refuge Atchafalaya Delta Wildlife Management Area and Attakapa Wildlife Management Area.

Sec. 8.2.3 Effective Date

This UDC and subsequent amendments shall become effective from and after the date of their approval and adoption as provided by law.

Division 8.3 Legislative Intent; Purpose and Intent

Sec. 8.3.1 Legislative Intent

This UDC is adopted in accordance with and is intended to implement the policies and plans contained within the St. Mary Parish Comprehensive Plan as adopted by the Parish Council in 2002 and which may be amended from time to time. All zoning district amendments shall conform to the policies and planning guidance in the comprehensive plan. As part of ongoing long-range planning for the Parish, the Parish's elected and appointed leaders and its citizens have determined that:

- A. As a largely rural parish, St. Mary Parish does not have an extensive infrastructure public investment to support development. If development is not carefully planned, the costs of roads, water systems, and sewer systems can quickly accelerate the pressure to raise taxes.
- B. As the location for a large number of industrial plants, St. Mary Parish must carefully manage residential and commercial development close to these plants, in order to protect the public safety.
- C. St. Mary Parish occupies an extensive flood plain which can create serious construction and public safety problems with concentrated development.
- D. If growth is not carefully managed, development may destroy the rural character of St. Mary Parish, which represents a valuable property right to the residents of the Parish.
- E. To protect property rights and manage public investments, the Parish Council has enacted these regulations to establish a clear plan for growth in St. Mary Parish.

Sec. 8.3.2 Purpose and Intent

The UDC is adopted for the purpose of protecting the health, safety and general welfare of the residents, citizens and inhabitants of St. Mary Parish, Louisiana. In accordance with Louisiana Revised Statute 33:4780.42, *Purpose of Regulations*, as amended, this UDC is designed to:

- A. Lessen congestion in the public streets;
- B. Secure safety from fire;
- C. Promote health and general welfare;
- D. Provide adequate light;
- E. Avoid undue concentration of population; and,
- F. Facilitate adequate transportation, water supply, sewerage, schools, and parks and meet other public requirements for the benefit of the citizens of St. Mary Parish.

Division 8.4 Conflicting Provisions; Transitional Provisions; Severability

Sec. 8.4.1 Conflicting Provisions

- A. In their interpretation and application, the provisions of this UDC shall be held to be minimum requirements (including cases where minimum requirements are stated as a maximum standard) adopted for the promotion of public health, safety and general welfare.
- B. In accordance with Louisiana Revised Statute 33:4780.49, *Conflicting Regulations; Higher Standards to Apply*, as amended, whenever the regulations made under the authority of this UDC impose higher standards than are required in any other statute or local ordinance or regulation, the provisions of this UDC shall govern. Whenever the provisions of any other statute, local ordinance or regulation impose higher standards than are required by this UDC, the provisions of such statute, local ordinance or regulation shall govern.

- C. The provisions of these restrictions are not intended to restrict, conflict with, interfere with, or supersede the powers of the state through its agencies to regulate, permit, or enforce environmental laws and regulations nor are they intended to restrict, conflict with, interfere with, or supersede activities operating in accordance with authorized state of federal permits, laws, or regulations.
- D. The provisions of this UDC are not intended to abrogate any covenants, conditions, or restrictions, servitude or any other private agreement or restriction on the use of land. Provided that where the provisions of this UDC are more restrictive or impose higher standards than a private restriction, the requirements of this UDC shall control. Private restrictions shall not be enforced by the Parish.

Sec. 8.4.2 Transitional Provisions

Nothing in this UDC shall require any change in plans, construction, size or designated use of any building, structure or part thereof that has been granted a building permit prior to the effective date of this UDC, or any amendment to this UDC, provided construction shall begin consistent with the terms and conditions of the building permit and proceed to completion in a timely manner.

Sec. 8.4.3 Severability

If any Chapter, Division, Section, subsection, paragraph, subdivision, clause, phrase or provision of this UDC shall be adjudged invalid, or held unconstitutional, the same shall not affect the validity of the UDC as a whole or any part of provisions thereof, other than the part so decided to be invalid or unconstitutional.

CHAPTER 9 MEASUREMENTS AND DEFINITIONS

DIVISION 9.1 PURPOSE AND APPLICATION OF CHAPTER

Sec. 9.1.1 Purpose of Chapter

The purpose of this Chapter is to define what the words mean and establish the methodologies for the calculations and measurements that are required by this UDC.

Sec. 9.1.2 Application of Chapter

The definitions, calculations, and measurements of this Chapter shall be used wherever they are called for in this UDC.

DIVISION 9.2 MEASUREMENTS

Blocks shall be measured along a side of a street between two intersecting streets, or if the street is of a dead-end type, a block shall be considered to be measured between the nearest intersecting street and the end of such dead-end street.

Lot Frontage shall be measured along the line of the street, or if the street is dead-ended, then all of the property abutting on one side between an intersecting street and the dead-end of the street.

Site Grades shall be calculated as the average elevation of the highest and lowest elevations measured at the finished surface of the ground at any of the exterior corners of the building or structure.

Height of Buildings or Structures means:

- A. **Method of Measurement.** The height of a building or structure shall be measured from the average ground level abutting a building or structure, in vertical distance to the highest point of the coping of a flat roof, the deck line of a mansard roof, or the average height of the highest gable of a pitched or hipped roof.

- B. **Story Equivalents.** Height, where not regulated in feet, shall be regulated in stories, which shall equal 12 feet for purposes of measuring structures.
- C. **Properties in the 100-Year Floodplain.** The height of structures within the Federal Emergency Management Agency's (FEMA's) 100-year flood plain shall be measured from the 100-year flood elevation, as certified by a licensed professional engineer or professional land surveyor.
- D. **Manufactured Home.** The average height of a manufactured home shall be calculated at 90 degrees to the frame.

Lot Width shall be measured side lot lines in a horizontal manner, measured at right angles to the lot depth at a point midway between the front and rear lot lines.

Setback shall be measured between the building line and the front, side, corner, or rear property line in a horizontal manner. Required setback dimensions shall be measured from the property line to the outside wall of the structure, not to include normal eave projections of 30 inches or less.

Required Yards measurements

- A. **Required Corner Yard.** Corner yards shall be measured along the street right-of-way along the side of the lot extending from the front lot line to the rear lot line.
- B. **Required Front Yard.** Rear yards shall be across the front of a lot between the side lot lines, and being the required minimum horizontal distance between the street right-of-way and the main building or any projections thereof, other than the projections of the usual uncovered steps. The required front yard line represents the line in front of which no building or structure may be erected. On corner lots, the front yard shall be considered as parallel to the street upon which the lot has its least dimension.
- C. **Required Rear Yard.** Rear yards shall be measured across the full width of the lot and lying between the rear lot line and the nearest line of the building. Rear yard depth shall be measured at right angles to the rear line of the lot.
- D. **Required Side Yard.** Side yards shall be measured between any building and the side lot line, extending from the front yard to the rear yard. The width of the required side yard shall be measured horizontally from the nearest point of the side lot line to the nearest point of the building.

Maximum Building Coverage shall be calculated around the outside of the building or structure at ground level.

DIVISION 9.3 USE DEFINITIONS

Sec. 9.3.1 Residential Uses

- A. **Single-Family Detached** means dwelling units that are:
 - 1. Located in individual buildings that are constructed on:
 - a. Individual lots; or
 - b. Land that is designated as a limited common element in a declaration of condominium;
 - 2. Separated from each other by outside walls; and
 - 3. Intended for the use of a single housekeeping unit.
- B. **Single-Family Attached** means:
 - 1. Two or more dwelling units that are designed so that individual units have individual ground-floor access and are separated from each other by unpierced common walls from foundation to roof (e.g., side-by-side duplexes and all types of townhomes); or
 - 2. Two dwelling units that are designed so that individual units:
 - a. May or may not have individual exterior doors, but provide no direct access between the first floor and second floor unit (access may be through a common interior foyer that provides access to both units or through separate exterior doors); and

- b. Are separated from each other by a floor (e.g., over-under duplexes).
- C. **Multiple-family** means buildings that contain three or more dwelling units that are accessed by from interior elevators or hallways, or from individual exterior entrances; and are separated by interior walls and/or floors. Multiple-family does not include boarding houses, dormitories, fraternities, sororities, bed and breakfast establishments, single-family attached, or hotels and motels.
- D. **Manufactured Home** means a factory-built, residential dwelling unit constructed to standards and codes, as promulgated by the United States Department of Housing and Urban Development (HUD), under the National Manufactured Housing Construction and Safety Standards Act of 1974, 42 U.S.C. §5401 et seq., as amended. Further, the terms "manufactured home" and "manufactured housing" may be used interchangeably and apply to structures bearing the permanently affixed seal of the United States Department of Housing and Urban Development or to factory-built, residential dwellings that are mounted on a chassis.
- E. **Single-Family Detached Cluster** means a development of single-family detached dwelling units that are arranged to provide common open spaces, sized according to minimum open space ratios that are established by this UDC.
- F. **Conservation or Preservation Subdivision** mean forms of single-family detached cluster development with greater open space requirements.
- G. **Mixed Housing Neighborhood** means a residential neighborhood that contains a mix of housing types.
- H. **Traditional Neighborhood Development (TND)** means development that consists of a variety of residential lot sizes and more than one housing type, along with neighborhood supportive nonresidential development, designed so that its internal streets tend to give equal or greater dignity to the pedestrian compared to the automobile.
- I. **Community Homes** means a living option, certified, licensed, or monitored by the Department of Health and Hospitals, where six or fewer people with developmental disabilities reside.
- J. **Live-Work Units** means a dwelling unit that provides space that is designed for one or more commercial uses that are permitted in the zoning district. Access between the dwelling unit and the commercial space is provided within the unit.

Sec. 9.3.2 Home Uses

- A. **Home Occupation** is an accessory use of a residential dwelling unit for any service, professional, or art occupation that is conducted in the residence, but does not change the essential character of the residential use. Home occupations may involve visits by customers and clients on a "by appointment only" basis. Examples of home occupations include, but are not limited to: small appliance or computer repair, and professional services or counseling provided to more than one person at a time within the home, Home occupations are further defined by the requirements set out in Section 1.4.3, *Home Occupations*.

Sec. 9.3.3 Institutional Uses

- A. **Cemetery** means any place, including a mausoleum, niche, or crypt, in which there is provided space either below or above the surface of the ground for the interment of the remains of human bodies.
- B. **College / University / Vo-Tech** means a community college, college, university, vocational / technical school, trade school, language school, business school, training center, beauty school, culinary school, and comparable advanced or continuing education facilities. The phrase does not include music schools, fitness centers, sports instruction, swimming instruction, or martial arts instruction (*See Section 9.3.4, Commercial Uses, subsection M., Services*).
- C. **Hospitals** means hospitals, walk-in clinics, birthing centers, and medical laboratories, including general medical and surgical hospitals and specialty hospitals. The term "hospitals" does not mean alcoholism or drug rehabilitation facilities, nor does it mean medical offices where patients are generally seen by appointment.

