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**CITY OF CENTRAL  
COMPREHENSIVE ZONING CODE**

45 **Chapter 1: Purpose & Definitions**

46 **Section 1.1 Title**

47 This title shall be known as the City of Central's Comprehensive Zoning Code and may be cited  
48 as the "Central Zoning Ordinance" or the "Zoning Code."

49 **Section 1.2 Purpose**

50 The City of Central's Comprehensive Zoning Code is adopted for the purposes of protecting and  
51 promoting the public health, safety, and general welfare. These purposes shall be accomplished  
52 by seeking:

- 53 A. To establish adequate standards for the provision of light, air, and open spaces;
- 54 B. To zone all properties with a view to conserving the value of buildings and land and  
55 encouraging the most appropriate use of land throughout the City;
- 56 C. To lessen congestion on the public streets, and to facilitate the provision of adequate  
57 transportation, and of other public requirements and services such as water, sewage,  
58 schools, and parks;
- 59 D. To avoid increasing the risk of flooding as a result of overburdening the existing storm  
60 drainage system and flood plain;
- 61 E. To avoid hazards to persons and damage to property from inappropriate development of  
62 lands;
- 63 F. To avoid undue concentration of population, and to prevent the overcrowding of land;
- 64 G. To foster a rational pattern of relationship between residential, business, commercial, and  
65 industrial uses for the mutual benefit of all;
- 66 H. To provide for and preserve appropriate open space;
- 67 I. To protect residential, business, commercial, and industrial areas alike from harmful  
68 encroachment by incompatible uses and to ensure that land allocated to a class of uses  
69 shall not be usurped by other inappropriate uses;
- 70 J. To isolate or control the location of unavoidable nuisance-producing uses;
- 71 K. To establish reasonable standards to which buildings and structures shall conform, and to  
72 encourage reasonable flexibility of development design through appropriate innovation;
- 73 L. To provide for the regulation of nonconforming buildings, structures and uses;
- 74 M. To prevent such additions to, and alterations or remodeling of, existing buildings or  
75 structures as would not comply with the restrictions and limitations imposed herein;
- 76 N. To define the powers and duties of the administrative and enforcement officers and  
77 bodies;
- 78 O. To implement the objectives of Central's Master Plan, as well as protect all appropriate  
79 existing structures and uses.

80 **Section 1.3 Minimum Requirements**

81 This Zoning Code sets forth the minimum requirements adopted for the promotion of the public  
82 health, safety, and the general welfare. When any requirement of this Zoning Code conflicts with

1 the requirements of another lawfully adopted ordinance, the most restrictive provision or the  
2 provision imposing the highest standard shall be applicable.

3  
4 **Section 1.4 Provisions Are Noncumulative; Unlisted Uses Prohibited**

- 5  
6 A. Zoning district requirements do not accumulate from one district to another unless  
7 expressly stated.  
8 B. Any use not expressly provided for is prohibited.  
9

10 **Section 1.5 Severability**

11  
12 If a court of competent jurisdiction adjudges any provision of this Zoning Code to be invalid or  
13 adjudges the application of any provision of this Zoning Code to a particular property, building  
14 or structure to be invalid, it is the intention of the City that the provisions of this Zoning Code are  
15 severable and that said judgment shall not affect any other provision of this Zoning Code not  
16 specifically included in the judgment.  
17

18 **Section 1.6 Relationship to City Ordinances**

19  
20 This Zoning Code shall be considered an integral part of the Code for the City of Central, and as  
21 such is interrelated with all other titles, chapters and sections of all other City of Central  
22 ordinances. All applications for permits required by this Zoning Code shall be subject to all  
23 applicable provisions of all other ordinances.  
24

25 **Section 1.7 Interpretation and Definitions**

- 26  
27 A. For purposes of this Zoning Code the following terms shall be interpreted as follows:  
28  
29 1. "Person" means any individual, firm, partnership, joint venture, association,  
30 social club, fraternal organization, corporation, estate, trust, business trust,  
31 receiver, syndicate, this city and any parish, municipality, or other political  
32 subdivision, or any other group or combination acting as a unit, or personal  
33 representative thereof.  
34  
35 2. The present tense includes the future tense.  
36  
37 3. The singular number includes the plural, and the plural number includes the  
38 singular.  
39  
40 4. The word "shall" is a mandatory requirement, the word "may" is a permissive  
41 requirement, the word "should" is a preferred requirement.  
42  
43 5. The words "used" or "occupied" include the words "intended, designed, or  
44 arranged to be used or occupied."  
45  
46 6. The word "lot" includes the words "plot" or "parcel."  
47

1 B. The following words and terms when used in the Zoning Code shall be defined as  
2 follows:

3  
4 “Accessory Buildings” and “Accessory Uses” means a building, structure, or use that is  
5 customary in connection with and clearly incidental and subordinate to the principal  
6 building, structure or use on a zoning lot. Accessory uses do not include the conduct of  
7 business or the raising of livestock, poultry or pets or Accessory Dwelling Units.  
8

9 “Accessory Dwelling Unit” (“ADU”) means a second dwelling unit (sometimes referred  
10 to a carriage house or “mother-in-law” unit) on the same lot as and incidental to a single  
11 family detached residential structure.  
12

13 “Acre” means 43,560 square feet.  
14

15 “Adult Day Care Center” means a group program for persons with developmental  
16 disabilities designed to meet the individual needs of functionally impaired adults, which  
17 is structured and comprehensive and provides a variety of health, social, vocational, or  
18 related services in a protective setting for a portion of a 24-hour day.  
19

20 “Adult Use” means adult bookstores, adult motion picture theaters, adult entertainment  
21 cabarets, adult novelty stores and other similar uses as defined and regulated in Section  
22 19.1.  
23

24 “Apartment” means a room or suite of rooms in a two-family or multiple-family dwelling  
25 or in a building including a nonresidential use, intended or designed for use as a residence  
26 by a single family.  
27

28 “Automobile sales” means an automobile sales lot or premises upon which a person  
29 engages in the business of selling new and/or used vehicles.  
30

31 “Automotive repair facilities” means a building or premises used for the repair, or  
32 reconditioning of motor vehicles or parts thereof, including collision service, painting and  
33 steam cleaning of vehicles. An automotive repair facility does not necessarily include  
34 filling station uses.  
35

36 “Basement” means that portion of a building that is partly or completely below grade.  
37 The finished floor level above the level under consideration is six feet (1829 mm) or less  
38 above the grade plane, and is six feet (1829 mm) or less above the finished ground level  
39 for more than 50% of the perimeter and does not exceed 12 feet (3658 mm) at any point.  
40

41 “Bed and Breakfast Home” is a building or premises limited to four guestrooms within a  
42 home listed on the National Register of Historic Places or within homes a minimum of 50  
43 years old. All parking areas must be completely screened from the street and adjacent  
44 residences. No signage is allowed. A Bed and Breakfast Home must be owner occupied.  
45 A Bed and Breakfast Home shall be located on a lot or tract with a minimum size of one  
46 acre. Guests are limited to a maximum stay of seven consecutive days. Homes that  
47 qualify based upon the 50-year old requirement shall not be located within a recognized

1 residential subdivision unless the lot has frontage on a collector more highly trafficked  
2 street.

3  
4 “Boarding House” means a building or premises with lodging for five or more persons  
5 where meals are regularly prepared and served for compensation and where food is  
6 placed upon the table family style, without service or ordering of individual portions from  
7 a menu.

8  
9 “Body Shop” means a building or premises used for the repair, rebuilding or  
10 reconditioning automobiles including body work, collision, service, welding, painting,  
11 and steam cleaning of vehicles. A body shop shall not provide for the storage of damaged  
12 vehicles except those that are to be immediately repaired.

13  
14 “Building” means any structure designed or intended for the support, enclosure, shelter,  
15 or protection of persons, animals, chattels or property. Buildings shall be classified as  
16 “Principal” or “Temporary”.

17  
18 "Principal Building" means a building permanently affixed to the land in which is  
19 conducted the main or principal use of the lot on which the building is situated.

20  
21 "Temporary Building" means any building not permanently affixed to the land.

22  
23 “Building Height” means the vertical distance measured from the average elevation of the  
24 finished ground grade within 20 feet of the front of the proposed building to the highest  
25 point of the roof. In all but the R/A Rural Agricultural District and the residential  
26 districts, height shall be measured at the maximum vertical projection of any structure,  
27 including antennas, chimneys and spires.

28  
29 “Building Line” means “Setback Line.”

30  
31 “Building Permit” means a document issued by the Building Official authorizes  
32 performance of an activity subject to the International Building Code.

33  
34 "Bulk Regulations" means regulations regarding any of the following characteristics:

- 35
- 36 1. Ground floor area;
  - 37 2. Height of building;
  - 38 3. Setbacks of exterior walls of buildings or structures at all levels in relation  
39 to lot lines, streets, or to other buildings or structures;
  - 40 4. Gross floor area of the building or structure in relation to lot area (floor  
41 area ratio);
  - 42 5. Open spaces allocated to the building;
  - 43 6. The size and shape (area, lot frontage and lot width) of the lot and the  
44 amount of lot area and lot width provided per dwelling unit or other unit of  
45 measure.
- 46

1 “Car Wash” means a building, or portion thereof, used for the washing and cleaning of  
2 vehicles or equipment, whether automatic, by hand. The washing and cleaning may be by  
3 the operator or by a customer.  
4

5 “Cemetery” means land used or intended to be used for the burial of the animal or human  
6 dead and dedicated for cemetery purposes, including crematories, mausoleums and  
7 mortuaries if operated in connection with and within the boundaries of such cemetery.  
8

9 “Certificate of Occupancy” means a written statement by the Building Official stating  
10 that the building, use and premises is in compliance with all applicable standards,  
11 including this zoning code.  
12

13 “Church” means a building primarily used for religious worship. The word "church" shall  
14 include chapel, mosque, temple and synagogue.  
15

16 “Club” means a building or portion thereof or premises owned or operated for a social,  
17 literary, political, educational or recreational purpose primarily for the exclusive use of  
18 members and their guests.  
19

20 “College” or “University” means an educational institution of higher learning generally  
21 offering postsecondary academic or technical training.  
22

23 “Commercial Vehicle” means any vehicle, except standard passenger vehicles, operated  
24 for the transportation of persons or property in the furtherance of any commercial or  
25 industrial enterprise, for-hire or not-for-hire, but not including a vehicle used in a ride  
26 sharing arrangement when being used for that purpose or a recreational vehicle not being  
27 used commercially. In any event, any vehicle that is licensed for a gross weight,  
28 including vehicle and cargo, of 8,001 pounds or more, or any vehicle used in a  
29 commercial enterprise or containing lettering on the vehicle body advertising that  
30 commercial enterprise, shall be considered a commercial vehicle.  
31

32 “Communication Tower” is a tower, pole or similar structure that supports a  
33 telecommunications antenna operated for commercial purpose above ground in a fixed  
34 location, freestanding, guyed, or on a building or other structure.  
35

36 “Conditional use” includes, but is not limited to: (a) public and quasi-public uses related  
37 to the public interest; (b) uses that may have a unique, special, or unusual impact upon  
38 the use or enjoyment of neighboring property; and (c) planned unit developments.  
39 Conditional uses require a conditional use permit.  
40

41 “Conditional use permit” means the ordinance authorizing a conditional use.  
42

43 “Day care center” means any place or facility operated by any institution, society,  
44 agency, corporation, person or persons, or any other group for the purpose of providing  
45 care, supervision, and guidance of seven or more children, not including those related to  
46 the caregiver, unaccompanied by parent or guardian, on a regular basis for at least 12 ½  
47 hours in a continuous seven day week. Related or relative is defined as the natural or  
48 adopted child or grandchild of the caregiver or a child in the legal custody of the

1 caregiver. The term does not include: (a) kindergartens or nursery schools or other  
2 daytime programs operated by public or private elementary schools; (b) facilities  
3 operated in connection with a shopping center or service, or other similar facility, where  
4 transient children are cared for temporarily while parents or custodians of the children are  
5 occupied on the premises, or are in the immediate vicinity and readily available; (c) any  
6 type of day care center that is conducted on federal government premises; or (d) special  
7 activities programs, including athletics, crafts instruction and similar activities conducted  
8 on an organized and periodic basis by civic, charitable, governmental and religious  
9 organizations.

10  
11 “Day care home” means any dwelling or family home that, as a home occupation,  
12 receives for care for less than 24 hours per day, more than three up to a maximum of  
13 eight children. The number counted includes the family’s natural or adopted children  
14 residing in the home and all other persons under the age of 12. This term does not include  
15 facilities that receive only children from a single household.

16  
17 “Decibel” means a unit of measurement of the intensity (loudness) of sound. Sound level  
18 meters that are employed to measure the intensity of sound are calibrated in decibels.

19  
20 “Density” means a unit of measurement of the number of dwelling units per acre of land.