- D. **Institutional Residential** means institutional housing combined with common food service, nursing, counseling, health care, or comparable services, but does not include assisted living facilities, congregate care, nursing homes, or continuing care neighborhoods. The phrase "institutional residential" includes:
1. Facilities, other than community homes, in which residents live in an institutional environment and are, generally, under the care or control of staff;
 2. In-patient drug and alcoholism hospitals and rehabilitation centers, in which residents have institutional care, or are treated by staff in an institutional setting, rather than living independently; and
 3. Any sheltered care, group care, community home, or residential substance abuse facility with more than six total occupants.
- E. **Place of Public Assembly** means a place where the people assemble for civic, educational, cultural, or day care purposes. This use includes the following:
1. Places of worship; theaters; conference centers;
 2. Cultural or arts centers; museums; and aquariums;
 3. Libraries;
 4. Pre-schools;
 5. Elementary, middle, and high schools;
 6. Adult day care; and
 7. Child care centers.
- F. **Private Club** means organizations or associations of persons for some common purpose, such as a fraternal, social, educational or recreational purpose, but not including clubs organized primarily for-profit or to render a service which is customarily carried on as a business. Examples of private clubs include (but are not limited to) 4-H Clubs, veterans organizations, Boy Scout and Girl Scout facilities, Elks Lodges, YMCA, YWCA, private community clubhouses, golf clubhouses, and fraternities and sororities that do not include residential facilities. The phrase "private club" does not include organizations with a principal purpose of serving alcoholic beverages to its members or others.
- G. **Protective Care** means housing where the residents are assigned to the facility and are under the protective care of the county, state, or federal government. This use includes: jails or prisons; work release; psychiatric hospitals; and comparable facilities.
- H. **Public Service** uses include emergency service, buildings, or garages (e.g., ambulance, fire, police, rescue), and conservation agencies. (NAICS 62191, 92212, 92216).
- I. **Residential Eldercare Facilities** means any one or combination of the following units types: assisted living, congregate care, continuing care, and/or nursing home facilities. Units are on the same parcel proposed for development, designed to provide progressively increasing levels of care to residents as their needs for such care increase.

Sec. 9.3.4 Commercial Uses

- A. **Agricultural Support and Other Rural Services** means uses that support agricultural uses, including:
1. Farm supply services and feed stores;
 2. Farm equipment dealers; and
 3. Crop storage and packing.
- B. **Alcoholic Beverage Sales** means the retail sale of beer, wine, or other alcoholic beverages for on- or off-premises consumption, which:
1. Requires one of the following types of licenses: retail liquor store license; brew pub license; or tavern license; or

2. Requires a beer and wine license or vinter restaurant license, and more than 40 percent of the business's gross receipts are from the sale of beer and wine.
- C. **Car Wash** means any area or business using, self-service, in-bay automatic, or conveyor equipment for cleaning and washing motor vehicles, whether as a part of another business operation (*e.g.*, as an accessory use to light automobile service / gas station or vehicle sales, rental, and service), or as a standalone operation, of any type, on a commercial basis. The definition includes fleet and municipal in-bay automatic and conveyor vehicle wash facilities.
- D. **Commercial Lodging** means places that offer overnight accommodations for short-term rental, including hotels and motels. The phrase "commercial lodging" also includes hotels that secondarily offer convention facilities; meeting rooms; or areas for ;meals, entertainment, and personal services, offered to the public for compensation. As such, it is open to the public in contradistinction to a boarding house, or an apartment, which are herein separately defined.
- E. **Commercial Retail** means commercial and retail uses that do not include regular outside storage or sales. The phrase "commercial retail" includes uses that are comparable to the following:
1. Furniture and home furnishings stores;
 2. Electronics and appliance stores;
 3. Paint and wallpaper stores;
 4. Hardware stores;
 5. Food and beverage stores;
 6. Health and personal care stores;
 7. Clothing and clothing accessory stores;
 8. Sporting goods, hobby, book, and music stores;
 9. General merchandise stores; and
 10. Miscellaneous store retailers.
- F. **Drive-in / Drive Through Facility** means a facility used by an approved commercial retail or service use to provide service to customers in vehicles who either:
1. Drive up to a window or station; or
 2. Drive through the building for purchases.
- G. **Heavy Retail** means retail and/or service activities that have regular outside service or outside storage areas, exceptionally large floor areas, or partially enclosed structures, as listed below:
1. Permanent retail operations that are located outside of enclosed buildings, except nurseries;
 2. Home centers;
 3. Lumber and other building materials;
 4. Lawn, garden equipment, and related supplies stores;
 5. Warehouse clubs and super stores;
 6. Recreational equipment rental where the equipment is stored outside;
 7. Heavy truck or recreational vehicle leasing or sales;
 8. Manufactured home sales; and
 9. Industrial or construction equipment leasing or sales.

- H. **Kenel** means any building, establishment, place, or premises wherein any person engages in the boarding, breeding, buying, selling, letting for hire, or training for a fee, any canine or feline animal or animals, or wherein any person keeps, harbors, possesses, or maintains more than four dogs or four cats, or a combination of said animals, with the total number exceeding four over three months old.
- I. **Light Automobile Service** means:
1. The sale of motor fuel to passenger vehicles (a gasoline service station with, or without, a convenience store);
 2. Quick service oil, tune-up, brake, and muffler shops in which:
 - a. Repairs are made in fully enclosed bays;
 - b. Repairs are of a type that is typically completed in less than two hours (e.g., oil changes, brake service, tire rotation and balancing, glass repair, tire replacement, fluid checks and replacement, muffler service, spark plug replacement, and comparable services); and
 - c. Vehicles are generally not stored on-site, and on the occasion when overnight storage is necessary, vehicles are stored indoors; or
 3. Any combination of 1. or 2., above.
- J. **Mixed Use** means development in which a combination of residential and commercial uses (e.g., residential-over-retail), or several classifications of commercial uses (e.g., office and retail), are located on the same parcel proposed for development.
- K. **Office** means uses in which professional, outpatient medical, or financial services are provided. The term includes:
1. Accounting, auditing and bookkeeping;
 2. Advertising and graphic design;
 3. Architectural, engineering, and surveying services;
 4. Attorneys and court reporters;
 5. Banks, mortgage companies; and financial services;
 6. Call centers;
 7. Computer programming;
 8. Corporate headquarters;
 9. Counseling services;
 10. Data processing and word processing services;
 11. Detective agencies;
 12. Government offices;
 13. Insurance;
 14. Interior design;
 15. Medical, dental, and chiropractic offices;
 16. Real estate sales;
 17. Research and development that does not include on-site manufacturing;
 18. Retail catalog, internet, and telephone order processing, but not warehousing; and
 19. Virtual office services.
- L. **Restaurant** means an establishment that serves prepared meals to customers for consumption on-site or off-site, including, but not limited to a cafe, cafeteria, grill, pizza parlor, diner, snack shop, hamburger shop and steak or seafood house.

M. **Services** means commercial and personal services, such as:

1. Copy centers;
2. Social services, except those defined elsewhere in this UDC;
3. Repair services and shops, except automobile, truck, large appliance, and heavy equipment repair;
4. Health clubs, exercise studios, sports instruction, swimming instruction, martial arts schools, yoga studios, or dance instruction studios;
5. Parcel service drop-off locations and mailbox services;
6. Nail salons, beauty and barber shops, skin care, tanning salons, and day spas; and
7. Laundry and dry-cleaning services, except dry cleaner processing plants that use petrochemical solvents.

N. **Shopping Center** means a group of retail, personal, or professional service establishments planned, developed, owned, or managed as a unit, with off-street parking provided on the property.

O. **Vehicle Sales, Rental, and Service** means uses that sell, rent and perform service on automobiles, light trucks, boats, and motorcycles. The phrase does not include auto body (*e.g.*, collision repair), paint or upholstery services.

P. **Veterinarian (Dogs, Cats, Exotic Pets)** means veterinary clinics and hospitals that provide care for small domestic animals. The term does not include large animal and livestock veterinarians, which are classified as agricultural support and other rural services.

Sec. 9.3.5 Recreation and Amusement Uses

A. **Commercial Amusement, Indoor** means uses that provide commercial amusement indoors (except adult uses or sexually oriented businesses), including but not limited to:

1. Bowling alleys and pool rooms;
2. Indoor sports arenas;
3. Movie theaters and live theaters;
4. Indoor skating rinks (ice or roller);
5. Video arcades; and
6. Shooting arcades.

B. **Commercial Amusement, Outdoor** means uses that provide commercial amusement outdoors (except adult uses or sexually oriented businesses), including but not limited to:

1. Outdoor arenas or stadiums (including but not limited to amphitheaters, sports stadiums, concert facilities, rodeos, and racing facilities);
2. Amusement parks or theme parks;
3. Fairgrounds;
4. Miniature golf establishments;
5. Golf driving ranges;
6. Water slides;
7. Batting cages; and
8. Shooting ranges.

C. **Recreation, Indoor** means uses that provide recreation opportunities indoors for the public (open to the community) or residents of a subdivision or development, which are not commercial in nature. Specifically excluded from the definition are health and exercise clubs and commercial amusement uses. The phrase "recreation, indoor" includes:

1. Community recreation centers;
2. Gymnasiums;
3. Indoor swimming pools; or
4. Tennis, racquetball, or handball courts.

D. **Recreation, Outdoor** means uses that provide recreation opportunities outdoors for the public (open to the community) or residents of a subdivision or development, which are not commercial in nature (except for golf courses, which may be commercial in nature). The phrase "recreation, outdoor" includes public areas for active or passive recreational activities including, but not limited to:

1. Jogging, cycling, tot-lots, playing fields, playgrounds, outdoor swimming pools, and tennis courts;
2. Golf courses (regardless of ownership or membership);
3. Arboretums, wildlife sanctuaries, forests, and other natural areas which may be used for walking or hiking; or
4. Other passive recreation-oriented parks, including picnic areas, and garden plots.

E. **Adult Uses** means:

1. Any use of property available to the public, whether for profit or not, that:
 - a. Involves nude or topless dancing;
 - b. Predominantly advertises and offers material and/or items that depict and/or are generally used in sexual activity; or,
 - c. Allows other similar activities that depict, describe, simulate, or relate to sexual activities.
2. Not limiting the preceding, the phrase "adult use" shall also include any:
 - a. Bookstore/shop in which the primary type of material offered is of a sexual nature;
 - b. Motion picture arcade/motion picture theater in which the predominant type of material shown depicts sexual acts;
 - c. Cabaret/lounge/night club in which the predominant attraction is nude or topless dancing;
 - d. Health spa/sauna in which services of a sexual nature are offered to the public;
3. Not limiting the preceding, and with respect to specific business types, the phrase "adult use" also includes, but is not limited to, any:
 - a. Adult arcade;
 - b. Adult bookstore or supply store;
 - c. Adult cabaret, lounge, or night club;
 - d. Adult health spa or sauna;
 - e. Adult hotel or motel;
 - f. Adult model studio;
 - g. Adult motion picture theater;
 - h. Adult novelty business;
 - i. Adult outdoor motion picture theater;
 - j. Escort agency;
 - k. Lingerie Modeling Studio;
 - l. Massage parlor;
 - m. Sexual encounter center; or

- n. Any other sexually oriented business that offers its patrons services or entertainment that provide nude dancing or other live recording performances that depict, describe, or relate to “specified anatomical areas” or “specified sexual activities.”

F. **Campgrounds** means a form of commercial lodging where guests bring tents, travel trailers, recreational vehicles (RVs), campers, or other similar forms of shelter. The campground rents pads to the guests. The term "campgrounds" also includes the phrase "RV Parks."

Sec. 9.3.6 Industrial Uses

A. **Disposal** means facilities for the disposal of non-nuclear waste or fill, or the composting of organic wastes. The term includes landfill and composting facility.

B. **Extraction** means uses that involve extraction of minerals and fossil fuels from the ground, including surface and subsurface mining and quarrying facility.

C. **Heavy Industry** means:

1. Primary processing or manufacturing or repair operations not specifically defined elsewhere in this Section, which involve:
 - a. An outside storage area that is larger than the area of the first floor of buildings on the same lot;
 - b. A material risk of environmental contamination, explosion, or fire;
 - c. Perceptible ground vibration;
 - d. Excessive noise or dust;
 - e. Emission of objectionable odors; or
 - f. More than 12 trips by semi trailer trucks per day; or
2. Petroleum Storage;
3. Truck fueling and repair;
4. Processing of minerals (except precious and semi-precious stone cutting for jewelry or precision instruments such as lasers or watches), ores, or fossil fuels; or
5. Industries that are required to undergo New Source Review under the Federal Clean Air Act, or are subject to construction or operation permits pursuant to the Louisiana Stationary Sources Program or Title V of the Federal Clean Air Act;
6. For illustrative purposes, heavy industrial uses include, but are not limited to:
 - a. Coal cleaning plants with thermal dryers; coke oven batteries; carbon black plants (furnace process); petroleum refineries; petroleum storage and transfer units (except retail gasoline stations); and bulk fuel dealers;
 - b. Facilities used in the primary or secondary production of metals (e.g., primary zinc, copper, or lead smelters; primary aluminum ore reduction plants; iron and steel mills; sintering plants; secondary metal production plants; and blacksmith shops);
 - c. Portland cement plants;
 - d. Sawmills and pulp mills;
 - e. Incinerators with the capacity to charge more than 250 tons of refuse per day;
 - f. Lime plants; phosphate rock processing plants; sulfur recovery plants; and hydrofluoric, sulfuric, or nitric acid plants;
 - g. Fossil fuel combustion (boilers or electricity generation) totaling more than 250 million BTUs per hour of heat input;
 - h. Fabrication of building materials such as countertops, drywall, and cut stone;

- i. Fabrication of vehicles, manufacturing equipment, durable goods, or pre-fabricated homes or home components;
- j. Auto or marine body, paint, or upholstery shops;
- k. Drycleaner processing plants that use PERC or comparable petrochemical solvents;
- l. Meat or seafood processing plants;
- m. Manufacture of glass products (e.g., window panes, bottles and jars), except hand-blown products;
- n. Manufacture of plastic products (except assembly of parts that are manufactured elsewhere);
- o. Plasma arc welding, cutting, gouging, surfacing, or spraying; gas welding (but not brazing); arc welding with equipment that is rated at more than 200 amps; TIG welding; and other heavy welding procedures (e.g., for structural steel, automotive body, or heavy equipment manufacture or repair);
- p. Hot mix asphalt plants;
- q. Regional wastewater utilities;
- r. Fossil fuel power plants, waste-to-energy plants, and biomass plants that produce more than 100 megawatts of electricity;
- s. Fossil fuel peaker power plants.

D. **Light Industry** means uses that involve research and development, assembly, compounding, packaging, testing, or treatment of products from previously prepared materials, with limited outside storage and limited external impacts or risks; or wholesale uses; or rental or sale of large items that are stored outside. For illustrative purposes, light industry and wholesale uses include:

1. Assembly, testing, or refurbishing of products, instruments, electronics, office and computing machines, and fixtures from pre-manufactured components;
2. Offices of general contractors, specialty subcontractors, or tradesmen which include:
 - a. Bay door access to indoor storage of tools, parts, and materials;
 - b. Parking of commercial vehicles; or
 - c. Outdoor storage areas that are smaller than the area of the first floor of the building that are used for storage of materials or vehicles that are less than 12 feet in height.
3. Communications facilities, except wireless telecommunications facilities;
4. Data centers, server farms, telephone exchange buildings, and telecom hotels;
5. Food production and packaging other than meat and seafood processing and restaurants;
6. Furniture making or refinishing;
7. Manufacture of textiles or apparel;
8. Screen printing of apparel;
9. Printing and publishing, except copy centers (which are commercial and personal services), and except printing presses that require a Stationary Source permit or Title V permit for air emissions (which are heavy industry);
10. Wholesale trade, durable and non-durable, except:
 - a. Farm products;
 - b. Combustible or hazardous materials, and
 - c. Wholesale clubs that are open to the public for membership;
11. Research and development, scientific testing, and product testing;
12. Manufacture or compounding of pharmaceutical products, dietary supplements, health and beauty products, and herbal products; and
13. Packaging of products.

- E. **Recycling and Salvage** means any land or structure used for collection, sorting, aggregation, and re-sale (or transfer) of recyclable materials or for the aggregate storage of inoperable man-made equipment, machinery, scrap, or other used or discarded materials having a total cubic volume of at least 700 cubic feet, for the purposes of recycling, re-using, or re-selling components. The phrase does not include "waste transfer stations," (even if they include a separate space for collection of recyclable materials), and does not include facilities where the materials are actually recycled into raw materials (such uses are typically heavy industry), but does include:
1. Recycling centers;
 2. Composting facilities;
 3. Vehicle recycling or scrap metal processing; and
 4. Collection, dismantlement, storage, and salvage of inoperable vehicles, boats, trucks, farm vehicles or equipment, or other types of heavy machinery
- F. **Utilities, Community** means a water, wastewater, or stormwater treatment facility that is designed to provide services to more than one square mile of land area; and the generation of not more than 500kW of electricity using wind energy conversion systems or ground-mounted photovoltaic arrays. The phrase "utilities, community" does not include the production of electricity using fossil, biomass, waste, or nuclear fuels, nor the storage of natural gas.
- G. **Utilities, Neighborhood** means water, wastewater, or stormwater treatment facility that serves an area of one square mile or less; utility substations or lift stations; local utility distribution or collection facilities, including electric, gas, telephone, water, sewer, and stormwater; and the generation of not more than 250kW of electricity using wind energy conversion systems or ground-mounted photovoltaic arrays. The phrase "utilities, neighborhood" does not include the production of electricity using fossil, biomass, waste, or nuclear fuels, nor the storage of natural gas.
- H. **Warehousing and Transportation** means warehousing and logistics facilities, except:
1. Mini- or self-storage warehouses;
 2. Warehousing that is accessory to a manufacturing facility, occupying less than 25 percent of the total floor area of the facility; and
 3. Parcel service drop-off locations that are not accessory to a parcel service processing facility.

Sec. 9.3.7 Agricultural Uses

- A. **Agricultural Use** refers to the use of land where such land is devoted to the production of plants, animals, or horticulture products, including but not limited to forages; grains and feed crops; dairy animals and dairy products; poultry and poultry products; beef cattle; sheep; swine and horses; bees and apiary products; trees and forest products; fruits; nuts and berries; vegetables; or nursery, floral, ornamental and greenhouse products.
- B. **Commercial Stables** means the stabling, training, feeding of horses, or the provision of riding facilities for the use of anyone other than the resident of the property. Equestrian trails that are constructed as part of the common open space of a subdivision and intended for the exclusive use of residents of the subdivision are not commercial stables.
- C. **Nursery or Greenhouse (Wholesale or Retail)** means an enterprise that conducts the retail and/or wholesale sale of plants grown on the premises. The terms also include, as an accessory use, the sale of a limited selection of items (e.g., soil, planters, pruners, mulch, lawn or patio furniture, garden accessories, etc., but not power equipment) that are directly related to the care and maintenance of landscapes.

Sec. 9.3.8 Special Uses

- A. **Airport** means the Harry P. Williams Memorial Airport, located near Patterson (St. Mary Parish), Louisiana which could include aircraft take-off and landing fields and flight training schools; or airstrips for personal aircraft for the private use of an individual. The term "airport" also includes the term "heliport," which is any

area used for the take-off and landing of helicopters that also includes passenger and cargo facilities, fueling, and emergency service facilities.

- B. **Landfill** means a facility for the disposal of solid waste, other than landfarm(s) or surface impoundment(s), that disposes of solid waste by placing it on or into the land surface and usually also compacting and covering with suitable cover material to a depth and at a frequency sufficient to control disease vectors and odors and in a manner that protects human health and the environment.
- C. **Sanitary Landfill** means a landfill for the disposal of commercial or residential solid waste by deposit in a landfill in layers covered with suitable cover material of a depth and at a frequency adequate to control disease vectors and odors, and in such a manner that minimizes the risk to human health and the environment. It is located, contoured, and designed so that it will not constitute a source of water pollution.

DIVISION 9.4 GENERAL DEFINITIONS

Sec. 9.4.1 Word Usage

- A. For the purpose of this UDC, certain terms and words used herein shall be used, interpreted, and defined as set forth in this Chapter.
- B. Unless the context clearly indicates to the contrary, words used in the present tense include the future tense; words used in the plural number include the singular; the word "herein" means "in these regulations" or "in this UDC"; the word "regulations" means "these regulations" or "this UDC."

0-9

A

Abandonment means to cease or discontinue a use or activity without the intent to resume, but excluding temporary or short-term interruptions of a use, *e.g.*, the change of tenancy or ownership, or activity during periods of remodeling, maintaining, or otherwise improving or rearranging a facility, or during normal periods of vacation or seasonal closure. A use is considered abandoned if the facts show the owner's intent to discontinue the use or activity and the discontinuance of the use continues for six months or more.

Accessory Building means a subordinate building having a use customarily incident to and located on the lot occupied by the principal building. A building housing an accessory use is considered to be an integral part of the principal building when it has any part of a wall in common with the principal building, or is under an extension of the main roof and designed as an integral part of the principal building.

Accessory Dwelling Unit means a building or group of rooms with a separate entrance, kitchen, sleeping area, and full bathroom facilities, which is a detached or attached extension to an principal single-family building. Accessory dwelling units are subordinate in size and scale to principal dwelling units, and may be subject to limitations on their configuration and floor area.

Accessory Structure means a structure which is on the same parcel of property as a principal use or building, the use of which is incidental to the use of the principal use or building (such as gazebos and carports).

Accessory Use means a use of a building or land, which serves an incidental function to the principal use of a building or land. An accessory use is a subordinate use customarily incident to and located on the same lot occupied by the main use.

Airport Board of Appeals means a board consisting of the members of the Board of Adjustment appointed by the Parish Council as prescribed by Section 386(c) of title 2 of the Louisiana Revised Statutes and as provided for in Division 4.5, *Airport Board of Appeals*.

Airport Elevation means the highest point of the airport's usable landing area measured in feet from mean sea level, specifically nine feet above mean sea level.

Alley means a minor public right-of-way not intended to provide for through traffic or as the primary means of access to abutting lots, which is used primarily for vehicular service access to the back or sides of properties otherwise abutting a street. An alley affords only a secondary means of access to property abutting thereon.

Alluvial Fan Flooding means flooding occurring on the surface of an alluvial fan or similar landform which originates at the apex and is characterized by high-velocity flows; active processes of erosion, sediment transport and deposition; and unpredictable flow paths.

Alteration, Structural means any change or rearrangement in the supporting members of a building or structure, such as bearing walls, columns, beams, or girders, as well as any change in doors or windows, or any enlargement or diminution of a building or structure, whether horizontally or vertically, or moving a building or structure from one location to another; provided, however, that applying exterior siding to an existing building for the purpose of beautifying and modernizing shall not be considered a structural alteration.

Apartment means a room or suite of rooms, with toilet and culinary accommodations, intended, designed, or used as a residence by a single family, located in a building containing three or more such rooms or suites.

Apex means a point on an alluvial fan or similar landform below which the flow path of the major stream that formed the fan becomes unpredictable and alluvial fan flooding can occur.

Approach Surface means for aircraft, a surface longitudinally centered on the extended runway centerline, extending outward and upward from the end of the primary surface and at the same slope as the approach zone height limitation slope set forth in Section 1.5.3, *Height Limitations*. In plan, the perimeter of the approach surface coincides with the perimeter of the approach zone. For helicopters, the approach surface begins at each end of the heliport primary surface with the same width as the primary surface and extends outward and upward for a horizontal distance of 4,000 feet where its width is 500 feet. The slope of the approach surface is eight to one.

Approach, Transitional, Horizontal, and Conical Zones means zones which apply to the areas under the approach, transitional, horizontal, and conical surfaces defined in Federal Aviation Regulations (FAR) Part 77, and as set forth in Section 1.5.2, *Zone Types*.

Area of Shallow Flooding means a designated AO, AH, or VO zone on a community's flood insurance rate map (FIRM) with a one percent chance or greater annual chance of flooding to an average depth of one to three feet where a clearly defined channel does not exist, where the path of flooding is unpredictable and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow.

Area of Special Flood Hazard is the land in the floodplain within a community subject to a one percent or greater chance of flooding in any given year. The area may be designated as zone A on the flood hazard boundary map (FHBM). After detailed ratemaking has been completed in preparation for publication of the FIRM, zone A usually is refined into zones A, AE, AH, AO, A1-99, VO, V1-30, VE or V.