21  
22 “Development” means any manmade change to improved or unimproved real estate,  
23 including, but not limited to, construction of or substantial improvements to buildings or  
24 structures, the placement of mobile homes, mining, dredging, filling, grading, paving,  
25 excavation or drilling operations.

26  
27 “District” means a part of the City wherein regulations of this Zoning Code are uniform.

28  
29 “Drive-in” means a place of business where services or goods are rendered or delivered  
30 to customers in vehicles.

31  
32 “Drive-through” means a place of business that through design, physical facilities and  
33 service, provides customers with products or services in their car for use or consumption  
34 off-site.

35  
36 “Driveway” means a bituminous, concrete or similarly surfaced area on a zoning lot upon  
37 which vehicles may be driven or parked, and that may provide access to parking spaces.

38  
39 “Driveway approach” means a hard surface area from street pavement to zoning lot that  
40 provides vehicular access to a driveway; also known as a driveway apron.

41  
42 “Dwelling” or “Dwelling Unit” means space within a building comprising living, dining,  
43 sleeping, storage, bathing, toilet, and no more than one cooking facility, all used by only  
44 one family as defined herein.

45  
46 “Single-Family Attached Dwelling Unit” means a building consisting of not more  
47 than four dwelling units that are attached by common vertical walls.

1 “Single-Family Dwelling Unit” means a building consisting of a single dwelling  
2 unit only, separated from other dwelling units by open space.  
3

4 “Two-family dwelling unit” means a building consisting of two dwelling units  
5 that may be either attached side by side or one above the other.  
6

7 “Multi-Family Dwelling Unit” means a building consisting of three or more  
8 dwelling units including condominiums with varying arrangements of party walls.  
9

10 “Efficiency Unit” means a dwelling unit consisting of one principal room, together with  
11 bathroom, kitchen facilities and closet space.  
12

13 “Family” means one or more persons related by blood, marriage or adoption, occupying a  
14 dwelling unit as an individual housekeeping organization, and including foster children  
15 placed by appropriate order of the court. A family may include no more than two adult  
16 persons unrelated by blood, marriage, adoption or foster child arrangement.  
17

18 “Fence” means a tangible barrier constructed or installed of any allowable material,  
19 including plant materials, erected for the purpose of providing a boundary or as a means  
20 of protection, or to prevent uncontrolled access, or for decorative purposes, (such as an  
21 ornamental gate(s)) or to screen from view in or on adjoining properties and streets,  
22 materials stored and operations conducted behind it.  
23

24 “Open fence” means a fence, including entrance and exit gates, designed and  
25 constructed so that the surface area of any segment of such fence contains at least  
26 50% open spaces, as compared to solid materials.  
27

28 “Solid fence” means a fence, including solid entrance and exit gates, that  
29 effectively conceals from views in or on adjoining properties and streets,  
30 materials stored and operations conducted behind it.  
31

32 “Filling Station” means buildings and premises where gasoline, oil, grease, batteries, tires  
33 or motor vehicle accessories may be supplied and dispensed at retail. A filling station  
34 may be part of an automobile repair facility if all use permits have been granted. In  
35 addition, mini-marts or car washes may be allowed with an approved and operating  
36 filling station.  
37

38 “Floor Area Ratio” means the numerical value obtained by dividing the floor area of a  
39 building or buildings by the net area of the lot on which the building or buildings are  
40 located or intended to be located.  
41

42 “Floor Area of a Nonresidential Building” means the floor area of the specified use  
43 excluding stairs, washrooms, elevator shafts and utility shafts which shall be used in  
44 calculating parking requirements.  
45

46 “Frequency” means the number of oscillations per second in a sound wave, measuring the  
47 pitch of the resulting sound.  
48

1 “Frontage” means the length of that portion of a lot that is adjacent to a street or highway.

2  
3 “Garages” shall be classified as Private, Public or Storage as follows:

4  
5 “Private garage” means a detached accessory building or portion of a principal  
6 building used or occupied for the parking or temporary storage of automobiles,  
7 travel trailers and/or boats of the occupants of the premises.

8  
9 “Public garage” means a principal or accessory building other than a private  
10 garage, used or occupied for parking or temporary storage of vehicles and in  
11 which no other service is provided for remuneration.

12  
13 “Storage garage” means any building space offered for sale or rental to be used or  
14 occupied for the storing of vehicles.

15  
16 “Grade” means the average elevation of the finished surface of the ground.

17  
18 “Group Home” means a residential building housing not more than six service dependent  
19 or developmentally disabled people living with professional staff. The group home  
20 constitutes a single housekeeping unit in which residents share responsibilities, meals and  
21 recreation. Group homes do not include Rehabilitative Care Centers or Halfway Houses.

22  
23 “Halfway House” means a licensed home for inmates on release from more restrictive  
24 custodial confinement or initially placed in lieu of such more restrictive custodial  
25 confinement, wherein supervision, rehabilitation, and counseling are provided to  
26 mainstream residents back into society, enabling them to live independently.

27  
28 “Home Occupation” means any occupation, business or commercial enterprise conducted  
29 within the home in accordance with Section 2.3.

30  
31 “Hospital” means a facility for the care, diagnosis and treatment of sick, ailing, infirm or  
32 injured persons, and those who are in need of medical and surgical attention, and who are  
33 provided board or room and kept overnight.

34  
35 “Hotel” means an establishment, other than a boarding, rooming or lodging house,  
36 providing transient accommodations at which customary hotel services such as  
37 restaurants, meeting rooms, cleaning services, telephone and secretarial or desk service,  
38 and bellboy service are provided. Access to individual rooms is gained from the interior  
39 of a hotel.

40  
41 “Kennel” means any lot or premises on which three or more domesticated animals more  
42 than four months of age are housed, groomed, bred, boarded, trained, sold or that offers  
43 provisions for minor medical treatment.

44  
45 “Private Kennel” means a Kennel maintains within or adjoining a residence  
46 housing more than 12 dogs or cats over 4 months of age, such animals to be for  
47 that person’s recreational use or for exhibition in conformation shows or, field or

1 obedience trials, and where the sale of offspring is not the primary function of the  
2 kennel.

3  
4 “Loading Berth” means a space within a loading facility, exclusive of driveways, aisles,  
5 maneuvering areas, ramps, columns, landscaping areas, office, and work areas, for the  
6 temporary parking of a commercial vehicle while loading or unloading goods or  
7 materials, and which abuts upon a street, alley, or other appropriate means of access.  
8

9 “Loading Space” or "Off-street loading space" means an open area of land other than a  
10 street, public way, or required parking space, the principal use of which is for standing,  
11 loading and unloading of motor trucks, tractors and trailers, to avoid undue interference  
12 with the public use of streets and alleys. A loading space need not be a dock. Also known  
13 as a "loading berth."  
14

15 “Lot” means a parcel or tract of land.  
16

17 “Front of lot” means the narrowest portion of a lot that abuts a street.  
18

19 “Lot Coverage” means the ground floor area of all buildings and accessory uses  
20 (including, but not limited to driveways, parking areas, patios, decks, garages and sheds,  
21 but not including swimming pools) on a lot divided by the area of the lot.  
22

23 “Lot Lines” means the dividing line between a public way and an abutting lot, piece or  
24 parcel or the projected dividing lines between lots, pieces and parcels without regard to  
25 any recorded plat.

- 26 1. “Front Lot Line” is the Lot Line fronting the street right-of-way.
- 27 2. “Rear Lot Line” is the Lot Line most nearly parallel to the Front Lot Line.
- 28 3. “Side Lot Lines” are Lot Lines other than the Front Lot Line and Rear Lot  
29 Line.  
30

31 “Lot Measurements” shall mean:

- 32 1. “Lot Depth” is the distance between the mid-points of straight lines  
33 connecting the end points of the Side Lot Lines at the front and the rear.
- 34 2. “Lot Width” is the distance between straight lines connecting the Front  
35 Lot Line and Rear Lot Line at each Side Lot Line measured at the front  
36 building setback line.
- 37 3. “Lot area” is computed exclusive of any portion of the right-of-way of any  
38 public street or alley.  
39

40 “Lot of record” means a lot properly platted and recorded in the office of the East Baton  
41 Rouge Parish Clerk of Court.  
42

43 “Lot Types” shall include Corner Lots, Interior Lots and Through Lots as follows:  
44

- 45 1. ”Corner Lot” is located at the intersection of two or more streets. A lot  
46 butting on a curved street shall be considered a corner lot if straight lines  
47 projected tangent to the curve from the points of intersection between the

1 curve and the Side Lot Lines meet at an interior angle of less than 135  
2 degrees.

- 3 2. "Interior Lot" is a lot other than a Corner Lot with only one frontage on  
4 one street.
- 5 3. "Through Lot" is a lot other than a Corner Lot with frontage on more than  
6 one street.
- 7 4. "Reversed Frontage Lot" is a lot on which frontage is at right angles to the  
8 general pattern in the area. A Reversed Frontage Lot may also be a Corner  
9 Lot.

10  
11 "Maintenance and Storage Facilities" means land, buildings and structures devoted  
12 primarily to the maintenance and storage of construction equipment and material.

13  
14 "Major Change" with regard to a PUD means a change in the approved materials,  
15 configuration or design of the development or a change in an element that was  
16 specifically approved in the PUD ordinance. Normal engineering modifications are not  
17 considered Major Changes.

18  
19 "Major Subdivision" means any subdivision of more than eight lots or two acres of land  
20 or when a public or private street servitude of access is constructed.

21  
22 "Manufactured Housing" means dwelling units constructed primarily at a plant or facility  
23 on a production line basis and delivered to the site as an assembled unit or in modular  
24 form. Manufactured housing specifically refers to housing built to 42 U.S.C. §5403  
25 Federal Manufactured Home Construction and Safety Standards set by the U.S.  
26 Department of Housing and Urban Development ("HUD").

27  
28 "Master Plan" means the plan, or any portion thereof, adopted by the Planning  
29 Commission, which establishes the goals, objectives and policies of the community and  
30 sets forth the general location and extent of present and proposed physical facilities,  
31 including residential and commercial uses, major streets, parks, schools, other public  
32 facilities and land uses, including amendments thereto when adopted.

33  
34 "Minor Subdivision" means any subdivision of eight lots or less in which no public or  
35 private street is constructed. Minor Subdivisions shall not involve the creation of any  
36 other public improvement, shall not involve more than two acres of land, shall not reduce  
37 a lot size below the minimum area or frontage requirements established by this Zoning  
38 Code and shall otherwise meet all the requirements of the subdivision regulations. A  
39 Minor Subdivision may provide for the dedication, acceptance, relocation, or deletion of  
40 public utility servitudes, other than streets, or the deletion of gas, electric, or telephone  
41 utility servitudes acquired by private act or pursuant to the provisions of R.S. 9:1, *et seq.*  
42 on the property being resubdivided.

43  
44 "Medical office" means an establishment containing one or more office where licensed  
45 health care providers provide outpatient treatment.

46  
47 "Minor Change" with regard to a PUD means those changes not considered Major  
48 Changes.

1  
2 “Mobile Home” means prefabricated trailer-type housing units that are semi-permanently  
3 attached to land by a property owner or lessee. A Mobile Home is a moveable or  
4 portable structure designed and constructed on its own chassis and intended for  
5 connection to utilities for year-round occupancy as a dwelling. Any dwelling unit that  
6 qualifies as a manufactured or Modular Home according to the definitions herein is not  
7 considered a Mobile Home. Mobile Homes do not include recreational vehicles or travel  
8 trailers.

9  
10 “Mobile Home Park” means two or more mobile homes on a single lot or group of lots in  
11 common ownership or control.

12  
13 “Modular Homes” mean houses divided into multiple modules or sections, which are  
14 manufactured in a remote facility and delivered to their intended site of use. The modules  
15 are then assembled on a permanent foundation without a permanent chassis, into a single  
16 residential building. Unlike other prefabricated construction, Modular Homes conform to  
17 the International Building Code.

18  
19 "Motel" means an establishment providing transient accommodations like a hotel, but  
20 with at least 25% of all rooms having direct access to the outside without the necessity of  
21 passing through the main lobby of the building.

22  
23 “Net Density” means the number of dwelling units to be built on the acreage of a parcel  
24 or site that is generally suitable for development in its natural state. Net Density shall be  
25 determined by subtracting from the gross area of the parcel unsuitable and marginal  
26 areas, such as floodways, wetlands, detention or retention ponds, required roadways and  
27 other infrastructure and open space to determine the “Developable Property.” The portion  
28 of the Developable Property to be used for roadways and other infrastructure including  
29 the acreage needed for detention or retention ponds shall be subtracted and, if the  
30 development is a PUD, an additional ten percent of Developable Property shall be  
31 subtracted for open space and then divided by the number of (proposed) dwelling units,  
32 to determine the Net Density.

33  
34 “Nonconforming” means a building, structure or use of land that does not conform to the  
35 zoning regulations of the district in which it is situated.

36  
37 “Nursery” means land, building, structure or combination thereof for the storage,  
38 cultivation, or transplanting of live trees, shrubs or plants offered for sale on the  
39 premises, including products used for gardening or landscaping.

40  
41 “Nursing” or “Retirement Home” means a place or residence for the aged or infirm in  
42 which three or more persons are received, kept or provided with food and shelter, or care  
43 for compensation but shall not mean hospitals, clinics or similar institutions devoted  
44 primarily to the diagnosis and treatment of the sick or injured. "Nursing homes" typically  
45 provide on-going, on-site medical care.

46  
47 "Obstruction" means any building or structure, or part thereof, located so as to intrude  
48 upon any open space required by this Zoning Code. Trees or shrubs shall not be

1 considered Obstructions, except as may be regulated herein. Recreational equipment,  
2 including swing sets and above-ground swimming pools and recreational vehicles shall  
3 be considered Obstructions.

4  
5 “Octave Band” means all the sound frequencies between any given frequency and double  
6 that frequency.

7  
8 “Office” means an administrative unit of a business enterprise or organization, including,  
9 but not limited to, offices of accountants, financial brokers, insurance agents, architects,  
10 engineers, planners, lawyers, real estate and title companies.

11  
12 “Open space” means an area unobstructed by buildings from the ground upward, except  
13 for walks, paths, landscaping or other recreational site features in public, common or  
14 other private ownership. Open space includes, but is not limited to, environmental  
15 corridors and natural areas dedicated for preservation, tennis courts, gazebos and parks  
16 and playgrounds. Yards of individual lots occupied by dwellings, required setbacks for  
17 commercial uses, wetlands, floodways, detention ponds and areas within rights-of-way  
18 and utility servitudes with above ground facilities shall not constitute open space.

19  
20 “Outdoor storage” means the keeping in an unroofed area of any goods, material,  
21 merchandise or vehicles in the same place for more than 24 hours.

22  
23 “Park” or “Playground” means a land use designed principally to offer recreation, passive  
24 and/or active, to the public.

25  
26 “Parking Lot” means an open vehicle parking area containing more than four parking  
27 spaces.

28  
29 “Parking Space” means a bituminous, concrete or similar surfaced area, at least nine feet  
30 by 18 feet, other than a street, alley or that portion of a driveway within a front yard  
31 setback upon which vehicles may be parked. Parking spaces must be accessible from an  
32 approved driveway approach.

33  
34 “Performance Standard” means a criterion to control noise, odor, smoke, toxic or noxious  
35 matter, vibration, fire and explosive hazards, or glare or heat generated by or inherent in  
36 the uses of land or buildings.

37  
38 “Permitted Use” means a use of land, building or structure expressly permitted within a  
39 District.

40  
41 “Planned Unit Development” or “PUD” means one or more uses accommodated in a  
42 planned environment under more flexible standards than those allowed in the District in  
43 which the development is located.

44  
45 "Premises" means a lot, together with all buildings and structures thereon.

46  
47 “Public Use” means administrative and cultural buildings, uses and structures, including  
48 buildings, lots and facilities owned, used or operated by any governmental agency.

1  
2 “Public Utility” or “Public Service Facility” means power plant, or bus, rail station, or  
3 other transportation depot, water treatment plant or pumping station, sewage disposal or  
4 pumping plant and other similar public service structures erected, operated or regulated  
5 by a public utility, by a railroad, whether publicly or privately owned, or by a municipal  
6 or other governmental agency, including, but not limited to, electrical, gas, rail transport,  
7 telecommunication, cable television, public water, drainage and sewage services  
8 facilities.

9  
10 “Public Way” means an alley, avenue, boulevard, bridge, channel, ditch, servitude,  
11 expressway, freeway, highway, land, parkway, right-of-way, road, sidewalk, street,  
12 subway, tunnel, viaduct, walk or other ways in which the general public or public entity  
13 have a right, or that are dedicated, whether improved or not.

14  
15 “Recreational Vehicle” means any camping trailer, motor home, mini-motor home, travel  
16 trailer, truck camper, van camper, boat or boat trailer used primarily for recreational  
17 purposes and not used commercially.

18  
19 “Recreational Vehicle Park” or “RV Park” is a camp ground for recreational vehicles.

20  
21 “Rehabilitative Care Center” means a facility for the purposes of temporary or long-term  
22 inpatient treatment of victims of alcohol or drug use or addiction.

23  
24 “Research activities” means the conduct of research, development, and testing in various  
25 fields of science, such as, but not limited to, chemistry, pharmacy, medicine, electricity,  
26 transportation and engineering.

27  
28 “Restaurant” means an establishment wherein food is prepared and/or served including  
29 but is not limited to a cafe, cafeteria, grill, pizza parlor, diner, snack shop, hamburger  
30 shop and steak house. In the event a restaurant applies for the issuance of a liquor license  
31 pursuant to local and state laws, a restaurant shall be further required to meet the  
32 requirements of the Central Alcohol Beverage Control Ordinance. For purposes of this  
33 Zoning Code, the following types of restaurants are defined:

- 34  
35 1. “Carryout Restaurant” is a Restaurant which exclusively prepares and sells  
36 food to be consumed off premises.  
37 2. “Drive-in Restaurant” is a Restaurant which prepares and serves food to  
38 patrons in parked motor vehicles for consumption either on or off  
39 premises.  
40 3. “Drive-through Restaurant” is a Restaurant which prepares and serves  
41 food to patrons exclusively through a drive-through.  
42 4. “Sit-down Restaurant” is a Restaurant in which prepares and serves food  
43 to be consumed on premises.  
44 5. “Sit-down / Carryout restaurant” is a Restaurant which prepares and sells  
45 food for consumption on or off premises.  
46 6. “Carryout / Sit-down / Drive-through Restaurant” is a Restaurant which  
47 prepares and sells food for consumption on or off premises and serves  
48 food to patrons for consumption off premises through a drive-through.

1  
2 “Retail Establishment” means a place of business devoted in whole or in part to the sale,  
3 rental and/or servicing of goods or commodities normally delivered or provided on the  
4 premises to a consumer.

5  
6 “Right-of-way” means a strip of land acquired or dedicated for use as a public way which  
7 may include a roadway, curbs, lawn strips, sidewalks, lighting and drainage facilities.  
8

9 “School” shall include elementary, junior high or high schools whether public or private  
10 educational institution whose principal use is the offering of primary and secondary  
11 school classes for students in grades pre-Kindergarten through 12<sup>th</sup> grade.  
12

13 “Screening” means any structure or vegetation that conceals, protects or separates.  
14 Screening vegetation shall have year round opacity of at least 75%.  
15

16 “Seat” means the number of devices for seating individual persons or the number of  
17 spaces allocated for seating individuals (but not less than 24 lineal inches) in multi-  
18 person seating units.  
19

20 “Self Service Storage Facility” means a structure containing a number of small, separate  
21 storage areas of varying size leased or rented on an individual basis.  
22

23 “Service Establishment” means a place of business where services such as, but not  
24 limited to, grooming, repair and cleaning are provided on the premises to a consumer.  
25

26 “Servitude” means a strip existing or to be reserved by the subdivider, for public utilities,  
27 drainage and other public purposes; the title to which shall remain with the property  
28 owner, subject to the right of use designated in the reservation of the servitude; or a strip  
29 of ground designated or intended to be used for access to building site.  
30

31 “Setback Line” means a line generally parallel with and measured from the Lot Line,  
32 defining the limits of a yard within which no building or structure (including a parking  
33 lot) may be located above ground, except as may be permitted by this Zoning Code.  
34

35 “Shopping Center” means a commercial area consisting of two or more retail businesses  
36 providing convenience goods, general merchandise, office or recreational activities;  
37 providing for off-street parking adjacent to such activities.  
38

39 “Sidewalk” means that portion of the road Right-of-way that is paved and intended for  
40 the use of pedestrian traffic.  
41

42 “Sign” means any device, structure, fixture or placard using graphics, symbols, and/or  
43 written copy designed specifically for the purpose of advertising or identifying any  
44 establishment, product, good or service, activity, place, person or any other item of  
45 information. For purposes of removal, signs shall also include sign support structures.  
46

47 “Standard shrub” means any plant specimen, evergreen or deciduous, that, upon maturity,  
48 occupies a space not less than 18 cubic feet.

1  
2 “Standard tree” is a tree with a minimum caliper of three inches (measured one foot  
3 above ground), ten to twelve 12 feet high, of a deciduous or evergreen variety that is  
4 normally capable of attaining a 25-foot over all spread when the plant is 20 years old.  
5

6 “Street” or “Road” means the full width between property lines bounding every public  
7 way of whatever nature, with a part thereof to be used for vehicular traffic. Streets shall  
8 be classified as follows:  
9

10 “Private Street” or “Private Road” means an undedicated street, privately owned  
11 and maintained, and intended as a primary means of access to a lot or lots.  
12

13 “Public Street” or “Private Road” means a street dedicated to the City.  
14

15 “Storage” or “Stored” means the keeping of items, equipment, vehicles, trailers or  
16 materials for a period of time longer than would be involved in the normal day-to-day use  
17 or consumption of the same.  
18

19 “Structure” means anything constructed or erected with a fixed location on the ground, or  
20 attached to something having a fixed location on the ground. Among other things,  
21 structures include buildings, walls, fences, signs, light standards, air conditioning units  
22 and heat pumps, and other fixed mechanical equipment as well as recreational equipment  
23 not moved on a regular basis.  
24

25 “Structural Alteration” means any change, except those required by law or ordinance, that  
26 would prolong the life of the supporting members of a building or structure, such as  
27 bearing walls, columns, beams or girders, but not including openings in bearing walls.  
28

29 “Substantial Improvement” means any repair, reconstruction, or improvement of a  
30 structure, the cost of which equals at least 50% of the fair market value of the structure  
31 either before the improvement or repair is started, or if the structure has been damaged,  
32 and is being restored, before the damage occurred. The term does not, however, include  
33 either: (1) any project for improvement of a structure to comply with existing state or  
34 local health, sanitary, or safety code specifications that are solely necessary to assure safe  
35 living conditions; or (2) any alteration of a structure or site documented as deserving  
36 preservation by the Louisiana Department of Culture Recreation & Tourism or listed on  
37 the National Register of Historic Places.  
38

39 “Swimming Pool” means any structure intended to contain water at least 24 inches deep  
40 for swimming or recreational bathing including in-ground, above-ground and on-ground  
41 swimming pools, hot tubs and spas.  
42

- 43 1. “Private Swimming Pools” include those exclusively used without paying  
44 an additional charge for admission, by the residents and guests of a single  
45 household, a multi-family development; the members and guest of a club;  
46 or the patrons of a motel or hotel.
- 47 2. “Public Swimming Pools” include all Swimming Pools other than Private  
48 Swimming Pools.

1  
2 “Tavern” means an establishment for the retail sale of beer, wine, distilled liquors and  
3 other intoxicating beverages, for use or consumption upon the premises, and licensed as  
4 such. A tavern may also include a package liquor business if properly licensed.  
5

6 “Tower” and “Antenna” mean structure attached to a building or a detached structure  
7 affixed to the ground, used in the transmission, relaying or receiving of electromagnetic  
8 waves or signals.  
9

10 “Travel Trailer” means a vehicular, portable structure built on a chassis, designed to be  
11 used as a temporary dwelling and may be hauled along a highway.  
12

13 “Use” means the specific purposes for which land or a building is designated, arranged,  
14 intended or for which it is or may be occupied or maintained. Use includes construction,  
15 establishment, maintenance, alteration, enlargement, and occupation.  
16

17 “Variance” or “Variation” means a decision of the Board of Adjustments granting  
18 specific relief from the bulk requirements of this Zoning Code.  
19

20 “Veterinary Clinic” means a place used for the diagnosis, medical and surgical treatment  
21 of sick, ailing, infirm, or injured animals and that may include overnight indoor  
22 accommodations.  
23

24 “Warehouse” means a facility largely devoted to storage of goods and materials and  
25 where no manufacturing is involved.  
26

27 “Wetlands” means those areas that are inundated or saturated by surface or ground water  
28 (hydrology) at a frequency and duration sufficient to support, and that under normal  
29 circumstances do support, a prevalence of vegetation (hydrophytes) typically adapted for  
30 life in saturated soil conditions (hydric soils). Wetlands generally include swamps,  
31 marshes, bogs, and similar areas.  
32

33 “Wholesale Establishment” means a business establishment engaged in selling to retailers  
34 or jobbers rather than consumers.  
35

36 “Yard” means an open space on a lot unoccupied and unobstructed from the ground  
37 upward, except as otherwise permitted in this Zoning Code.  
38

- 39 1. “Front Yard” means the open space across the full width of the lot  
40 extending from the closest point of the front line of the principal building  
41 to the front lot line. On Corner Lots the Front Yard shall face the shortest  
42 dimension of the lot adjacent to the street.
- 43 2. “Side Yard” means the open space between the closest point of the  
44 Principal Building and the side line of the lot and extending from the front  
45 line to the rear line of the building.
- 46 3. “Rear Yard” means the open space extending the full Lot Width between  
47 the closest point of the Principal Building and the Rear Lot Line.