Area Regulations means the regulations controlling lot area, lot width, lot depth, front yard, side yard, rear yard, lot coverage and floor-area ratio.

B

Base Flood means the flood having a one percent chance of being equaled or exceeded in any given year.

Basement means any area of the building having its floor subgrade (below ground level) on all sides.

Block means a tract of land bounded by streets, or by a combination of streets and public parks, cemeteries, railroad rights-of-way, shorelines of waterways, or boundary lines of municipalities.

Bond means any form of security including a cash deposit, surety bond, collateral, property, or instrument of credit in an amount and form satisfactory to the governing body. All bonds shall be approved by the governing body wherever a bond is required by this UDC.

Breakaway Wall means a wall that is not part of the structural support of the building and is intended through its design and construction to collapse under specific lateral loading forces, without causing damage to the elevated portion of the building or supporting foundation system.

Building means any structure designed or built for the support, enclosure, shelter, or protection of persons, animals, or property of any kind. When separated by a firewall, each portion of such structure so separated shall be deemed a separate building. This definition shall include structures wholly or partly enclosed with an exterior wall.

Building Coverage means the percent of lot area, which is covered by a roof, floor or other structure and is not open to the sky. Roof eaves to the extent of 30 inches and the ordinary projections from the building not exceeding 12 inches shall not be counted in computing coverage.

Building Line means a line parallel or approximately parallel to the street right-of-way at a specified distance therefrom, marking the minimum distance from the street right-of-way that a building may be erected. For existing buildings, the building line shall be the exterior wall or omitted wall line, which is closest to the street.

Building Setback means that area between a lot line and the respective setback line, which shall remain unobstructed by buildings or structures from the ground to the sky, except as may be specifically permitted by other provisions of this UDC.

Bunkhouses means that portion or unit of any housing accommodation, structure, project or premises, including a mobile home, manufactured home and modular home, which is occupied on a temporary, seasonal, or permanent basis by a total of four or more laborers or workers who are employed by the same or different employers, who live together on the same premises and who are quartered together on such premises by the employers, whether or not such premises is maintained in connection with any work or workplace.

C

Centerline, Street or Alley means a line designated midway between the bounding right-of-way lines of a street or alley. Where the bounding right-of-way lines are irregular, the centerline shall be determined by the Director.

Central Sewerage [Sewer] System means a community sewer system including collection and treatment facilities established by the subdivider and privately owned to serve a new subdivision in an outlying area.

Certificate of Occupancy means a certificate issued by the Parish for the use of a building, structure, or land, when it is determined by it that such building, structure or land complies with the provisions of this UDC and all other applicable Parish codes, ordinances, and regulations.

Coastal High Hazard Area means an area of special flood hazard extending from offshore to the inland limit of a primary frontal dune along an open coast and any other area subject to high velocity wave action from storms or seismic sources.

Collector Street means a street that functions as a traffic service and land access. Its principal service is oriented to intermediate and short distance travel and to provide access to connecting local streets.

Commercial Districts refer to zoning districts "NC" Neighborhood Commercial, "GC" General Commercial and "HC" Highway Commercial.

Composting Facility means a facility where organic matter is processed by natural or mechanical means to aid the microbial decomposition of the organic matter.

Condominium means a single-family attached dwelling unit with party walls located within a development and having individual ownership in fee simple of the unit only. Each unit is located on a site that is owned in common with other purchasers of the common elements of the structure, including the land, improvements and appurtenances.

Condominium Apartment Structure means a structure containing four or more apartments wherein the airspace within the apartment is individually owned by the occupant, together with the right of access and required automobile parking space, and where the lot upon which the building is located is under single ownership.

Conical Surface means a surface extending outward and upward from the periphery of the horizontal surface at a slope of 20 to 1 for a horizontal distance of 4,000 feet.

Construction/Demolition Debris means nonhazardous waste generally considered not water-soluble, including but not limited to metal, concrete, brick, asphalt, roofing materials (shingles, sheet rock, plaster), or lumber from a

construction or demolition project, but excluding asbestos-contaminated waste, white goods, furniture, trash, or treated lumber. The admixture of construction and demolition debris with more than five percent by volume of paper associated with such debris or any other type of solid waste (excluding woodwaste or yard waste) will cause it to be classified other than construction/demolition debris.

Convalescent Home/Nursing and Convalescent Hospital refers to any place or institution which provides 24-hour care for one or more chronic or convalescent patients, who, by reason of illness or physical infirmity, are unable to properly or adequately care for themselves.

Critical Feature means an integral and readily identifiable part of a flood protection system, without which the flood protection provided by the entire system would be compromised.

Crosswalk means a servitude through or across any portion of a block used primarily by pedestrian traffic.

Cul-de-sac means a local street with only one outlet and having an appropriate terminal for the safe and convenient reversal of traffic movement.

D

Density means the relationship of dwelling units or rooms to the area of the lot or tract upon which a residential structure is located or erected.

Department, where not used in reference to a specific department (*e.g.*, "Department of Public Works"), means the Department of Planning and Zoning (or title as amended).

Detached means that a building does not have a wall in common or in contact with another building.

Developer means any person, firm, corporation or any agent thereof, who develops or proposes to develop land for rental or lease purposes, or for the sale and transfer of an undivided interest in the title of the land to be developed, which land is either owned, optioned or otherwise under his control.

Development means the division of land into two or more parcels; construction, reconstruction, conversion, structural alteration, relocation, or enlargement of any structure; any mining, dredging, filling, grading, paving, excavation or drilling operations, or storage of equipment or materials, or land disturbance. Development can also mean parcels of land for rental or lease purposes in which there will be no transfer of title or transfer of an undivided interest in the title of the land, and/or no streets, passage ways or utility servitudes are dedicated to public use. These developments are those commonly associated with apartment complexes, condominiums, camp sites, manufactured home parks and shopping centers.

Director, where not used in reference to a specific department (*e.g.*, "Director of Public Works"), means the Director of Planning and Zoning (or title as amended) for the Parish of St. Mary, State of Louisiana, or designee thereof, and whose duties include administration and enforcement of this UDC.

Director of Public Works means the head of the Department of Public Works (or name as amended) for the Parish of St. Mary, State of Louisiana, and whose duties include decision-making authority over specific sections of this UDC and providing technical support to the Director.

Dirt Pit which can include sand pits and other similar excavation means an excavation from which extracted dirt, clay, sand or gravel is or may be used at the same location or may be transported for use at a different location and which has one or more of the following characteristics:

1. Exceeds a total surface area of 20 acres; or
2. The excavated area exceeds an average depth of 25 feet at any time after the commencement of excavation; or
3. The time needed for completion will exceed 180 days.

Display Area means an off-street area designated for the advertisement or display of customary passenger cars, motor vehicles, recreational vehicles, boats, tractors, and other motorized or non-motorized machinery or accessory equipment.

Driveway means a private accessway, primarily for vehicles, leading from a street to a dwelling unit, parking lot, parking garage, or loading area.

Dwelling means a building designed exclusively for residential occupancy, including single-family (attached or detached), two-family, and multiple family dwellings, but not including hotels or motels. *See also Section 9.3.1, Residential Uses*, for further classification of dwelling types.

Dwelling Unit means an enclosure containing sleeping, kitchen, and bathroom facilities and used or held ready for use as a permanent residence by one family.

E

Elevated Building means a nonbasement building that is:

1. Built, in the case of a building in zones A1-30, AE, A, A99, AO, AH, B, C, X, and D, to have the top of the elevated floor, or in the case of a building in zones V1-30, VE, or V, to have the bottom of the lowest horizontal structure member of the elevated floor elevated above ground level by means of pilings, columns, (posts and piers), or shear walls parallel to the floor of the water; and
2. Adequately anchored so as not to impair the structural integrity of the building during a flood of up to the magnitude of the base flood. In the case of zones A1-30, AE, A, A99, AO, AH, B, C, X, and D, "elevated building" also includes a building elevated by means of fill or solid foundation perimeter walls with openings sufficient to facilitate the unimpeded movement of flood waters. In the case of zones V1-30, VE, or V, "elevated building" also includes a building otherwise meeting the definition of "elevated building," even though the lower area is enclosed by means of breakaway walls if the breakaway walls met the standards of Section 60.3(e)(5) of the National Flood Insurance Program regulations.

Existing Construction means for the purposes of determining rates, structures for which the "start of construction" commenced before the effective date of the FIRM or before January 1, 1975, for FIRMS effective before that date. "Existing construction" may also be referred to as "existing structures."

Existing Manufactured Home Park or Subdivision means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed before the effective date of the floodplain management regulations adopted by the Parish.

Expansion to an Existing Manufactured Home Park or Subdivision means the preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads).

F

FAA means the Federal Aviation Administration of the U.S. Department of Transportation.

Family means a person living alone, or any of the following groups living together as a single nonprofit housekeeping unit and sharing common living, sleeping, cooking, and eating facilities, including:

1. Any number of people related by blood, marriage, adoption, guardianship, or duly authorized custodial relationship;
2. Two unrelated people;
3. Two unrelated people and any children related to either of them;

4. Not more than eight people who are:
 - a. Residents of a "family home" or "family group home" as defined by state law; or
 - b. "Handicapped" as defined in the Federal Fair Housing Act.

This definition does not include persons currently illegally using or addicted to a "controlled substance." Family does not include any society, club, fraternity, sorority, association, lodge combine, federation, or like organization; any group of individuals whose association is temporary or seasonable in nature; or any group of individuals who are in a group living arrangement as a result of criminal offenses.

Flag Lot means a tract of land having insufficient lot width along a road or at the minimum setback line to meet the requirements of Chapter 1, *Zoning Districts and Land Use*, but with sufficient lot area to meet all lot requirements further back on the lot. Individual flag lots are normally accessed by an servitude through the lot that abuts the street, or by a small strip of land that is owned by the owner of the flag lot.

Flood or Flooding means a general and temporary condition of partial or complete inundation of normally dry lands areas from:

1. The overflow of inland or tidal waters.
2. The unusual and rapid accumulation or runoff of surface waters from any source.

Flood Insurance Rate Map (FIRM) means an official map of a community, on which the Federal Emergency Management Agency has delineated both the areas of special flood hazards and the risk premium zones applicable to the community.

Flood Insurance Study is the official report provided by the Federal Emergency Management Agency. The report contains flood profiles, water surface elevation of the base flood, as well as the flood boundary-floodway map.

Floodplain or Flood-prone Area means any land area susceptible to being inundated by water from any source (*See* the definition of flooding).

Floodplain Management means the operation of an overall program of corrective and preventive measures for reducing flood damage, including but not limited to emergency preparedness plans, flood control works and floodplain management regulations.

Floodplain Management Regulations means unified development codes, zoning ordinances, subdivision regulations, building codes, health regulations, special purpose ordinances (such as a floodplain ordinance, grading ordinance and erosion control ordinance) and other applications of police power. The term describes such state or local regulations, in any combination thereof, which provide standards for the purpose of flood damage prevention and reduction.

Flood Protection System means those physical structural works for which funds have been authorized, appropriated, and expended and which have been constructed specifically to modify flooding in order to reduce the extent of the areas within a community subject to a "special flood hazard" and the extent of the depths of associated flooding. Such a system typically includes hurricane tidal barriers, dams, reservoirs, levees or dikes. These specialized flood modifying works are those constructed in conformance with sound engineering standards.

Flood Proofing means any combination of structural and nonstructural additions, changes, or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures and their contents.

Floodway (Regulatory Floodway) means the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height.

Frontage, Lot means the length of street frontage between property lines or lease lines.

Frontage, Street means all property on one side of a street between intersecting streets (crossing or terminating), measured along the line of the street, or if the street is dead-ended, then all of the property abutting on one side between an intersecting street and the dead-end of the street.

Functionally Dependent Use means a use which cannot perform its intended purpose unless it is located or carried out in close proximity to water. The term includes only docking facilities, port facilities that are necessary for the loading and unloading of cargo or passengers, and ship building and ship repair facilities, but does not include long-term storage or related manufacturing facilities.

G

Garage means a building for private use of the owner or occupant of a principal building (situated on the same lot as the principal building) for the storage of motor vehicles with no facilities for mechanical service or repair of a commercial or public nature.

Group Home means a living option, certified, licensed, or monitored by the state where seven to 15 people with developmental disabilities reside.

H

Hazard to Air Navigation means an obstruction determined to have a substantial adverse effect on the safe and efficient utilization of the navigable airspace.

Health Department means the State of Louisiana, Department of Health and Hospitals (or name as amended).

Height means, for the purpose of determining the height limits in all zones set forth in this UDC and shown on the official zoning district map, mean sea level elevation unless otherwise specified.

Highest Adjacent Grade means the highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure.

Highway Department means the Louisiana Department of Transportation and Development (or name as amended).

Historic Structure means any structure that is:

1. Listed individually in the National Register of Historic Places (a listing maintained by the department of interior) or preliminarily determined by the secretary of the interior as meeting the requirements for individual listing on the National Register;
2. Certified or preliminarily determined by the secretary of the interior as contributing to the historical significance of a registered historic district or a district preliminary determined by the secretary to qualify as registered historic district;
3. Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the secretary of interior; or
4. Individually listed on a local inventory or historic places in communities with historic preservation programs that have been certified either:
 - a. By an approved state program as determined by the secretary of the interior or;
 - b. Directly by the secretary of the interior in states without approved programs.

Horizontal Surface means a horizontal plane 150 feet above the established airport elevation, the perimeter of which, in plan, coincides with the perimeter of the horizontal zone.

I

Incinerator Waste-Handling Facility means a facility which processes solid waste which has been received, thermally oxidized, and/or decomposed by an incinerator.

Improvements means any streets, roadways, drainage structures, drainage ditches, utilities or other facilities for which the local government or private or public utility companies may ultimately assume the responsibility for maintenance and operation.

Impervious Surfaces means an area that does not allow significant amounts of water to infiltrate into the ground. Examples of impervious surfaces are blacktop and concrete.

Individual Sewerage [Sewer] Disposal System means a septic tank, seepage title sewerage [sewer] disposal system, or any other health department approved individual sewerage treatment device.

Institution means a building occupied by a nonprofit corporation or a nonprofit establishment for public use.

Industrial Districts refer to the "LI" Light Industrial and "GI" General Industrial zoning districts.

Industrial Solid Waste Facility means a facility for the processing, storage, and/or disposal of industrial solid waste.

J

K

L

Land Development Plan means a plan established by the governing body which considers the suitability of property within the Parish for residential and nonresidential uses and addresses the needs of public areas for the overall development of the Parish.

Landfarm means a facility for the disposal of solid wastes in which wastes are applied to the land and/or incorporated into the soil for biological reduction and soil attenuation.

Larger than Utility Runway means a runway that is constructed for and intended to be used by propeller-driven aircraft of greater than 12,500 pounds maximum gross weight and jet-powered aircraft.

Levee means a man-made structure, usually an earthen embankment, designed and constructed in accordance with sound engineering practices to contain, control, or divert the flow of water so as to provide protection from temporary flooding.

Levee System means a flood protection system which consists of a levee, or levees, and associated structures, such as closure and drainage devices, which are constructed and operated in accordance with sound engineering practices.

Limited Highway Access means a freeway, or expressway, providing a trafficway for through traffic, in respect to which owners or occupants of abutting property and other persons have no legal right to access to or from the same, except at such points and in such manner as may be determined by the public authority having jurisdiction over such trafficway.

Local Street means a street designed to serve local traffic circulation and to provide direct land access.

Lot means a lot, tract, or parcel of land designated on a subdivision plat duly filed with St. Mary Parish, or any lot, tract, or parcel of land held in separate ownership and described by metes and bounds upon a deed duly recorded or registered that existed prior to the date of adoption of applicable subdivision regulations of the Parish.

Lot Area means the total horizontal area within the lot lines of a lot.

Lot, Corner is a lot abutting upon two or more streets at their intersection.

Lot, Double Frontage means a lot having a frontage on two non-intersecting streets as distinguished from a corner lot.

Lot Depth means the mean horizontal distance from the front lot line to the rear lot line.

Lot Line means a line bounding the lot as shown on the accepted subdivision plat, or on a plat of an individual lot, tract, plot, or parcel of land.

Lot Line, Front means the line separating the lot from the street right-of-way in the case of an interior lot, and the line separating the narrowest street frontage of the lot from the street right-of-way in the case of a corner lot.

Lot Line, Rear means the lot line which is opposite and most distant from the front lot line and in case of an irregular or triangular-shaped lot, a line 10 feet in length within the lot, parallel to and at the maximum distance from the front lot line.

Lot Line, Side means any lot line not a front lot line or a rear lot line.

Lowest Floor means the lowest floor of the lowest enclosed area including basement. An unfinished or flood resistant enclosure, usable solely for parking of vehicles, building access or storage in an area other than a basement area is not considered a building's lowest floor; provided that such enclosure is not built as to render the structure in violation of the applicable non-elevation design requirement of Section 60.3 of the National Flood Insurance Program regulations.

M

Major Street Plan means a plan established by the governing body showing the layout of streets, highways, parks and drainage systems.

Manufactured Home. *See* Section 9.3.1, *Residential Uses*.

Manufactured Home Park means a parcel of land under single entity ownership which has been platted and approved by the Parish for the purposes of developing two or more manufactured homes to be leased meeting all requirements of this UDC, and all other applicable Parish codes, ordinances, and regulations, and state laws.

Manufactured Home Subdivision means a subdivision of land approved by the Parish under applicable subdivision regulations of the Parish and duly filed with the Parish, containing lots for single-family residential use, and upon each lot not more than one manufactured home may be placed and occupied.

Mean Sea Level means, for the purposes of the National Flood Insurance Program, the National Geodetic Vertical Datum (NGVD) of 1929 or other datum, to which base flood elevations shown on a community's flood insurance rate map are referenced.

Membership Organization refers to buildings or facilities owned or operated by a corporation, association, or persons for a social, educational, or recreational purpose; but not primarily for profit or to render a service customarily carried on as a business.

Mobile Home means a factory-built, residential dwelling unit built to voluntary standards prior to the passage of the National Manufactured Housing Construction and Safety Standards Act of 1974. This term includes and is interchangeable with the term "house trailer," but does not include the term "manufactured home," as only manufactured homes are built to federal construction standards.

Modular Home means a factory-built, residential dwelling unit built to the International Residential Code as adopted by the Louisiana State Uniform Construction Code Council.

N

New Construction means, for the purpose of determining insurance rates, structures for which the "start of construction" commenced on or after the effective date of an initial FIRM or after December 31, 1974, whichever is later, and includes any subsequent improvements to such structures. For floodplain management purposes, "new construction" means structures for which the "start of construction" commenced on or after the effective date of a floodplain management regulation adopted by a community and includes any subsequent improvements to such structures.

New Manufactured Home Park or Subdivision means a manufactured home or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after the effective date of floodplain management regulations adopted by a community.

Nonconforming Structure means a building or structure lawfully existing at the time the provisions of this UDC became effective and any portion of which does not comply with the provisions of this UDC for the zoning district in which it is located.

Nonconforming Use shall mean a use lawfully occupying a building, structure or land at the time the provisions of this UDC became effective and which does not conform to the use regulations of the zoning district in which it is located.

Nonprecision Instrument Runway or Heliport means a runway or heliport having an instrument approach procedure utilizing air navigation facilities with only horizontal guidance or area type navigation equipment, for which a straight-in nonprecision instrument approach procedure has been approved or planned.

Nonresidential Subdivision means a subdivision whose intended use is other than residential, such as commercial or industrial.

O

Obstruction means any structure, growth, or other object, including a mobile object, which exceeds a limiting height set forth in Section 1.5.3, *Height Limitations*.

Official Zoning District Map means the zoning map adopted by this UDC, as amended, which defines zoning districts and designations in accordance with the zoning district classifications established within this UDC.

Operator means a person who assumes operational responsibility for a development.

Outdoor Sales means the display outside of a permanent structure, for the purpose of purchase by consumers, whether immediately or by placing of orders, of any merchandise, services, products, or goods irrespective of whether payment for such is made outdoors or in a permanent structure.

Owner shall mean, as to a particular property, any person, agent, firm, association, or corporation having a legal or equitable interest therein.

P

Parking Area means any portion of a lot used for parking or storage of operable motor vehicles on a temporary (less than 24 hours) basis which is connected with a street or alley by a paved driveway which affords ingress and egress for motor vehicles.

Parking Space means the off-street space available within the property boundary lines for the parking of a motor vehicle.

Patio Home means a single-family detached dwelling unit, which may have a zero building setback requirement on one side while maintaining the normal required setback on the other. Patio homes are often constructed on smaller lots and have a higher building coverage ratio than the traditional single-family dwelling.

Planning and Zoning Commission means the body, appointed by the Parish Council, which is responsible for administering portions of this UDC. The Planning and Zoning Commission may also be referred to as the Planning Commission or Commission.

Ponds means any man-made body of water, including lakes, ponds, lagoons and reservoirs (excluding tank-type reservoirs which are fully enclosed and contained), that are filled or refilled with water and used for recreational, scenic, fishing, or boating purposes. The term does not include swimming pools, or pre-manufactured landscape ornamental tubs or other artificial water containers planted with aquatic plants.

Precision Instrument Runway or Heliport means a runway or heliport having an instrument approach procedure utilizing an instrument landing system (ILS) or a precision approach radar (PAR). Also, a runway or heliport for which a precision approach system is planned and is so indicated on an approved airport layout plan or any other planning document.

Primary Arterial means a road intended to move through traffic to and from such major attractors as central business districts, regional shopping centers, colleges and/or universities, military installations, major industrial

areas, and similar traffic generators within the governmental unit and/or as a route for traffic between communities or large areas.

Primary Surface means a surface longitudinally centered on a runway. When the runway has a specially prepared hard surface, the primary surface extends 200 feet beyond each end of that runway; when the runway has no specially prepared hard surface or planned hard surface, the primary surface ends at each end of that runway. The width of the primary surface is set forth in Section 1.5.2, *Zone Types*. The elevation of any point on the primary surface is the same as the elevation of the nearest point on the runway centerline. For helicopters, the area of the primary surface coincides in size and shape with the designated takeoff and landing area of a heliport. This surface is a horizontal plane at the elevation of the established heliport elevation.

Primary Frontal Dune means a continuous or nearly continuous mound or ridge of sand with relatively steep seaward and landward slopes immediately landward and adjacent to the beach and subject to erosion and overtopping from high tides and waves during major coastal storms. The inland limit of the primary frontal dune occurs at the point where there is a distinct change from a relatively steep slope to a relatively mild slope.

Principal Building means a building in which the primary use of the lot on which the building is located is conducted.

Principal Use means the primary use and chief purpose of a lot or structure.

Q

R

Recreational Vehicle means a vehicular-type unit, excluding manufactured homes and mobile homes, built on or for use on a chassis and designed primarily as living quarters for recreational, camping, vacation, or travel use and which has its own motive power or is mounted or drawn by another vehicle. A recreational vehicle includes, but is not limited to, travel trailers, campers, pick up coaches, and motor homes.

Recreational Vehicle Campground means any parcel or tract of land under the control of any person, organization, or governmental entity wherein sites are offered for the use of the public for the establishment of temporary living sites for two or more recreational vehicles or camping units.

Recreational Vehicle Park means a use that provides for the parking and use of more than one recreational vehicles on a temporary basis, which provides hookups for water, sewer, and electricity.

Refuse-Derived Fuel Facility means a solid waste facility where fuel is processed from combustible solid waste.

Repetitive Loss means flood-related damage sustained by a structure on two separate occasions during a 10-year period for which the cost of repairs at the time of each such flood event, on the average, equals or exceeds 25 percent of the market value of the structure before the damage occurred.