1 “Zoning Administrator” means the person appointed by the Mayor to be the chief zoning  
2 official of the City.

3  
4 “Zoning Certificate” or “Zoning / Planning Review Letter” means a written statement by  
5 the Zoning Administrator attesting that the application complies with all pertinent  
6 requirements of this Zoning Code.

7  
8 "Zoning lot" means a single tract of land in common ownership located within a single  
9 block, which is used or occupied for any principal use, whether permitted, special or  
10 nonconforming. A "zoning lot" need not coincide with a lot of record, and may consist  
11 of:

- 12
- 13 1. A single lot of record;
- 14 2. A portion of a lot of record;
- 15 3. A combination of complete lots of record; of complete lots of record and  
16 portions of lots of record; or of portions of lots of record; or
- 17 4. A piece of property described by metes and bounds.

## 18 19 **Chapter 2: General District Regulations**

### 20 21 **Section 2.1 General Regulations.**

- 22
- 23 A. The regulations for each district set forth in this Zoning Code shall be minimum  
24 regulations for the promotion of the public health, safety, morals, comfort, convenience,  
25 prosperity and general welfare.
- 26
- 27 B. No portion of any lot, whether improved or unimproved shall be sold, granted or  
28 otherwise divided if such division will cause the lot width, lot frontage, lot area, setbacks,  
29 maximum lot coverage, floor area ratio or required open space of any of the resulting  
30 parcels to be less than the minimum requirements set forth in this Zoning Code for the  
31 particular zoning district in which the property is located.
- 32
- 33 C. Where two or more contiguous substandard lots of record or parts of lots of record are in  
34 common ownership and are of such size as to constitute at least one conforming zoning  
35 lot, such lots of record or portions thereof shall be joined, developed and used jointly for  
36 the purpose of forming an effective and conforming zoning lot(s). Such contiguous  
37 substandard lots of record in common ownership on the effective date of this zoning code  
38 shall be considered jointly thereafter as being a single parcel, lot or zoning lot for the  
39 purposes of this zoning code.
- 40
- 41 D. **The Performance Standards found in the Office, Research & Development (O, R & D),  
42 district regulations shall apply to all uses in all districts.**
- 43
- 44 E. Except as may be allowed in PUDs, traditional neighborhood developments or  
45 commercial structures with only commercial uses in B-1, B-2 and O, R & D Districts,  
46 there shall be only one principal structure or building on any platted lot.
- 47

### 48 **Section 2.2 Permitted obstructions in required yards**

- 1  
2 A. All yards:  
3 1. Chimneys not more than two feet into a required setback;  
4 2. Bay windows not more than two feet into a required setback;  
5 3. Eaves not more than two feet into a required setback;  
6 4. Gutters and downspouts not extending more than 12 inches from the edge of the  
7 eaves;  
8 5. Basketball poles, hoops and backboards.  
9  
10 B. Side Yards:  
11 1. Stairs from a side door not more than three feet into the required setback;  
12 2. Canopy over a side door entrance not more than three feet into the required  
13 setback;  
14 3. Garages in interior side yards provided there is at least a three foot setback from  
15 the Side Lot Line and a five foot setback from the alley, if there is an alley  
16 entrance.  
17  
18 C. Front and corner side yards:  
19 1. Open, unenclosed porches and stairs not more than eight feet into the  
20 required setback;  
21 2. Enclosed vestibule not more than four feet into the required setback.  
22  
23 D. Rear Yards:  
24 1. Swing sets and other similar recreation equipment;  
25 2. Decks and patios;  
26 3. Swimming pools;  
27 4. Storage sheds and other approved accessory structures not exceeding 1000 square  
28 feet in residential districts. In all other zoning districts (including R/A), said  
29 structures shall not exceed 1600 square feet. Any accessory structure greater than  
30 eight feet in height shall meet all side yard and rear yard setback requirements;  
31 5. Radio or television poles, towers, or antennae, including satellite dishes.  
32

### 33 **Section 2.3 Home occupations**

34  
35 The following regulations shall apply to all home occupations:  
36

- 37 A. No person other than members of the family residing on the premises shall be engaged in  
38 such occupation.  
39  
40 B. The use of the Dwelling Unit for the home occupations shall be clearly incidental and  
41 subordinate to its use for residential purposes by its occupants, and not more than 25% of  
42 the floor area of the dwelling unit shall be used in the conduct of the home occupation.  
43  
44 C. There shall be no change in the outside appearance of the building or premises or other  
45 visible evidence of the conduct of such home occupation other than one sign not  
46 exceeding two square feet in area, non-illuminated and mounted flat against the wall of  
47 the principal building.  
48

- 1 D. No home occupation shall be conducted in any Accessory Building.
- 2
- 3 E. No traffic shall be generated by such home occupation in greater volume than would
- 4 normally be expected in a residential neighborhood and any need for parking generated
- 5 by the conduct of such home occupation shall meet the Off-Street parking requirements
- 6 in Chapter 16 and shall not be located in the Front Yard.
- 7
- 8 F. No equipment or process shall be used in such home occupation that creates noise,
- 9 vibration, glare, fumes odors or electrical interference detectable to the normal senses off
- 10 the lot, if the occupation is conducted in a single-family residence or outside the
- 11 Dwelling Unit if conducted in other than a single-family residence. There shall be no
- 12 storage of hazardous or toxic materials. In the case of electrical interference, no
- 13 equipment or process shall be used that creates visual or audible interference in any radio
- 14 or television receivers off the premises or causes fluctuations in line voltage off the
- 15 premises.
- 16

### 17 **Chapter 3: Single-Family Residence District (R-1)**

18  
19 The purpose of Single-Family Residence District (R-1) is to permit low density development  
20 with a maximum Net Density of 2 units per acre.

#### 21 **Section 3.1 Permitted Uses**

- 22
- 23
- 24 A. Single-family detached dwellings; however, any proposed development of 15 or more
- 25 residential units must receive Conditional Use approval as a PUD;
- 26
- 27 B. Public playgrounds;
- 28
- 29 C. Convents, monasteries and seminaries, on lots not less than 150 feet in width and 18,000
- 30 square feet in area;
- 31
- 32 D. Mobile homes, in accordance with Chapter 18;
- 33
- 34 E. Temporary Buildings for uses incidental to construction work which shall be
- 35 removed upon the completion or abandonment of the construction work;
- 36
- 37 F. Accessory Buildings and uses customarily incident to the above uses;
- 38
- 39 G. Accessory Dwelling Units in accordance with Section 19.2; and
- 40
- 41 H. Group Homes in accordance with Section 19.3.
- 42

#### 43 **Section 3.2 Conditional Uses.**

- 44
- 45 A. Churches, temples and synagogues, on lots not less than 12,000 square feet in area and
- 46 not less than 90 feet in width;
- 47
- 48 B. Day Care Centers and Nursery Schools;

- 1
- 2 C. Off-street parking for permitted or conditional uses in other districts;
- 3
- 4 D. Parks and playgrounds, private, not-for-profit, on lots not less than one acre in area;
- 5
- 6 E. Planned Unit Developments;
- 7
- 8 F. Public buildings, including City Hall, recreational buildings, community centers,
- 9 libraries, fire stations and police stations;
- 10
- 11 G. Schools; elementary, junior high and high – non-boarding; and
- 12
- 13 H. Utility uses, including water filtration plants, pumping stations, and reservoirs.
- 14

15 **Section 3.3 Bulk regulations.**

- 16
- 17 A. Lot Area.
  - 18 1. Minimum width: 125 feet
  - 19 2. Minimum total area: one-half acre (21,780 square feet)
  - 20
- 21 B. Setbacks.
  - 22 1. Minimum Front Yard: 35 feet. Where the Front Yard Setback for 50% of the
  - 23 frontage on the same side of a street as the subject property, between two
  - 24 intersecting streets exceeds the minimum, the Front Yard Setback shall be not
  - 25 less than the average Front Yard Setback for the existing buildings.
  - 26 2. Minimum Rear yard: 30 feet
  - 27 3. Minimum for each Side Yard: the greater of 12.5 feet or ten percent of the Lot
  - 28 Width.
  - 29 4. Minimum corner side yard: the greater of 25 feet or 20% of the Lot Width.
  - 30
- 31 C. Lot Coverage.
  - 32 1. Maximum total lot coverage: 50%.
  - 33 2. Maximum Rear Yard: 30% of the Rear Yard covered by Accessory Buildings
  - 34 (carport, garage, storage shed, etc.). No Accessory Building shall be constructed
  - 35 closer than ten feet to the residential structure.
  - 36
- 37 D. Building Height. Maximum: 35 feet measured from the average elevation of the finished
- 38 grade within 20 feet of the front of the proposed building.
- 39
- 40 E. Parking. Minimum of two off-street parking spaces not including driveways.
- 41

42 **Chapter 4: Single-Family Residence District (R-2)**

43

44 The purpose of Single-Family Residence District (R-2) is to permit medium density with a

45 maximum Net Density of 4 units per acre.

46

47 **Section 4.1 Permitted Uses.**

1 Any use permitted in R-1 District except Accessory Dwelling Units.

2  
3 **Section 4.2 Conditional Uses.**

4  
5 All Conditional Uses permitted in R-1 Districts.

6  
7 **Section 4.3 Bulk regulations.**

8  
9 A. Lot Area.

- 10 1. Minimum width: 75 feet  
11 2. Minimum total area: 10,500 square feet  
12

13 B. Setbacks.

- 14 1. Minimum Front Yard: 35 feet. Where the front yard setback for 50% of the  
15 frontage on the same side of a street as the subject property, between two  
16 intersecting streets exceeds the minimum, the front yard setback shall be not less  
17 than the average front yard setback for the existing buildings.  
18 2. Minimum Rear yard: 30 feet  
19 3. Minimum for each Side Yard: the greater of seven and one-half feet or ten  
20 percent of the Lot Width.  
21 4. Minimum Corner Side Yard: the greater of 25 feet or 20% of the Lot Width.  
22

23 C. Lot Coverage.

- 24 1. Maximum total lot coverage: maximum 50%  
25 2. Maximum Rear yard: 30% of the rear yard covered by Accessory Buildings  
26 (carport, garage, storage shed, etc.). No Accessory Building shall be constructed  
27 closer than ten feet to the residential structure.  
28

29 D. Building Height. Maximum: 35 feet measured from the average elevation of the finished  
30 grade within 20 feet of the front of the proposed building.

31  
32 E. Parking. Minimum: two off-street parking spaces not including driveways.  
33

34 **Chapter 5: Single-Family Attached / Multi-Family Residence District (R-3)**

35  
36 The purpose of Single-Family Attached / Multifamily Residence District R-3 is to permit high  
37 density development with a maximum Net Density of eight units per acre.  
38

39 **Section 5.1 Permitted Uses.**

- 40  
41 A. Any use permitted in the R-2; however, any proposed development of 15 or more  
42 residential units must receive Conditional Use approval as a Planned Unit Development.  
43  
44 B. Single-Family Attached dwellings; and  
45  
46 C. Multi-family dwellings.  
47

48 **Section 5.2 Conditional Uses.**

- 1
- 2 A. All Conditional Uses permitted in R-2 Districts; however, any proposed development of
- 3 15 or more units must receive Conditional Use approval as a PUD; and
- 4
- 5 B. Mobile Home Parks in accordance with Chapter 18.
- 6

7 **Section 5.3 Bulk Regulations.**

- 8
- 9 A. Minimum Lot Area.
  - 10 1. Minimum width: 60 feet
  - 11 2. Minimum total area: 7,200 square feet for single-family detached dwellings,
  - 12 duplexes or two-flats; 10,000 square feet for three single-family attached
  - 13 dwellings; and 13,000 square feet for four single-family attached dwellings;
  - 14 2,400 square feet per dwelling unit (but not less than 13,000 square feet) for
  - 15 multi-family dwellings
  - 16
- 17 B. Minimum Setbacks.
  - 18 1. Front and Rear Yard: 30 feet
  - 19 3. Each Side Yard: the greater of six feet or ten percent of the Lot Width.
  - 20 4. Corner Side Yard: the greater of 12 feet or 20% of the Lot Width.
  - 21
- 22 C. Lot Coverage.
  - 23 1. Maximum Total lot coverage: 65%.
  - 24 2. Maximum Rear Yard: 40% of the rear yard covered by Accessory Buildings
  - 25 (carport, garage, storage shed, etc.). No detached garage or other Accessory
  - 26 Building shall be constructed closer than 20 feet to the rear of the residence.
  - 27
- 28 D. Building Height. Maximum: 35 feet measured from the average elevation of the finished
- 29 grade within 20 feet of the front of the proposed building (not including chimney).
- 30
- 31 E. Parking. Minimum: two off-street parking spaces per unit not including driveways.
- 32

33 **Chapter 6: Neighborhood Business District (B-1)**

34

35 **Section 6.1 Purpose; permitted uses.**

36

37 The purpose of the Neighborhood Business District (B-1) is to provide sites for small scale  
38 service and retail establishments to support adjacent residential neighborhoods. This district  
39 includes personal service and retail or office buildings, that are 5,000 square feet or less and that  
40 conduct all business operations within an enclosed facility.