Residential Districts means zoning districts "SR" Single-family Residential, "HR" High Density Residential, "EN" Existing Neighborhood and "MH" Manufactured Home.

Responsible Person, Bunkhouse means a person or persons designated by the owner or operator of a bunkhouse who shall be a supervisor of the bunkhouse.

Retirement Home, Center, or Hospice refers to a facility for the transitional residency of elderly and disabled persons, progressing from independent living in single-family units to congregate apartment living where residents share common meals and culminating in a full health and continuing care nursing home facility.

Runway means a defined area on the airport prepared for landing and takeoff of aircraft along its length.

S

Sand Dunes mean naturally occurring accumulations of sand in ridges or mounds landward of the beach.

School, Private means an institution of learning whose primary purpose is to provide a general education, owned and operated by an entity other than a governmental agency.

School, Public means an institution of learning owned and operated by a governmental agency, including an independent school district.

Seaway means a defined area on the airport specially designed for landing and takeoff of aircraft equipped with flotation devices for operations on water. For purposes of this UDC, all imaginary surfaces and zones are calculated as though the seaway were a utility runway.

Secondary Arterial means a road intended to collect and distribute traffic in a manner similar to primary arterials, except that these roads service minor traffic-generating areas such as community-commercial areas, primary and secondary educational facilities, hospitals, major recreational areas, churches, and offices, and/or designated to carry traffic from collector streets to the system of primary arterials. Secondary arterials may also be defined as minor arterials, as indicated on the latest version of the Parish Thoroughfare Plan.

Service Building means a permanent building housing toilet, lavatory, laundry and such other facilities as may be provided in a manufactured home park.

Servitude means a strip reserved for public or private utilities, drainage and other purposes, the title of which shall remain with the property owner, subject to the right of use designated in the reservation of the servitude.

Setback refers to the required minimum horizontal distance between the building line and the front, side, corner, or rear property line.

Sexually Oriented Business includes such adult uses as (*See also Section 9.3.5, Recreational and Amusement Uses*):

1. A sex parlor, nude studio, modeling studio, love parlor, adult video arcade, adult movie arcade, adult cabaret, or similar enterprise, which engages in the business of offering a service or selling, renting, or exhibiting devices or any other item designed or intended to provide sexual stimulation or sexual gratification to the customer;
2. Any business enterprise whose business includes exhibiting live performances that are intended to provide sexual stimulation or gratification to the consumer, regardless of whether exhibiting such performances is its primary business; or
3. An adult bookstore, adult movie theater, adult theater, adult video store, adult motel, or other enterprise, the primary business of which is offering of a service or the selling, renting, or exhibiting of devices or any other items designed or intended to provide sexual stimulation or sexual gratification to the customer.

The term "sexually oriented business" shall not be construed to include:

1. A business operated by or employing a licensed psychologist, licensed physical therapist, licensed athletic trainer, licensed cosmetologist, or licensed barber engaged in performing functions authorized under the license held; or
2. A business operated by or employing a licensed physician or licensed chiropractor engaged in practicing the healing arts.

Start of Construction (for other than new construction or substantial improvements under the Coastal Barrier Resources Act (Pub. L. 97-348)), includes substantial improvement and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement, or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction of structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for basement, footings, piers or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as the garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

Storage Facility refers to a building consisting of individual, self-contained and fully enclosed units, which the contents contained therein are not viewable from outside the unit, and are leased or owned for the storage of business and household goods or contractors' supplies.

Story shall mean that portion of a building included between the upper surface of a floor and the upper surface of the floor or roof next above.

Street, Private shall mean any private roadway right-of-way, which has not been dedicated for public use and which affords interior circulation and /or access to abutting property. A private driveway, which provides only secondary vehicular access to a lot or to an accessory parking or loading facility, or to allow vehicles to take on or discharge passengers at the entrance of a building, shall not be considered a private street.

Street, Public shall mean any public roadway right-of-way, which has been dedicated to the public for public use and which affords primary access to abutting property.

Structure shall mean anything constructed or erected below, at, or above grade, which requires location on the ground or is attached to something having a permanent location on the ground, and which, out of necessity or precaution, includes support, bracing, tying, anchoring, or other protection against the pressure of the elements. This includes, but is not limited to a gas or liquid storage tank that is principally above ground, buildings, towers, smokestacks, earth formations, overhead transmission lines, as well as a manufactured home.

Subdivider means any person, firm, corporation or any agent thereof, who divides or proposes to divide land so as to constitute a subdivision, which land is either owned, optioned or otherwise under his control.

Subdivision means land which is divided or proposed to be divided into two or more lots, parcels, sites, units, or plots for use as residential, single or multiple-family, commercial, industrial, manufactured homes, townhomes, unit developments or cluster developments in which there will be a transfer of title and/or streets or passageways dedicated to public use.

Substantial Damage means damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred. Also means flood related damages sustained by a structure on two separate occasions during a ten-year period for which the cost of repairs at the time of each such flood event, on the average equals or exceeds 25 percent of the market value of the structure before the damage occurred.

Substantial Improvement means any reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure before the "start of construction" of the improvement. This term includes structures that have incurred "repetitive loss" or "substantial damage" regardless of the actual repair work performed. The term does not, however, include either:

1. Any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications which have been identified by the local code enforcement officials and which are the minimum necessary conditions or
2. Any alteration of a "historic structure," provided that the alteration will not preclude the structure's continued designation as a "historic structure."

Surface Impoundment means a facility consisting of a natural topographic depression, manmade excavation, or diked area formed primarily of earthen materials (although it may be lined with man-made materials), designed to hold an accumulation of liquid waste and/or sludge, that is not an injection well, landfarm, landfill or tank. Runoff and containment areas (ROCA) of landfarms are considered to be surface impoundments.

T

Thoroughfare means a primary or secondary arterial road.

Transitional Surfaces means, for aircraft, surfaces which extend outward at 90-degree angles to the runway centerline and the runway centerline extended at a slope of seven feet horizontally for each foot vertically from the sides of the primary and approach surfaces to where they intersect the horizontal and conical surfaces. Transitional surfaces, for those portions of the precision approach surfaces which project through and beyond the limits of the conical surface, extend a distance of 5,000 feet measured horizontally from the edge of the approach surface and at 90 degrees to the extended runway centerline. For helicopters, these surfaces extend outward and upward from the lateral boundaries of the heliport primary surface and up from the approach surfaces at a slope of 2 to 1 for a distance of 250 feet, measured horizontally from the centerline of the primary and approach surfaces.

Transfer Station means a solid waste processing facility where solid waste is transferred from collection vehicles and placed in other vehicles for transportation.

Tree means any object of natural growth.

Townhome means a structure on an individual lot, which is one of a series of dwelling units designated for single-family occupancy, which dwelling units are structurally connected or immediately adjacent to and abutting each other, without side yards between individual dwelling units.

U

Use means the purpose or activity for which the land, or building is designed, arranged or intended, or for which it is occupied or maintained.

Utility Runway means a runway that is constructed for and intended to be used by propeller-driven aircraft of 12,500 pounds maximum gross weight and less.

V

Variance means a departure from any provision of the zoning regulations for a specific parcel of property, except use, without changing this UDC or the underlying zoning of the parcel of property.

A floodplain variance is a grant of relief to a person from the requirements of the floodzone regulations when specific enforcement would result in unnecessary hardship. A variance, therefore, permits construction or development in a manner otherwise prohibited by the floodzone regulations. (For full requirements see Section 60.6 of the National Flood Insurance Program regulations.)

Vehicle shall mean an instrument of conveyance, such as an automobile, bus, truck, or motor driven cycle, for carrying or transporting persons or goods on land. The term shall also include, for the purposes of regulating parking herein provided, camper trailers, travel trailers, truck campers, water craft trailers, and utility trailers.

Violation means the failure of a structure or other development to be fully compliant with the Parish's floodplain management regulations. A structure or other development without the elevation certificate, other certifications, or other evidence of compliance required in Section 60.3 (b) (5), (c) (4), (c) (10), (d) (3), (e) (2), (e) (4), or (e) (5) of the National Flood Insurance Program regulations, is presumed to be in violation until such time as that documentation is provided.

Visibility Triangle means all of that portion of land lying within a triangular shaped area on each street corner, beginning at the corner of the intersection point of the curb or edge of pavement of each of the two streets forming said corner, and extending a distance of 20 feet along each such curb line or pavement edge from the intersection point, and the third side being determined by drawing a straight line from the ends of the 20 foot extensions, regardless of whether the land is publicly or privately owned.

Visual Runway means a runway intended solely for the operation of aircraft using visual approach procedures.

W

Water Surface Elevation means the height, in relation to the National Geodetic Vertical Datum (NGVD) of 1929 (or other datum, where specified), of floods of various magnitudes and frequencies in the floodplains of coastal or riverine areas.

X

Y

Yard means an open space at grade between a building and adjoining lot lines, unoccupied and unobstructed by any portion of a structure from the ground upward, except as otherwise provided. In measuring a yard for the purpose of determining the width of a side yard or depth of a front or rear yard, the least horizontal distance between a lot line and the building shall be used.

Z

All ordinances or parts hereof in conflict herewith are hereby repealed.

This ordinance shall become effective and be in full force upon publication in the official journal of the Parish.

This ordinance having been offered and read on this the 22nd day of January 2014, having been published in accordance with law.

Mr. Hanagriff introduced the following ordinance:

ORDINANCE NO.

An Ordinance declaring certain real property surplus
in the Parish of St. Mary.

WHEREAS, Ordinance 1879 of the St. Mary Parish Council provided for the acquisition of certain real property by the Parish of St. Mary, more full described below;

- (1) That certain lot or parcel of land, lying and being situated in the Town of Franklin, Parish of St. Mary, State of Louisiana, measuring (59') feet front on the North side of Willow Street of said Town, by the depth between parallel lines of Two Hundred and Fifty One feet (251 ft.); said property being bounded on the East by property of Frank Young, or his heirs or assigns; South by Willow Street; West by property allotted to other parties in Act of Partition, and North by property of Brooks, his heirs or assigns. Being the property acquired by I. B. Scott in Act of Partition with others, recorded in Book 4-K of Conveyances, Page 489; and being the same property acquired by vendor Mattie Jane Scott as the surviving widow in community of Isaiah Benjamin Scott, Decd., in the proportion of one-half, and by the vendors, Anita Scott McIntosh, Mabel Scott Saunders and Dr. Ira B. Scott, as the children and sole legal heirs of said Isaiah Benjamin Scott, in the proportion of one-third to each, of the other one-half thereof; as per judgment of court in the Suc. of Isaiah Benjamin Scott, Decd., Probate No. 5372, 16th Judicial District Court of Louisiana, Parish of St. Mary, of date of February 15, 1949, and recorded same day in book 7-H of Conveyances, No. 78,602; and as shown and delineated upon a map and plan of survey made by T.F. Kramer, C.E., of date February 8, 1949, being lot on Willow Street on said map, inscribed "I. B. Scott" attached to act of sale recorded in Book 7-H, Page 418, Entry No. 78,780. Together with all buildings and improvements thereon situated, rights, ways, privileges, servitudes and appurtenances thereunto belonging and appertaining.
- (2) That certain lot or parcel of land, lying and being situated on the North side of Willow Street in the Town of Franklin, Louisiana, bounded on the East by I. B. Scott, his heirs or assigns, on the North by the estate of Brooks and by Miller, West by property of Arthur Breaux, his heirs or assigns, in part, and in part by remaining property of A. G. Allen, his heirs or assigns, and in part by I. B. Scott, his heirs or assigns, and on the South by Willow Street. Together with all buildings and improvements thereon situated, rights, ways, privileges, servitudes and appurtenances thereunto belonging and appertaining.

Being the same property acquired by Beverly Bernard Broussard, et ux from Joseph O. Bodin, Jr., et ux by Act of Cash Sale dated and recorded August 9, 1991 in Conveyance Book 34-N, under Entry No. 235,232 of the conveyance records of St. Mary Parish, Louisiana. The property has as its address 906 Willow Street, Franklin, Louisiana.