41

42 **Office / Service Uses**

- 43 1. Appliance repair
- 44 2. Banks and financial institutions (without drive-through)
- 45 3. Barber shops or beauty parlors
- 46 4. Computer/audio/television repair services
- 47 5. Dry cleaners (drop-off only, no plant on premises)
- 48 6. Health and Fitness Clubs

- 1 7. Laundromat
- 2 8. Lawnmower sales and service
- 3 9. Personal service establishments, including tanning salons, masseurs, and weight control
- 4 clinics
- 5 10. Professional offices, including medical and dental clinics
- 6 11. Post office, parcel shipping, copy center
- 7 12. Tailor, seamstress/dress maker

8

9 **Wholesale / Retail**

- 10 1. Arts supply stores
- 11 2. Bakeries (where not more than 50% of the floor area is devoted to processing)
- 12 3. Bait shops
- 13 4. Bicycle stores, sales rental and repair
- 14 5. Butcher shops
- 15 6. Candy and ice cream/snowball stores
- 16 7. Convenience stores (without gasoline or alcoholic beverage sales)
- 17 8. Drug stores and pharmacies (without drive-through)
- 18 9. Florists shops
- 19 10. Garden supply and seed stores (not including greenhouses)
- 20 11. Gift shops
- 21 12. Grocery stores
- 22 13. Hardware stores
- 23 14. Hobby shops
- 24 15. Housewares and kitchen stores
- 25 16. Medical and orthopedic appliance stores
- 26 17. Newsstands
- 27 18. Optical sales and service establishments
- 28 19. Restaurants (without alcoholic beverage sales or drive-through)
- 29 20. Tailors and dress makers
- 30 21. Video sales and rental stores

31

32 **Section 6.2 Conditional Uses.**

33

- 34 1. Multifamily residential (on the second floor only)
- 35 2. Churches, temples and synagogues
- 36 3. Clubs, lodges, private, fraternal or religious
- 37 4. Liquor Sales (package or in restaurant)
- 38 5. Open-air or "farmers" markets, produce stand
- 39 6. Taverns, bars or saloons (without live entertainment or dancing)

40

41 **Section 6.3 Bulk Regulations.**

42

43 A. Setback Requirements.

- 44 1. Minimum Front Yard Setback: 25 feet. Parking configuration and landscaping
- 45 shall conform to **Appendix A**. Front Yard Setbacks shall be improved with at
- 46 least two deciduous or ornamental trees, one evergreen tree, and 15 shrubs per
- 47 each 100 lineal feet. Landscaping may be permitted in public street Right-of-way,
- 48 if authorized as part of plan approval.

1  
2 2. Minimum Rear and Side Yard Setback: ten feet; however, 15 feet if Side Yard is  
3 adjacent to a street or public way and 30 feet if Rear Yard or Side Yard if those  
4 yards abut a residence or a residential district. The Rear or Side yards shall be  
5 appropriately landscaped to screen the abutting residence or residential zoned  
6 area.

7  
8 B. Lot Area: Minimum of 10,000 square feet and maximum of 87,120 square feet (2 acres)

9  
10 C. Building Area: 5,000 square feet on the ground floor with an additional 5000 square feet  
11 permitted on the second floor.

12  
13 D. Maximum Building Height: 35 feet from the average elevation of the finished grade  
14 within 20 feet of the front of the proposed building.

15  
16 E. Parking in accordance with Chapter 16.

17  
18 F. Additional Requirements. All dumpsters and other garbage or refuse receptacles shall be  
19 enclosed by masonry walls on three sides. The doors to the receptacle area shall be  
20 painted to match the masonry. Additionally, concrete pads and approach aprons shall be  
21 installed for the dumpsters.

22  
23 **Chapter 7: Neighborhood Business District (B-2)**

24  
25 **Section 7.1 Purpose; permitted uses.**

26  
27 The purpose of the Neighborhood Business District (B-2) is to provide sites for small scale  
28 service and retail establishments to support adjacent residential neighborhoods. B-2 includes  
29 personal service and retail or office buildings 12,000 square feet or less which conduct all  
30 business operations within an enclosed facility.

31  
32 **Office / Service and Retail Uses**

- 33 1. All Permitted Uses in the B-1 District  
34 2. Appliance and electronics sales and service  
35 3. Art galleries  
36 4. Bookstores  
37 5. Clothing and apparel stores  
38 6. Dancing or music schools  
39 7. Furniture and house ware sales  
40 8. Camera stores  
41 9. Heating and air-conditioning sales and service establishments  
42 10. Interior decorating services  
43 11. Jewelry stores  
44 12. Leather goods and luggage stores  
45 13. Music stores, sheet and recorded music, retail sales  
46 14. Musical instrument retail sales, including repair service  
47 15. Newspaper office, not including printing  
48 16. Paint and wallpaper stores

- 1 17. Photography studios
- 2 18. Picture frame shops
- 3 19. Record stores, including cassettes and CD's
- 4 20. Shoe and hat repair stores
- 5 21. Tobacco shops
- 6 22. Toy stores
- 7 23. Upholstery shops

8

9 **Section 7.2 Conditional Uses.**

- 10 1. All Conditional Uses in the B-1 District
- 11 2. Animal hospitals and veterinary clinics
- 12 3. Automobile repair and service (but not body shops)
- 13 4. Banks and financial institutions with drive-through facilities
- 14 5. Banquet facilities
- 15 6. Car Wash
- 16 7. Communications towers
- 17 8. Day care centers, nurseries and preschools
- 18 9. Gas Stations
- 19 10. Kennels

20

21 **Section 7.3 Bulk Regulations.**

22 A. Setback Requirements.

- 23 1. Minimum Front Yard Setback: 25 feet. **Parking configuration and landscaping shall conform to Appendix A.** Front yard setbacks shall be improved with at least
- 24 two deciduous or ornamental trees, one evergreen tree, and 15 shrubs per each
- 25 100 lineal feet. Landscaping may be permitted in public street right-of-way, if
- 26 authorized as part of plan approval.
- 27
- 28
- 29 2. Minimum Rear and Side Yard Setback: ten feet; 15 feet for a Side Yard adjacent
- 30 to a street or public way; 30 feet for a Rear Yard or Side Yard if those yards abut
- 31 a residence or a residential district. The rear or side yards shall be appropriately
- 32 landscaped to screen the abutting residence or residential zoned area.

33

34 B. Lot Area: Minimum of 20,000 square feet and maximum of 130,680 square feet (3 acres)

35

36 C. Building Area: 12,000 square feet on the ground floor with an additional 12,000 square feet permitted on the second floor.

37

38 D. Building Height: Maximum of 35 feet from the average elevation of the finished grade within 20 feet of the front of the proposed building.

39

40 E. Parking as required in Off-Street Parking and Loading Regulations (Chapter 16).

41

42 F. Additional Requirements. All dumpsters and other garbage or refuse receptacles shall be enclosed by masonry walls on three sides. The doors to the receptacle area shall be painted to match the masonry. Additionally, concrete pads and approach aprons shall be installed for the dumpsters.

43

44

45

46

47

48

1 **Chapter 8: General Commercial / Business Districts (B-3)**

2  
3 **Section 8.1 Purpose; permitted uses.**

4  
5 The purpose of General Commercial/Business District (B-3) is for moderate intensity  
6 development; specifically, medium scale retail and office development that serves several  
7 neighborhoods in the City; however, any proposed development of ten (10) or more acres must  
8 receive Conditional Use approval as a PUD.

- 9  
10 1. Retail establishments (except those listed as conditional or prohibited uses)
- 11 2. Offices
- 12 3. Service establishments
- 13 4. Automobile parts and accessory stores (retail sales only)
- 14 5. Automobile sales (new vehicles only) and service, but not including body shops
- 15 6. Boat and marine products, retail sales only
- 16 7. Clubs, lodges, private, fraternal or religious
- 17 8. Dry cleaners (with plant on premises)
- 18 9. Exhibition halls
- 19 10. Glass/mirror shops, including cutting and glazing
- 20 11. Grocery Stores
- 21 12. Home improvement stores (without outdoor storage of materials)
- 22 13. Hotels and motels (with dining and meeting rooms)
- 23 14. Job printing shops, using presses having beds of not more than 17 inches by 20 inches
- 24 15. Meeting halls
- 25 16. Motorcycle sales and service
- 26 17. Movie Theaters, indoor
- 27 18. Nursery or landscape stores
- 28 19. Radio and television broadcasting studios
- 29 20. Recreation buildings
- 30 21. Recreational vehicle and camper sales (new only)
- 31 22. Schools, non-boarding
- 32 23. Other uses determined by the Zoning Administrator to be substantially similar to an  
33 above listed uses.

34  
35 **Section 8.2 Conditional Uses.**

- 36  
37 1. All Conditional Uses in the B-2 District
- 38 2. Automobile body shops
- 39 3. Automobile and motorcycle sales (used vehicles)
- 40 4. Building material sales, including outdoor storage (the area for outdoor storage must  
41 completely surrounded by a uniformly painted solid fence or wall not over eight feet in  
42 height and no storage shall project higher than the height of the fence or wall)
- 43 5. Golf driving ranges
- 44 6. Miniature golf courses
- 45 7. Mobile home parks
- 46 8. Mobile home sales
- 47 9. Movie theaters, outdoor
- 48 10. Pawnshops

- 1 11. Pool halls
- 2 12. Self-service storage facilities
- 3 13. Skating rink, ice or roller
- 4 14. Taverns, bars or saloons (must be specifically approved for live entertainment and/or
- 5 dancing);
- 6 15. Theaters or concert halls (live entertainment)
- 7 16. Truck and trailer rental agency
- 8 17. Other uses determined by the Zoning Administrator to be substantially similar to an
- 9 above listed conditional use.

10

11 **Section 8.3 Bulk Regulations.**

12

- 13 A. Setback Requirements. Minimum front yard setbacks in the B-3 district shall be
- 14 maintained at 30, 60, or 85 feet, depending upon whether no parking, one row of parking,
- 15 or two rows of parking is provided in the setback, respectively. Parking configuration
- 16 and landscaping shall conform to Appendix A.

17

18 Front yard setbacks shall be improved with two deciduous trees, one ornamental tree,

19 two evergreen trees, and 30 shrubs per each 200 lineal feet. Landscaping may be

20 permitted in public street right-of-way, if authorized as part of plan approval.

21

22 A minimum ten foot rear yard and side yard setback is required. A 30 foot rear yard

23 setback and a 30 foot side yard setback is required if those yards abut a residence or a

24 residential district. The rear or side yards shall be appropriately landscaped to screen the

25 abutting residence or residential zoned area.

26

- 27 B. Minimum Lot Area: 87,120 square feet (2 acres)

28

- 29 C. Maximum Building Area: 35,000 square feet

30

- 31 D. Maximum Building Height: 45 feet from the average elevation of the finished grade
- 32 within 20 feet of the front of the proposed building.

33

- 34 E. Parking as required in Off-Street Parking and Loading Regulations (Chapter 16).

35

- 36 F. Additional Requirements. All dumpsters and other garbage or refuse receptacles shall be
- 37 enclosed by masonry walls on three sides. The doors to the receptacle area shall be
- 38 painted to match the masonry. Additionally, concrete pads and approach aprons shall be
- 39 installed for the dumpsters.

40

41 **Chapter 9: General Commercial / Business District (B-4)**

42

43 **Section 9.1 Purpose and Permitted uses.**

44

45 The purpose of General Commercial/Business District (B-4) is for moderate to high intensity

46 development; specifically, medium to large scale retail and office development to serve several

47 neighborhoods and areas immediately outside the City; however, any proposed development of

48 ten or more acres must receive Conditional Use approval as a PUD.

1  
2 Permitted Uses shall include all Permitted Uses in B-3 District.

3  
4 **Section 9.2 Conditional uses.**

5  
6 Conditional Uses shall include all Conditional Uses in B-3 District.

7  
8 **Section 9.3 Bulk Regulations.**

9  
10 The bulk regulations in the B-4 District shall be the same as in the B-3 District except:

- 11  
12 A. Lot Area Minimum: 174,240 square feet (4 acres); and  
13  
14 B. Building Area Maximum: 75,000 square feet.