The acquisition of said property is undertaken pursuant to the terms of a Cooperative Endeavor Agreement previously executed by and between the Parish of St. Mary and the Boys and Girls Club of the Bayou Teche Region, a copy of which is attached as Exhibit "A", made part hereof.

Furthermore, by resolution adopted by the Board of Directors of the Boys and Girls Club of the Bayou Teche Region, on June 5, 2009, a copy of which is attached as Exhibit "B", and made part hereof; it is

declared that the Boys and Girls Club of the Bayou Teche Region is no longer in operation and no longer occupies the premises located at 906 Willow Street in Franklin, Louisiana, and all rights and ownership interests in said premises were conveyed to the Parish of St. Mary.

WHEREAS, the St. Mary Parish Council finds that the above described is no longer needed for a public purpose and to declare such real property surplus.

NOW, THEREFORE BE IT ORDAINED by the St. Mary Parish Council, on behalf of the St. Mary Parish Government, declares that:

SECTION 1. That the below described property is no longer needed for a public purpose and is hereby declared surplus property.

- (1) That certain lot or parcel of land, lying and being situated in the Town of Franklin, Parish of St. Mary, State of Louisiana, measuring (59') feet front on the North side of Willow Street of said Town, by the depth between parallel lines of Two Hundred and Fifty One feet (251 ft.); said property being bounded on the East by property of Frank Young, or his heirs or assigns; South by Willow Street; West by property allotted to other parties in Act of Partition, and North by property of Brooks, his heirs or assigns. Being the property acquired by I. B. Scott in Act of Partition with others, recorded in Book 4-K of Conveyances, Page 489; and being the same property acquired by vendor Mattie Jane Scott as the surviving widow in community of Isaiah Benjamin Scott, Decd., in the proportion of one-half, and by the vendors, Anita Scott McIntosh, Mabel Scott Saunders and Dr. Ira B. Scott, as the children and sole legal heirs of said Isaiah Benjamin Scott, in the proportion of one-third to each, of the other one-half thereof; as per judgment of court in the Suc. of Isaiah Benjamin Scott, Decd., Probate No. 5372, 16th Judicial District Court of Louisiana, Parish of St. Mary, of date of February 15, 1949, and recorded same day in book 7-H of Conveyances, No. 78,602; and as shown and delineated upon a map and plan of survey made by T.F. Kramer, C.E., of date February 8, 1949, being lot on Willow Street on said map, inscribed "I. B. Scott" attached to act of sale recorded in Book 7-H, Page 418, Entry No. 78,780. Together with all buildings and improvements thereon situated, rights, ways, privileges, servitudes and appurtenances thereunto belonging and appertaining.
- (2) That certain lot or parcel of land, lying and being situated on the North side of Willow Street in the Town of Franklin, Louisiana, bounded on the East by I. B. Scott, his heirs or assigns, on the North by the estate of Brooks and by Miller, West by property of Arthur Breaux, his heirs or assigns, in part, and in part by remaining property of A. G. Allen, his heirs or assigns, and in part by I. B. Scott, his heirs or assigns, and on the South by Willow Street. Together with all buildings and improvements thereon situated, rights, ways, privileges, servitudes and appurtenances thereunto belonging and appertaining.

Being the same property acquired by Beverly Bernard Broussard, et ux from Joseph O. Bodin, Jr., et ux by Act of Cash Sale dated and recorded August 9, 1991 in Conveyance Book 34-N, under Entry No. 235,232 of the conveyance records of St. Mary Parish, Louisiana. The property has as its address 906 Willow Street, Franklin, Louisiana.

The acquisition of said property is undertaken pursuant to the terms of a Cooperative Endeavor Agreement previously executed by and between the Parish of St. Mary and the Boys and Girls Club of the Bayou Teche Region, a copy of which is attached as Exhibit "A", made part hereof.

Furthermore, by resolution adopted by the Board of Directors of the Boys and Girls Club of the Bayou Teche Region, on June 5, 2009, a copy of which is attached as Exhibit "B", and made part hereof; it is declared that the Boys and Girls Club of the Bayou Teche Region is no longer in operation and no longer occupies the premises located at 906 Willow Street in Franklin, Louisiana, and all rights and ownership interests in said premises were conveyed to the Parish of St. Mary.

SECTION 1. That the Parish President be authorized to take whatever actions and to execute all documents that are necessary to transfer ownership of said property from St. Mary Parish.

SECTION 2. This ordinance shall be published in full in the official journal of the Parish Council after adoption.

SECTION 3. This ordinance shall become effective and be in full force upon signature of the Parish President.

This ordinance having been offered and read on this the 22nd day of January 2014; having been published in accordance with law.

Mr. Hanagriff introduced the following ordinance:

ORDINANCE NO.

An Ordinance proposing an amendment to Section 2 – 01(D) of the Home Rule Charter for St. Mary Parish adopted February 1983.

THE ST. MARY PARISH COUNCIL DOES HEREBY ORDAIN:

SECTION 1. That Section 2 – 01 (D) of the Home Rule Charter for St. Mary Parish, entitled “Composition, Qualifications and Election.” is proposed to be amended to read as follows:

- D. Any council member elected after the effective date of this provision, who has represented any council districts for more than two and one-half terms in three consecutive terms shall not be elected for the succeeding term for any council district.

SECTION 2. That this Ordinance is hereby adopted in accordance with Section 2-11 and Section 7-03 of the Home Rule Charter for St. Mary Parish and that said Charter amendment shall become effective only upon ratification by the electors of St. Mary Parish at a special election to be called for said purpose.

This ordinance having been offered and read on this the 22nd day of January 2014, having been published in accordance with law.

In regard to the Ordinance proposing an amendment to Section 2-05 of the Home Rule Charter for St. Mary Parish adopted February 1983, Mr. Hidalgo requested that the ordinance be withdrawn.

Mr. Hanagriff introduced the following ordinance:

ORDINANCE NO.

An Ordinance proposing an amendment to Section 3 – 04 of the Home Rule Charter for St. Mary Parish adopted February 1983.

THE ST. MARY PARISH COUNCIL DOES HEREBY ORDAIN:

SECTION 1. That Section 3 – 04 of the Home Rule Charter for St. Mary Parish, entitled “Compensation.” is proposed to be amended to read as follows:

The salary of the president shall be \$36,000.00 annually. No increase in the compensation shall be made to any parish president who was not elected after the effective date of the increase.

SECTION 2. That this Ordinance is hereby adopted in accordance with Section 2-11 and Section 7-03 of the Home Rule Charter for St. Mary Parish and that said Charter amendment shall become effective only upon ratification by the electors of St. Mary Parish at a special election to be called for said purpose.

This ordinance having been offered and read on this the 22nd day of January 2014, having been published in accordance with law.

Mr. Hanagriff introduced the following ordinance:

ORDINANCE NO.

An Ordinance proposing an amendment to Section 2 – 05 (A) of the Home Rule Charter for St. Mary Parish adopted February 1983.

THE ST. MARY PARISH COUNCIL DOES HEREBY ORDAIN:

SECTION 1. That Section 2 – 05 (A) of the Home Rule Charter for St. Mary Parish, entitled “Compensation.” is proposed to be amended to read as follows:

- A. The compensation of council members shall be \$750 per month, except that council members elected by all voters in the Parish shall receive \$1,100 per month. No increase in the compensation shall be made to any council member who was not elected after the effective date of the increase.

SECTION 2. That this Ordinance is hereby adopted in accordance with Section 2-11 and Section 7-03 of the Home Rule Charter for St. Mary Parish and that said Charter amendment shall become effective only upon ratification by the electors of St. Mary Parish at a special election to be called for said purpose.

This ordinance having been offered and read on this the 22nd day of January 2014, having been published in accordance with law.

Mr. LaGrange stated that a workshop will be held on January 29, 2014, 6:00 p.m. in the Parish Council Meeting Room to discuss and review the Ordinance adopting St. Mary Parish Unified Development code and Zoning Map, January 2014.

Dr. Tregle moved that the following resolutions be adopted. The Parish Council seconded the motion which carried by the following 10-0-0-1 Roll Call vote:

YEAS: Messrs. Metz, Hanagriff, Hidalgo, Singleton, Fromenthal, Dr. Tregle, Messrs. Fryou, Foulcard, Voisin and Bierhorst

NAYS: None

ABSTAIN: None

ABSENT: Mr. Middleton

RESOLUTION OF RESPECT

WHEREAS, the Lord Almighty in his Infinite mercy and goodness has seen fit to remove from our midst, Ms. Gwen Elizabeth Fromenthal, Sister of Parish Councilman, Logan Fromenthal, and

WHEREAS, Ms. Fromenthal loved spending time with her family and friends and she loved everyone, and

WHEREAS, the members of the St. Mary Parish Council wish to acknowledge publicly their sorrow and sympathy to the family of Ms. Fromenthal, and

WHEREAS, the St. Mary Parish Council hopes that her family will find comfort in the thought that their grief and sorrow are shared by their friends.

NOW, THEREFORE BE IT RESOLVED, by the St. Mary Parish Council through the unanimous adoption of this resolution that they solemnly deliberate with sincere condolences, sympathy, and understanding during this time of grief.

ADOPTED AND APPROVED by the St. Mary Parish Council in regular session convened on this the 22nd day of January 2014.

APPROVED:

s/g Steve Bierhorst

**STEVE BIERHORST, CHAIRMAN
ST. MARY PARISH COUNCIL**

ATTEST:

s/g Lisa C. Morgan

**LISA C. MORGAN, CLERK
ST. MARY PARISH COUNCIL**

RESOLUTION OF RESPECT

WHEREAS, the Lord Almighty in his Infinite mercy and goodness has seen fit to remove from our midst, Mr. Richard “Bud” Williamson, and

WHEREAS, Mr. Williamson was very involved in many civic and professional organizations and worked diligently on his accomplishments, and

WHEREAS, the members of the St. Mary Parish Council wish to acknowledge publicly their sorrow and sympathy to the family of Mr. Williamson, and

WHEREAS, the St. Mary Parish Council hopes that his family will find comfort in the thought that their grief and sorrow are shared by their friends.

NOW, THEREFORE BE IT RESOLVED, by the St. Mary Parish Council through the unanimous adoption of this resolution that they solemnly deliberate with sincere condolences, sympathy, and understanding during this time of grief.

ADOPTED AND APPROVED by the St. Mary Parish Council in regular session convened on this the 22nd day of January 2014.

APPROVED:

s/g Steve Bierhorst

**STEVE BIERHORST, CHAIRMAN
ST. MARY PARISH COUNCIL**

ATTEST:

s/g Lisa C. Morgan

**LISA C. MORGAN, CLERK
ST. MARY PARISH COUNCIL**

Mr. Voisin moved that the following resolution be adopted. Dr. Tregle seconded the motion which carried by the following 10-0-0-1 Roll Call vote:

YEAS: Messrs. Hanagriff, Hidalgo, Singleton, Fromenthal, Dr. Tregle, Messrs. Fryou, Foulcard, Voisin, Bierhorst and Metz

NAYS: None

ABSTAIN: None

ABSENT: Mr. Middleton

RESOLUTION

A resolution authorizing Paul P. Naquin, Jr., the President of St. Mary Parish to execute a Local Services Agreement with the City of Morgan City relative to use of Parish Dump Truck.

BE IT RESOLVED, that Paul P. Naquin, Jr., President of the Parish of St. Mary, be and he is hereby authorized and directed, for and on behalf of the Parish Council, to execute a Local Services Agreement with the City of Morgan City relative to use of Parish Dump Truck, with said Agreement to contain such terms, conditions and stipulations as he may best see fit, he being fully authorized in the premises.

ADOPTED AND APPROVED by the St. Mary Parish Council in regular session convened on this the 22nd day of January 2014.