15  
16 **Chapter 10: Large Scale Commercial / Business Districts (B-5)**

17  
18 **Section 10.1 Purposes.**

19  
20 The purpose of Large Scale Commercial / Business District (B-5) is for high intensity  
21 development; specifically, large scale retail and office development (over 75,000 square feet of  
22 building or retail space) providing destination uses for patrons residing within and outside of the  
23 City. All uses and development in a B-5 District must receive Conditional Use approval as a  
24 PUD.

25  
26 **Chapter 11: Office, Research and Development District (O, R & D)**

27  
28 **Section 11.1 Purpose; Prohibited Uses.**

29  
30 The Office, Research and Development District is intended to provide locations for offices,  
31 scientific research facilities, and light industrial and manufacturing, including but not limited to,  
32 assembly, packaging, light metal fabrication and warehousing conducted within completely  
33 enclosed buildings, except off-street parking, off-street loading, and some outdoor storage of  
34 materials and equipment. The following uses are not permitted:

- 35  
36 1. Refining, or manufacture of any gas or petroleum product;  
37 2. Manufacture of acid, alcohol, ammonia, asphalt, bleaching powder, chlorine, fertilizer,  
38 glue, size, gelatin, oil cloth, linoleum, oiled rubber goods, paint, oil, shellac, turpentine,  
39 varnish, paper and pulp, soap, tallow, grease or lard, roofing tar or waterproofing or  
40 vinegar  
41 3. Arsenal  
42 4. Auto wrecking  
43 5. Blast furnace  
44 6. Brick, tile pottery or terra cotta manufacturing (except for handcraft products)  
45 7. Coke ovens  
46 8. Creosote manufacture or treatment  
47 9. Disinfectants manufacture

- 1 10. Distillation of bones, coal or wood
- 2 11. Dyestuff manufacture
- 3 12. Explosives or fireworks manufacture or storage
- 4 13. Fat rendering
- 5 14. Forge plant
- 6 15. Iron, steel, brass, or copper foundry or fabrication plant (except light metal fabrication)
- 7 16. Junkyard
- 8 17. Tanning, curing, or storage of rawhides or skins
- 9 18. Tar distillation or manufacture
- 10 19. Wool pulling or scouring
- 11 20. Yeast plant

12

13 **Section 11.2 Permitted Uses.**

14

- 15 1. All permitted uses in the B-4 District
- 16 2. Apparel and textile manufacturing
- 17 3. Ambulance services
- 18 4. Any establishment, the principal use of which is metal fabrication, processing, assembly,  
19 repairing, storing, cleaning, servicing or testing of materials, goods or products provided  
20 that all operations conform to the performance standards and other regulations set forth  
21 herein
- 22 5. Bakeries, wholesale
- 23 6. Bottling works
- 24 7. Cabinet manufacturing shops
- 25 8. Electronic component manufacturing facilities
- 26 9. Furniture cleaning, upholstery and repair shops
- 27 10. Research, development and testing facilities
- 28 11. Silver plating and repair services
- 29 12. Newspaper offices, including printing
- 30 13. Printing, publishing or lithography establishments
- 31 14. Scientific research facilities
- 32 15. Warehousing and distribution.

33

34 **Section 11.3 Conditional Uses.**

35

- 36 1. All conditional uses in the B-4 District
- 37 2. Automobile body repair and paint shops
- 38 3. Automobile and truck repair shops
- 39 4. Concrete plant
- 40 5. Residence of the proprietor, caretaker, or watchman of a permitted use or approved  
41 conditional use
- 42 6. Self-service storage facilities
- 43 7. Towing services
- 44 8. Truck terminals
- 45 9. Other uses determined by Zoning Commission to be substantially similar to an above  
46 uses.

47

48 **Section 11.4 Bulk Regulations.**

1  
2 A. Lot Area and Setback Requirements. With the exception of requirements that may be  
3 placed on PUDs, there are no lot size requirements for O, R & D uses.

4  
5 Front yard setbacks shall be improved with two deciduous trees, one ornamental tree,  
6 two evergreen trees, and 30 shrubs per each 200 lineal feet. Landscaping may be  
7 permitted in public street right-of-way, if authorized as part of plan approval.

8  
9 In addition, a rear yard setback amounting to 20% of the total lot area is required if the  
10 rear yard abuts a residential district. A side yard setback amounting to 20% of the total  
11 lot area is required if the side yard abuts a residential district. The rear or side yards shall  
12 be appropriately landscaped to screen the abutting residential property.

13  
14 B. Maximum Building Height: 60 feet from the average elevation of the finished grade  
15 within 20 feet of the front of the proposed building.

16  
17 C. Parking as required in Off-Street Parking and Loading Regulations (Chapter 16).

18  
19 **Section 11.5 Additional Requirements.**

20  
21 All activities, including but not limited to, manufacturing, assembling, packaging or  
22 fabrication shall be performed within completely enclosed buildings. Outdoor storage of  
23 material and equipment is permitted provided there is no outdoor storage in any yard  
24 abutting a residential area and an eight-foot solid fence or wall completely surrounds the  
25 outdoor storage area. No material or equipment (other than vehicles) stored outdoors may  
26 project higher than eight feet.

27  
28 All dumpsters and other garbage or refuse receptacles shall be enclosed by masonry  
29 walls on three sides. The doors to the dumpster area shall be painted to match the  
30 masonry. Additionally, concrete pads and approach aprons shall be installed for the  
31 dumpsters.

32  
33 All development within the O, R & D District not required to be approved as a PUD shall  
34 be subject to site plan review (as outlined in the City's subdivision regulations) for  
35 developments 30,000 square feet or greater.

36  
37 **Section 11.6 Performance Standards.**

38  
39 A. Noise. No person shall cause, suffer, allow, or permit the operation of any source of  
40 sound on a particular category of property or any public space or right-of-way in such a  
41 manner as to create a sound level that exceeds the particular sound level limits set forth  
42 in this below when measured at or within the real property line of the receiving property.

43

Receiving Property District	Hours	Decibel Level (dBa)
Residential or Rural Agriculture	7:00 a.m. – 10:00 p.m.	70
Residential or Rural Agriculture	10:00 p.m. – 7:00 a.m.	65

Business	All hours	70
Office, Research and Development	All hours	75

1  
2 Sound levels shall be measured by a duly trained representative of or contractor for the  
3 City with a sound level meter and associated octave band filter manufactured according  
4 to standards prescribed by the American National Standards Association (“ANSI”).  
5 Measurements shall be made using the flat network of the sound level meter. Impulsive  
6 type noises shall be subject to the performance standards hereinafter prescribed, provided  
7 that such noises shall be capable of being accurately measured with such equipment.  
8 Noises capable of being so measured, for the purpose of this Zoning Code, shall be those  
9 noises which cause rapid fluctuations of the needle of the sound level meter with a  
10 variation of no more than plus or minus two decibels. Noises incapable of being so  
11 measured, such as those of an irregular and intermittent nature, shall be controlled so as  
12 not to become a nuisance to adjacent uses.

13  
14 Sound level measurements shall be taken at or within the complainant's property line or  
15 no less than 100 feet from the source of the sound, whichever is closer to the source of  
16 the sound. Measurements shall be of sufficient number to ensure that the sound levels  
17 measured are typical of the source under observation, but in no event should the duration  
18 of the test be less than two tests during a five-minute span.

19  
20 Exemptions. The following are exempt from the sound level limits of **subsection (d) of**  
21 **this section:**

- 22
- 23 1. Noise from domestic power tools, lawn mowers, and agricultural equipment when  
24 operated with a muffler between the hours of 8:00 a.m. and 8:00 p.m. on  
25 weekdays and 9:00 a.m. and 8:00 p.m. on weekends and legal holidays, provided  
26 they produce less than 85 dBa at or within any real property line of a residential  
27 property;
- 28
- 29 2. Sound from church bells and church chimes when a part of a religious observance  
30 or service;
- 31
- 32 3. Noise from construction activity provided all motorized equipment used in such  
33 activity is equipped with functioning mufflers and, when operated adjacent to  
34 residential property, is limited to the hours between 8:00 a.m. and 8:00 p.m. on  
35 weekdays and 9:00 a.m. and 8:00 p.m. on weekends and legal holidays;
- 36
- 37 4. The emission of sound for the purpose of alerting persons to the existence of an  
38 emergency;
- 39
- 40 5. The emission of sound in the performance of emergency work; or
- 41
- 42 6. The emission of sound from municipally sponsored or approved celebrations or  
43 events.
- 44

1 Dumpsters. It shall be unlawful for any person to collect, dump or remove any material  
2 from any dumpster between the hours of 10:00 p.m. and 5:00 a.m.  
3

- 4 B. Smoke and Particulate Matter. The emission of smoke or particulate matter in such  
5 manner or quantity as to endanger or to be detrimental to the public health, safety,  
6 comfort or welfare is declared to be a public nuisance and shall henceforth be unlawful.  
7

8 For the purposes of grading the density of smoke the Ringelmann chart, published and  
9 used by the United States Bureau of Mines, shall be employed. The emission of smoke or  
10 particulate matter of a density greater than No. 2 on the Ringelmann chart is prohibited at  
11 all times, except as otherwise provided hereinafter.  
12

13 Dust and other types of air pollution, borne by the wind from such sources as storage  
14 areas, yards, roads, and the like, within lot boundaries, shall be kept to a minimum by  
15 appropriate landscaping, paving, fencing or other acceptable means. Emission of  
16 particulate matter from such sources in excess of the weight limitation hereinafter  
17 specified is prohibited.  
18

19 Smoke. The emission of more than eight smoke units per hour per stack is prohibited,  
20 including smoke of a density in excess of Ringelmann No. 2. However, during one one-  
21 hour period in each 24 hour day each stack may emit up to 16 smoke units when blowing  
22 soot or cleaning fires. Only during fire-cleaning periods, however, shall smoke of  
23 Ringelmann No. 3 be permitted, and then for not more than three minutes.  
24

- 25 C. Toxic or Noxious Matter. No use shall, for any period of time, discharge across the  
26 boundaries of the lot wherein it is located, toxic or noxious matter in such concentrations  
27 as to be detrimental to or endanger the public health, safety, comfort or welfare, or cause  
28 injury or damage to property or business.  
29

- 30 D. Odors. The emission of odorous matter in such a quantity as to be readily detectable at  
31 any point along lot lines, or as to cause a public nuisance or hazard beyond lot lines is  
32 prohibited.  
33

- 34 E. Fire and Explosion Hazard. The storage, utilization, or manufacture of materials or  
35 products which are themselves flammable or explosive or which produce flammable or  
36 explosive vapors or gases shall comply with National Fire Protection Association 30  
37 (NFPA 30) or such other rules and regulations set forth by the Louisiana State Fire  
38 Marshal.  
39

- 40 F. Glare or Heat. Any operation producing intense glare or heat shall be performed within  
41 completely enclosed buildings in such a manner as not to create a public nuisance or  
42 hazard along lot lines.  
43

- 44 G. Vibration. No industrial operation or activity shall cause at any time ground transmitted  
45 vibrations in excess of the limits set forth below. Vibration (the periodic displacement,  
46 measured in inches of earth) shall be measured at any point along a residence district  
47 boundary line with a three-component measuring instrument commonly accepted in the  
48 field, and shall be expressed as displacement in inches.

1

<b>Frequency (cycles per second)</b>	<b>Maximum Permitted Displacement Along Residence District Boundaries in inches</b>
0 to 10	.0008
10 to 20	.0005
20 to 30	.0003
30 to 40	.0002
40 and over	.0001

2

3 **Chapter 12: Rural /Agricultural District (R/A)**

4

5 **Section 12.1 Permitted Uses.**

6

7 A. Farming of any kind, including, but not limited to, agriculture, floriculture, forestry,  
8 horticulture, nurseries, orchards, truck farming, viticulture;

9

10 B. Single-family detached dwellings;

11

12 C. Parks, playgrounds, and preservation areas;

13

14 D. Farm stands for the sale only of produce – at least 50% of which is grown on the lot or  
15 parcel on which the farm stand is located.

16

17 E. Mobile homes (but not mobile home parks) in accordance with Chapter 18.

18

19 F. Barns and other agriculture buildings.

20

21 H. Accessory Dwelling Units in accordance with Section 19.2.

22

23 **Section 12.2 Conditional Uses.**

24

25 A. Breeding, Raising or keeping of livestock

26

27 B. Churches, temples and synagogues, on lots not less than 12,000 square feet in area and  
28 not less than 90 feet in width

29

30 C. Communications towers

31

32 D. Country, swim or tennis clubs

33

34 E. Golf course (public or private)

35

36 F. Kennels or dog breeding facilities

37

38 G. Private athletic fields and related activities

39

- 1 H. Riding (horses) clubs or schools
- 2
- 3 I. Schools; elementary, middle or high
- 4
- 5 J. Shooting or gun clubs. (Must be a minimum of 300 feet from the property line of any
- 6 residential use)
- 7

8 **Section 12.3 Bulk Regulations.**

- 9
- 10 A. Minimum Lot Size
  - 11 1. Minimum area: 3 acres
  - 12 2. Minimum width: 250 feet
  - 13
- 14 B. Minimum Setbacks
  - 15 1. Front Yard: 35 feet
  - 16 2. Side yard: 25 feet.
  - 17 3. Corner side yard: 35 feet
  - 18 4. Rear yard: 35 feet
  - 19
- 20 C. Maximum Building Height: 40 feet measured from the average elevation of the finished
- 21 grade within 20 feet of the front of the proposed building
- 22
- 23 D. Parking as required by Off-street Parking and Loading Regulations (Chapter 16).
- 24

25 **Chapter 13: Administration and Enforcement**

26

27 **Section 13.1 Administrative Authority.**

28

29 The administration and enforcement of this Zoning Code is vested as follows:

- 30
- 31 A. Zoning Administrator. The Zoning Administrator’s duties include the following:
  - 32
  - 33 1. Review building permit applications to determine conformance with the use and
  - 34 bulk regulations in the district in which the property is located.
  - 35 2. Receive and process applications for Variances, Conditional Uses (including
  - 36 Planned Unit Developments) and Amendments.
  - 37 3. Inspect properties to determine conformance with the use and bulk regulations in
  - 38 the district in which the property is located and/or with the specific conditions set
  - 39 forth in an ordinance granting a Conditional Use (including a Planned Unit
  - 40 Development) or rezoning or in the grant, by the Board of Adjustments, of a
  - 41 Variance.
  - 42 4. Maintain the zoning map.
  - 43 5. Provide information and applications to property owners and others seeking to
  - 44 use or develop property in the City.
  - 45
- 46 B. Board of Adjustments.
- 47

1 1. Establishment and Terms. There is hereby created a Board of Adjustment, which  
2 shall consist of five members all of whom shall be land owners and qualified  
3 voters in the City. The Board members shall serve without compensation.  
4 Members of the Board shall all be appointed by the Mayor with the advice and  
5 consent of the Council. Members of the Board may be removed for cause by the  
6 Mayor, with the consent of the Council, upon written charges and after a public  
7 hearing.

8  
9 The Mayor shall designate the terms of the initial members of the Commission.  
10 One member shall be appointed for an initial term of one (1) year; one for two (2)  
11 years; one for three (3) years, one for four (4) years; and one for five (5) years.  
12 After the expiration of an initial term, all subsequent terms for that seat shall be  
13 for four (4) years. If a vacancy occurs otherwise than by an expiration of term, it  
14 shall be filled by appointment for the unexpired term.

15  
16 2. Organization and Meetings.

17  
18 The Board shall elect a chairman from its members and create and fill such other  
19 of its offices as it may determine. The term of the chairman shall be one year,  
20 with eligibility for reelection. The Board shall hold at least one regular meeting  
21 in each month. It shall adopt rules for transaction of business and shall keep a  
22 record of its resolutions, transactions, findings and determinations, which record  
23 shall be a public record.

24  
25 3. Duties. The Board of Adjustment has the following duties:

- 26  
27 a. Review appeals decisions of the Zoning Administrator that are appealed  
28 pursuant to Subsection 13.5 below and State statute.  
29 b. Hear and decide applications seeking variances from the strict regulations  
30 of this Zoning Code.

31  
32 C. Zoning Commission.

33  
34 1. Establishment and Terms. There is hereby created a Zoning Commission.  
35 The members of the Zoning Commission shall be the members of the  
36 Planning Commission and shall be organized in the same manner.  
37 However, the two bodies shall hold separate meetings with separate  
38 minutes and records. The "Commission" shall consist of seven (7)  
39 members who shall serve without compensation and shall hold no other  
40 public office (except as Planning Commissioner or as a member of a  
41 regional planning commission of which the City is a member).

42  
43 2. Chairman; Meetings. The Commission shall elect a chairman from its  
44 members and create and fill such other of its offices as it may determine.  
45 The term of the chairman shall be one year, with eligibility for reelection.  
46 The Commission shall hold at least one regular meeting in each month. It  
47 shall adopt rules for transaction of business and shall keep a record of its

1 resolutions, transactions, findings and determinations, which record shall  
2 be a public record.

3  
4 3. Duties. The Zoning Commission has the following duties:

5  
6 a. Hold public hearings, as provided by law, on all applications for  
7 Conditional Uses (including Planned Unit Developments) and  
8 Amendments to this Zoning Code and recommend to the City Council  
9 whether to grant said applications and, if so, the conditions, if any, that  
10 should be attached to said grant.

11  
12 b. The Zoning Commission shall also, from time to time, either on its own  
13 initiative or at the request of the City Council, review the boundaries of  
14 the various zoning districts and the restrictions and regulations to be  
15 enforced therein and recommend any supplements, changes and  
16 modifications thereof to the City Council.

17  
18 D. City Council. The City Council has the following duties with regarding to the  
19 administration of this Zoning Code.

20  
21 1. Make a final determinations approving or disapproving all applications for  
22 Conditional Uses (including PUD) and, if approving, enact ordinances granting  
23 said Conditional Uses including any conditions placed on such approval.

24  
25 2. Make a final determinations approving or disapproving all Amendments to this  
26 Zoning Code and, if approving, enact ordinances granting said Amendments and,  
27 where appropriate, include any conditions placed on such approval. An  
28 ordinance rezoning property (except when proposed by the City) shall be  
29 conditioned on a specific site plan. Said site plan shall be the same site plan that  
30 was presented to the Zoning Commission for its comment and recommendation  
31 or shall have been revised to conform to the Zoning Commission's  
32 recommendation. Any proposed amendment that fails to receive a positive  
33 recommendation from the Zoning Commission shall not be approved by the City  
34 Council except by a favorable vote of two-thirds of its entire membership.

35  
36 3. No ordinance approving an Amendment or Conditional Use shall be effective  
37 unless the City Council has received a final report from the Zoning Commission  
38 on the merits of the proposed Amendment or Conditional Use and the City  
39 Council has held a public hearing on the proposed ordinance at which parties in  
40 interest and citizens had an opportunity to be heard and notice of the public  
41 hearing was published in the official journal of the City of Central and furnished  
42 to local newspapers at least 15 days prior to the hearing and posted on the City of  
43 Central's website at least 20 days prior to the hearing.

44  
45 **Section 13.2 Zoning Certificates; Zoning / Planning Review Letters.**

46  
47 No permit required by the building code of the City shall be issued for the construction of a  
48 building, structure or land improvement or an alteration or enlargement of an existing building,

1 structure, or land improvement, and the uses thereof, until the Zoning Administrator certifies that  
2 the application for a permit, with accompanying plans and specifications, conforms with this  
3 Zoning Code. Any permit issued in conflict with the provisions of this Zoning Code shall be null  
4 and void.

5  
6 **Section 13.3 Occupancy Permits.**  
7

- 8 A. No land shall be occupied or used and no building or structure hereinafter erected, altered  
9 or enlarged shall be occupied or used in whole or in part for any purpose until an  
10 occupancy certificate has been issued by the building official.  
11  
12 B. No change of use shall be made in any building, structure or land improvement or part  
13 thereof now or hereafter erected or constructed unless an occupancy certificate has been  
14 issued by the building official.  
15  
16 C. An occupancy certificate shall be issued only after the building zoning has inspected the  
17 land, building or structure and finds:  
18  
19 1. It to be in compliance with all applicable regulations of the City, including, but  
20 not limited to, this Zoning Code and the building code; and  
21  
22 2. That the use is a permanent use or a conditional use in the zoning district where  
23 such land, building or structure is located. If the use is a conditional use, a  
24 conditional use permit shall have properly been granted prior to issuance of an  
25 occupancy permit.  
26

27 **Section 13.4 Temporary Occupancy Certificate.**  
28

29 The building official may issue one temporary occupancy certificate for a period of six months  
30 with one extension of not more than three months if it is for the occupancy of a portion of land,  
31 building or structure that has been completed, can be occupied safely and the remaining portion  
32 of the land, building or structure or improvement is in the process of completion.  
33

34 **Section 13.5 Appeals.**  
35

- 36 A. Authority. An appeal from a final order, requirement, decision or determination to issue,  
37 not to issue, revoke, rescind or extend a permit or certificate requiring compliance with  
38 the provisions of this Zoning Code may be taken to the Board of Adjustments by any  
39 person aggrieved or any officer or department of the City. Such an appeal shall be taken  
40 within 45 days of the decision complained of by filing a notice of appeal with the Zoning  
41 Administrator specifying the grounds thereof and accompanied by an appeal fee, in an  
42 amount approved from time-to-time by the City Council. The Zoning Administrator shall  
43 transmit all papers constituting the record of his or her decision to the Board of  
44 Adjustment.  
45  
46 B. Actions Stayed. An appeal shall stay all proceedings in furtherance of the action appealed  
47 from unless the Zoning Administrator certifies to the Board of Adjustments after notice  
48 of the appeal has been filed with the Zoning Administrator, that by reason of a fact stated

1 in the Zoning Administrator's statement, to deny a stay would, in the Zoning  
2 Administrator's opinion, cause imminent peril to life or property, in which case the  
3 proceedings shall not be stayed unless determined otherwise by the Board of  
4 Adjustments or as ordered by a court of competent jurisdiction for due cause shown.  
5

- 6 C. Hearing and Decision. The Board of Adjustments shall fix a reasonable time for the  
7 hearing of an appeal and give at least ten days notice to all parties interested in the  
8 appeal. The notice shall be by publication in a newspaper in general circulation within  
9 the City and also by mailing notice thereof to the parties in interest. At the hearing, a  
10 verbatim transcript shall be taken by a certified court reporter. In addition, any party may  
11 appear in person or by agent. The Board of Adjustments shall reach its decision within a  
12 reasonable period of time after the conclusion of the hearing. The Board of Adjustments  
13 may affirm or may reverse, wholly or in part, or modify the order, requirement, decision  
14 or determination and to that end shall have all the powers of the officer from whom the  
15 appeal was taken.  
16

17 **Section 13.6 Variances.**  
18

- 19 A. Authority. The Board of Adjustments, after a hearing may determine and vary the  
20 regulations of this Zoning Code in harmony with their general purpose and intent in  
21 specific cases where there are practical difficulties or particular hardships in the way of  
22 carrying out the strict letter of the regulations of this Zoning Code. Provided, however,  
23 that no variation shall be granted authorizing the use of land, buildings or structures  
24 which is not a permitted use or a conditional use in the district in which the land, building  
25 or structures are located.  
26

- 27 B. Application. After meeting with the Zoning Administrator to discuss the proposed  
28 development, an application for a variance shall be filed with the Zoning Administrator  
29 along with an application fee in an amount approved from time-to-time by the City  
30 Council. At the pre-application meeting, the Zoning Administrator should offer  
31 comments to the developer in an effort to make the development more compatible with  
32 the surrounding uses, the purposes of the zoning district in which the property is located  
33 and the goals of the Master Plan. Additionally, the Zoning Administrator may bring in the  
34 City's engineering, planning, legal and other consultants to review and comment on the  
35 proposed development. The application shall contain the following information:  
36

- 37 1. The name, address and phone number of the Applicant, the owner of the  
38 property, if different, and the Applicant's attorney or representative, if any;
- 39 2. The legal description and common address of the property;
- 40 3. The specific provisions of the zoning code from which the variation is sought;
- 41 4. A description of the proposed structure or use including a dimensioned site plan  
42 or plat;
- 43 5. A brief summary of the factual evidence upon which the Applicant will rely to  
44 show that the standards for a variation are met;
- 45

- 46 C. Hearing and Standards. The Zoning Administrator shall forward the application to the  
47 Board of Adjustments to conduct a public hearing.  
48

1 In determining whether there are practical difficulties or particular hardships in the way  
2 of carrying out the strict letter of the regulations of this Zoning Code, the Board of  
3 Adjustments shall take into consideration the extent to which the following facts are  
4 established:

- 5
- 6 1. That the particular physical surroundings, shape or topographical conditions of  
7 the specific property involved would bring a particular hardship upon the owner  
8 as distinguished from a mere inconvenience if the strict letter of the regulation  
9 were to be carried out;
- 10 2. That the conditions upon which the petition for variance is based would not be  
11 applicable generally to other property within the same zoning district;
- 12 3. That the variance is not solely and exclusively for the purpose of enhancing the  
13 value of the property;
- 14 4. That the alleged difficulty or hardship has not been created by any person  
15 presently having an interest in the property;
- 16 5. That granting the variance will not be detrimental to the public welfare or  
17 injurious to other property or improvements in the neighborhood in which the  
18 property is located; and
- 19 6. That the proposed variance will not impair an adequate supply of light and air to  
20 adjacent property or substantially increase the danger of fire or otherwise  
21 endanger the public safety or substantially diminish or impair property values  
22 within the neighborhood.