APPROVED:

s/g Steve Bierhorst

**STEVE BIERHORST, CHAIRMAN
ST. MARY PARISH COUNCIL**

ATTEST:

s/g Lisa C. Morgan

**LISA C. MORGAN, CLERK
ST. MARY PARISH COUNCIL**

Mr. Metz moved that the following resolutions be adopted. Mr. Fryou seconded the motion which carried by the following 10-0-0-1 Roll Call vote:

YEAS: Messrs. Hanagriff, Hidalgo, Singleton, Fromenthal, Dr. Tregle, Messrs. Fryou, Foulcard, Voisin, Bierhorst and Metz

NAYS: None

ABSTAIN: None

ABSENT: Mr. Middleton

RESOLUTION

A resolution authorizing Paul P. Naquin, Jr., the President of St. Mary Parish to execute an amendment to the Engineering Agreement with Miller Engineers & Associates, Inc. relative to the Franklin Drainage Improvements Project under the LRA Disaster Recovery CDBG Program.

BE IT RESOLVED, that Paul P. Naquin, Jr., President of the Parish of St. Mary, be and he is hereby authorized and directed, for and on behalf of the Parish Council, to execute an amendment to the Engineering Agreement with Miller Engineers & Associates, Inc., P. O. Box 223, Franklin, Louisiana 70538, relative to the Franklin Drainage Improvements Project under the LRA Disaster Recovery CDBG Program, with said agreement to contain such terms, conditions and stipulations as he may best see fit, he being fully authorized in the premises.

ADOPTED AND APPROVED by the St. Mary Parish Council in regular session convened on this the 22nd day of January 2014.

APPROVED:

s/g Steve Bierhorst

**STEVE BIERHORST, CHAIRMAN
ST. MARY PARISH COUNCIL**

ATTEST:

s/g Lisa C. Morgan

**LISA C. MORGAN, CLERK
ST. MARY PARISH COUNCIL**

RESOLUTION

A resolution authorizing the President of St. Mary Parish to execute Louisiana Wetlands – Purchase Agreement with Louisiana Wetlands, L.L.C.

BE IT RESOLVED, that the President of the Parish of St. Mary, be and he is hereby authorized and directed, for and on behalf of the Parish Council, to execute Louisiana Wetlands – Purchase Agreement relative to Bayou Teche Wetlands Mitigation Area, Mitigation for Permit No. MVN-2012-2592-WJJ, the purchase of five tenths (0.5) acres of hardwood mitigation credits from Louisiana Wetlands, L.L.C, with said Agreement to contain such terms, conditions and stipulations as he may best see fit, he being fully authorized in the premises.

ADOPTED AND APPROVED by the St. Mary Parish Council in regular session convened on this the 22nd day of January 2014.

APPROVED:

s/g Steve Bierhorst

**STEVE BIERHORST, CHAIRMAN
ST. MARY PARISH COUNCIL**

ATTEST:

s/g Lisa C. Morgan

**LISA C. MORGAN, CLERK
ST. MARY PARISH COUNCIL**

RESOLUTION

A resolution authorizing Paul P. Naquin, Jr., the President of the Parish of St. Mary to execute a Professional Services Agreement with LJC Planning & Design, LLC relative to Administrative and Related Services for the Atchafalaya Basin Program.

BE IT RESOLVED, that Paul P. Naquin, Jr., President of the Parish of St. Mary, be and he is hereby authorized and directed, for and on behalf of the Parish Council, to execute a Contract with LJC Planning & Design, LLC for professional services relative to Administrative and Related Services for the Atchafalaya Basin Program, with said Contract to contain such terms, conditions and stipulations as he may best see fit, he being fully authorized in the premises.

ADOPTED AND APPROVED by the St. Mary Parish Council in regular session convened on this the 22nd day of January 2014.

APPROVED:

s/g Steve Bierhorst

**STEVE BIERHORST, CHAIRMAN
ST. MARY PARISH COUNCIL**

ATTEST:

s/g Lisa C Morgan

**LISA C. MORGAN, CLERK
ST. MARY PARISH COUNCIL**

RESOLUTION

A resolution authorizing Paul P. Naquin, Jr., the President of the Parish of St. Mary to execute a Professional Services Agreement with LJC Planning & Design, LLC relative to Administrative and Related Services for the Harry P. Williams Memorial Airport.

BE IT RESOLVED, that Paul P. Naquin, Jr., President of the Parish of St. Mary, be and he is hereby authorized and directed, for and on behalf of the Parish Council, to execute a Contract with LJC Planning & Design, LLC for professional services relative to Administrative and Related Services for the Harry P. Williams Memorial Airport, with said Contract to contain such terms, conditions and stipulations as he may best see fit, he being fully authorized in the premises.

ADOPTED AND APPROVED by the St. Mary Parish Council in regular session convened on this the 22nd day of January 2014.

APPROVED:

s/g Steve Bierhorst

**STEVE BIERHORST, CHAIRMAN
ST. MARY PARISH COUNCIL**

ATTEST:

s/g Lisa C. Morgan

**LISA C. MORGAN, CLERK
ST. MARY PARISH COUNCIL**

RESOLUTION

A resolution authorizing Paul P. Naquin, Jr., the President of St. Mary Parish to execute an amendment to the Engineering Agreement with Miller Engineers & Associates, Inc. relative to Yellow Bayou and Hanson Canal Floodgates and Levee Improvements Project under the LRA Disaster Recovery CDBG Program.

BE IT RESOLVED, that Paul P. Naquin, Jr., President of the Parish of St. Mary, be and he is hereby authorized and directed, for and on behalf of the Parish Council, to execute an amendment to the Engineering Agreement with Miller Engineers & Associates, Inc., P. O. Box 223, Franklin, Louisiana 70538, relative to Yellow Bayou and Hanson Canal Floodgates and Levee Improvements Project under the LRA Disaster Recovery CDBG Program., with said agreement to contain such terms, conditions and stipulations as he may best see fit, he being fully authorized in the premises.

ADOPTED AND APPROVED by the St. Mary Parish Council in regular session convened on this the 22nd day of January 2014.

APPROVED:

s/g Steve Bierhorst

**STEVE BIERHORST, CHAIRMAN
ST. MARY PARISH COUNCIL**

ATTEST:

s/g Lisa C. Morgan

**LISA C. MORGAN, CLERK
ST. MARY PARISH COUNCIL**

RESOLUTION

Resolution stating the Parish of St. Mary's endorsement of LAD Services, LLC and their Project No. 20131311 – Baldwin Facility to participate in the benefits of the Louisiana Enterprise Zone Program.

WHEREAS, the Louisiana Enterprise Zone Act 901 of 1981, Act 337 of 1982, Act 433 of 1987, Act 1024 of 1992, Act 581 of 1995, and Act 624 and Act 647 of 1997, and;

WHEREAS, the Louisiana Enterprise Zone Program offers significant incentives for economic development to some of the most distressed areas in the State, and;

WHEREAS, the Louisiana Department of Economic Development designated Census Tract 412 Block Group 001 in the Parish of St. Mary, as "Enterprise Zone" or Economic Development Zone" eligible based on enabling legislation (R.S. 51.21.1787-1791) and;

WHEREAS, the Parish of St. Mary states this endorsement is in agreement with the Overall Economic Development Plan for the Parish of St. Mary, and;

WHEREAS, the attached Enterprise Zone map has been marked to show the location of the business being endorsed, and;

WHEREAS, in accordance with the Louisiana Enterprise Zone Program requirements the Parish of St. Mary agrees:

1. To participate in the Enterprise Zone Program
2. To assist the Department in evaluating progress made in any Enterprise Zone within its jurisdiction
3. To REBATE all eligible local sales/use taxes on the purchase of eligible construction materials, machinery, and equipment purchased for this project and used by the business permanently on that site.

BE IT RESOLVED, by the Parish of St. Mary in, regular and legal session convened on this the 22nd day of January 2014 that LAD Services, LLC. and their project – Enterprise Zone Application No. 20131311 – Baldwin Facility is endorsed to participate in the Louisiana Enterprise Zone Program.

BE IT FURTHER RESOLVED, that if any provision or item of this resolution or the application thereof is held invalid, such invalidity shall not affect other provisions, items or applications of this resolution which can be given effect without the invalid provisions, items or applications and to this end the provisions of this resolution are hereby declared severable.

BE IT FURTHER RESOLVED, that all resolutions or parts thereof in conflict herewith are hereby repealed.

ADOPTED AND APPROVED by the St. Mary Parish Council in regular session convened on this the 22nd day of January 2014.

APPROVED:

s/g Steve Bierhorst

**STEVE BIERHORST, CHAIRMAN
ST. MARY PARISH COUNCIL**

ATTEST:

s/g Lisa C. Morgan

**LISA C. MORGAN, CLERK
ST. MARY PARISH COUNCIL**

RESOLUTION

A resolution authorizing Paul P. Naquin, Jr., the President of the Parish of St. Mary to execute a Professional Services Agreement with LJC Planning & Design, LLC relative to Mitigate Obstructions to Runway 06 Approach – Harry P. Williams Memorial Airport.

BE IT RESOLVED, that Paul P. Naquin, Jr., President of the Parish of St. Mary, be and he is hereby authorized and directed, for and on behalf of the Parish Council, to execute a Contract with LJC Planning & Design, LLC for professional services relative to Mitigate Obstructions to Runway 06 Approach - Harry P. Williams Memorial Airport, with said Contract to contain such terms, conditions and stipulations as he may best see fit, he being fully authorized in the premises.

ADOPTED AND APPROVED by the St. Mary Parish Council in regular session convened on this the 22nd day of January 2014.

APPROVED:

s/g Steve Bierhorst

**STEVE BIERHORST, CHAIRMAN
ST. MARY PARISH COUNCIL**

ATTEST:

s/g Lisa C. Morgan

**LISA C. MORGAN, CLERK
ST. MARY PARISH COUNCIL**

OLD BUSINESS:

NEW BUSINESS:

- A. We received the following financial statements:

Claire House – year ending June 30, 2013
The Arc of St. Mary – year ending June 30, 2013

- B. Discuss meeting time change for February 26, 2014 Second Regular Meeting.

Mr. Bierhorst stated that the upcoming Police Jury Association of Louisiana 89th Annual Convention will be held on February 26, 27 and 28, 2014 in Baton Rouge, LA. (The PJAL Convention will be in conflict with the Second Regular Meeting in February, 2014.)

Mr. Voisin moved that the February 26, 2014 Regular Meeting be held at 10:00 a.m. in lieu of the 6:00 p.m. regularly scheduled meeting time. Mr. Fryou seconded the motion, which carried.

- C. Joseph “Joe” Bishop, Rapides Parish Police Juror District B writes - I would like to announce my candidacy for 3rd Vice President on the Police Jury Association of Louisiana Executive Board. I have served on this board since 2010. It has been an honor to serve as an executive member and I would appreciate the privilege to continue supporting and focusing on the issues that are important.

Please accept this letter as a request for your support, at the 2014 Police Jury Association Conference to be held in Baton Rouge on February 26 through the 28th.

D. Appointments to the following Boards and Commissions:

Water & Sewer Commission No. 1 – 7 Vacancies

Sylvester J. Verret	Leroy L. Trim – Present Member
Alvin Wilkerson- Present Member	Elizabeth Ann Hebert – Present Member
Roland H. Verret- Present Member	Shirley Bailey – Present Member
William Perry Whitten – Present Member	Donald Patureau – Present Member

Mr. Fryou moved that Leroy Trim, Alvin Wilkerson, Elizabeth Ann Hebert, Roland H. Verret, Shirley Bailey, William Perry Whitten and Donald Patureau be reappointed to Water & Sewer Commission No. 1 Board of Commissioners. Mr. Voisin seconded the motion, which carried.

There being no further business, Dr. Tregle moved for adjournment. Mr. Voisin seconded the motion, which carried.

s/g Lisa C. Morgan

s/g Steve Bierhorst

Lisa C. Morgan, Clerk

Steve Bierhorst, Chairman