23

24 D. Findings of Fact and Board of Adjustments Approval. After the public hearing, the Board  
25 of Adjustments may, by motion, adopt any proposed variance. Every motion granting a  
26 variation shall contain a statement of findings specifying the reason or reasons for  
27 making the variance.

28

29 E. Conditions of Approval. The Board of Adjustments may impose such conditions and  
30 restrictions upon the property benefited by a variance as they deem necessary to assure  
31 compliance with other regulations of this Zoning Code or to reduce or minimize the  
32 effect of the variation upon other property in the neighborhood or to implement the  
33 general purpose and intent of this Zoning Code.

34

35 F. Effective Period. No variance shall be valid for a period longer than 180 days from the  
36 date it was granted unless a building permit or certificate of occupancy is obtained within  
37 such period, or the use is legally commenced within such period. The Board of  
38 Adjustments may grant one extension of this period, valid for no more than 180  
39 additional days, upon written application prior to the expiration of the variance and good  
40 cause shown, without notice or hearing.

41

42 G. The decision of the Board of Adjustments shall be a final administrative decision based  
43 upon the evidence presented at the hearing of the appeal. Judicial review of the decision  
44 of the Board of Adjustments on appeals shall be in accordance with the R.S. 33:4727.

45

46 **Section 13.7 Conditional Uses.**

47

- 1 A. Purpose. The development and execution of this Zoning Code is based upon the division  
2 of the City into zoning districts, within any one of which the use of land and use of  
3 buildings are essentially uniform. However, certain uses, because of their unique  
4 character cannot be properly classified in any particular district or districts without  
5 consideration in each case of the impact of those uses upon neighboring lands and upon  
6 the public need for the particular use at the particular location. Such uses fall into two  
7 categories:  
8
- 9 1. Uses operated by a public agency or publicly regulated utilities or uses  
10 traditionally affected with a public interest; and
  - 11 2. Uses entirely private in character but of such a nature that the operation may give  
12 rise to unique problems with respect to their impact upon neighboring property or  
13 public facilities.
- 14
- 15 B. Authority. Conditional Uses shall be authorized by the City Council, by ordinance, after  
16 a hearing before the Zoning Commission in accordance with the Louisiana statutes and  
17 standards set forth in this Zoning Code for Conditional Uses.  
18
- 19 C. Application. After meeting with the Zoning Administrator to discuss the proposed  
20 development, an application for a Conditional Use shall be filed with the Zoning  
21 Administrator along with an application fee in an amount approved from time-to-time by  
22 the City Council. At the pre-application meeting, the Zoning Administrator should offer  
23 comments to the developer in an effort to make the development more compatible with  
24 the surrounding properties, the conditional use criteria and the goals of the Master Plan.  
25 Additionally, the Zoning Administrator may bring in the City's engineering, planning,  
26 legal and other consultants to review and comment on the proposed development. The  
27 application shall contain the following information:  
28
- 29 1. The name, address and phone number of the Applicant, the owner of the  
30 property, if different, and the Applicant's attorney or representative, if any;
  - 31 2. The legal description and common address of the property;
  - 32 3. A description of the existing use of the property;
  - 33 4. The zoning district in which the property is located;
  - 34 5. Description of the proposed Conditional Use;
  - 35 6. A dimensioned site plan or plat showing the location of all buildings, parking  
36 areas, traffic access and circulation, open spaces, landscaping, refuse and service  
37 areas, utilities, signs and yards; and
  - 38 7. A brief summary of the factual evidence upon which the Applicant will rely to  
39 show that the standards for a Conditional Use are met.
- 40
- 41 D. Hearing and Standards. The Zoning Administrator shall forward the application to the  
42 Zoning Commission to conduct a public hearing. In deciding whether or not to  
43 recommend granting the Conditional Use to the City Council, the Zoning Commission  
44 shall take into consideration the extent to which the proposed use will:  
45
- 46 1. be harmonious with and in accordance with the general objectives of the master  
47 plan and this Zoning Code;

- 1           2.       be designed, constructed, operated and maintained so as to be harmonious and
- 2                   appropriate in appearance with the existing or intended character of the general
- 3                   vicinity;
- 4           3.       not change the essential character of the general vicinity;
- 5           4.       not be hazardous or disturbing to existing or future neighborhood uses; and
- 6           5.       not cause substantial injury to the value of other property in the neighborhood in
- 7                   which it is located.
- 8

9   E.       Conditions of Approval. The Zoning Commission may recommend and the City Council  
10           may impose such conditions and restrictions upon the property benefited by the  
11           Conditional Use as they deem necessary to assure compliance with the provisions of this  
12           Zoning Code or to reduce or minimize the effect of such Conditional Use upon other  
13           property in the neighborhood or to implement the general purpose and intent of this  
14           Zoning Code. Such conditions or restrictions may include variations from the bulk  
15           requirements of this Zoning Code without the need for approval by the Board of  
16           Adjustments.

17  
18   F.       Findings of Fact, Recommendations, and City Council Approval. Within 30 days after  
19           the public hearing, the Zoning Commission shall report its findings of fact and  
20           recommendations to the City Council in writing. Within 60 days of receipt of the  
21           findings of fact and recommendations, the City Council, by ordinance, may authorize or  
22           deny an application for a Conditional Use or may refer the application back to the Zoning  
23           Commission for further consideration. If approving the Conditional Use, the City  
24           Council may do so with or without the any conditions or restrictions recommended by  
25           the Zoning Commission or may add any additional conditions or restrictions it deems  
26           appropriate. If the Zoning Commission unanimously recommends denial of Conditional  
27           Use, the City Council may approve the Conditional Use only upon a vote of 2/3s of the  
28           City Council.

29  
30   G.       Effective Period. Except for Planned Unit Developments (Chapter 14), no Conditional  
31           Use shall be valid for a period longer than 180 days from the date it was granted unless a  
32           building permit or certificate of occupancy is obtained within such period, or the use is  
33           legally commenced within such period. The City Council may, by motion, grant one  
34           extension of this period, valid for no more than 180 additional days, upon written  
35           application prior to the expiration of the Conditional Use and good cause shown, without  
36           notice or hearing.

37  
38   H.       Discontinuance. The discontinuance of a Conditional Use for a period of one hundred  
39           180 days shall cause the expiration of the Conditional Use Permit and said use shall not  
40           be restarted without approval of a new Conditional Use Permit.

41  
42   **Section 13.8 Amendments.**

43  
44   A.       Authority. The regulations imposed and the districts created under this Zoning Code may  
45           be amended from time to time, by ordinance, in accordance with applicable statutes. An  
46           amendment shall be granted or denied by the City Council only after public hearing  
47           before the Zoning Commission and report of its findings and recommendations has been  
48           submitted to the City Council.

1  
2 B. Application. After meeting with the Zoning Administrator to discuss the proposed  
3 development or use, an application for Amendment shall be filed with the Zoning  
4 Administrator along with an application fee in an amount approved from time-to-time by  
5 the City Council. At the pre-application meeting, the Zoning Administrator should offer  
6 comments to the developer in an effort to make the development the development more  
7 compatible with the purposes of the surrounding uses and the Master Plan. Additionally,  
8 the Zoning Administrator may bring in the City's engineering, planning, legal and other  
9 consultants to review and comment on the proposed development. The application shall  
10 contain the following information:

- 11
- 12 1. The name, address and phone number of the Applicant, the owner of the
- 13 property, if different, and the Applicant's attorney or representative, if any;
- 14 2. The legal description and common address(es) of the property;
- 15 3. A description of the existing use of the property;
- 16 4. The zoning district in which the property is located;
- 17 5. The proposed use of the subject property including, if applicable, a description of
- 18 any industrial or manufacturing processes a list of toxic or hazardous substances
- 19 (as defined by the U.S. E.P.A.) that may be used or stored and associated waste
- 20 or by products caused by the proposed processes;
- 21 6. The land uses and zoning districts of all properties abutting or across a street or
- 22 alley from the subject property;
- 23 7. The proposed zoning of the subject property;
- 24 8. A site plan showing the location and dimensions of all buildings, parking, free
- 25 standing signage and open spaces to be located on the property as well as the
- 26 location of any and all drainage facilities, including all retention and/or detention
- 27 areas; and
- 28 9. If the proposed amendment is a text amendment rather than map amendment, the
- 29 application need only include the items in paragraph (B)(1) of this section, and
- 30 the proposed language of the text amendment.

31

32 C. Hearing. The Zoning Administrator shall forward the application to the Zoning  
33 Commission to conduct a public hearing.

34

35 D. Conditions of Approval. The Zoning Commission may recommend, and the City Council  
36 may impose such conditions and restrictions upon the property benefited by a map  
37 amendment as they deem necessary to assure compliance with other provisions of this  
38 Zoning Code or to reduce or minimize the effect of such map amendment upon other  
39 property in the neighborhood or to implement the general purpose and intent of this  
40 Zoning Code. Such conditions or restrictions may include approval of a special site plan  
41 including variations from the bulk requirements of this Zoning Code without the need for  
42 approval of the Board of Adjustments.

43

44 E. Findings of Fact, Recommendations and City Council Approval. Within 30 days after the  
45 public hearing, the Zoning Commission shall report its findings of fact and  
46 recommendations to the City Council in writing. Within 60 days of receipt of the  
47 findings of fact and recommendations, the City Council, by ordinance, may adopt any  
48 proposed amendment or may refer it back to the Zoning Commission for further

1 consideration. If approving the Amendment, the City Council may do so with or without  
2 the any conditions or restrictions recommended by the Zoning Commission or may add  
3 any additional conditions or restrictions it deems appropriate. If the Zoning Commission  
4 unanimously recommends denial of the amendment, the City Council may approve the  
5 Amendment only upon a vote of 2/3s of the City Council.  
6

7 **Section 13.9 Notice Requirements for Variations, Conditional Uses and Amendments.**  
8

- 9 A. Published Notice. No public hearing before the Board of Adjustments or Zoning  
10 Commission on any application for a Variation, Conditional Use or Amendment shall be  
11 held unless notice of the time, place and specific subject matter of the hearing is  
12 published in the official journal of the City at least three times before the hearing with the  
13 first and third publications being at least ten days apart and furnished to local newspapers  
14 at least 15 days prior to the hearing. In addition, such notice shall be posted on the City's  
15 website at least 20 days prior to the hearing. The Zoning Administrator shall cause notice  
16 of the public hearing to be published and posted as required herein. The cost of  
17 publication shall be borne by the Applicant(s) on a pro rata basis.  
18
- 19 B. Mailed Notice. Each application for a Variation, Conditional Use or Amendment shall  
20 also provide notice of the required public hearing by U.S. mail, sent not less than 20days  
21 in advance of the hearing, to the Commission staff and all owners of real property, within  
22 300 feet of the boundaries of the land upon which a zoning application is requested. The  
23 Applicant shall provide the Commission staff with proof of the required mailing  
24 (consisting of a Certificate of Mailing from the U.S. Postal Service or delivery receipt)  
25 for each notice at least two days prior to the public hearing. The failure to timely provide  
26 this proof shall cause the application to be deemed incomplete and prevent the Zoning  
27 Commission from considering the application. For the purpose of notice requirements to  
28 property owners, the names and addresses of such owners shall be deemed to be those on  
29 record in the East Baton Rouge Parish Assessor's records. Failure of owners to receive  
30 this mailed notice shall in no way not affect the validity of any action taken at the  
31 hearing.  
32
- 33 C. Public Participation Program. In addition to the requirements of paragraphs A and B  
34 above, Applicants for approval of a Planned Unit Development ("PUD"), including a  
35 Traditional Neighborhood Development ("TND") shall complete the two-part Public  
36 Participation Program outlined herein to enhance dialogue between Applicants and  
37 individuals which could be impacted by the proposed development prior to the public  
38 hearing.  
39
- 40 1. Part One of the process is the filing of a plan on the Public Participation Form  
41 (Form A) simultaneously with the application requesting approval of a PUD  
42 preliminary plat. The Public Participation Plan shall include the following:  
43
- 44 a. Identification of all property owners within 300 feet of the site and area  
45 homeowners' associations, environmentally stressed communities,  
46 political jurisdictions, and any other public agencies or organizations  
47 which may be affected by an application as determined by the Applicant  
48 and the City staff at the time of the pre-application conference.

- 1           b.       Explanation of how the interested parties will be informed of the
- 2                   proposed development. If notice to property owners within 300' feet
- 3                   required by this Section will be performed by mail, the notice required in
- 4                   paragraph B of this Section can be included with this notice provided the
- 5                   proof of mailing required by paragraph B of this Section is provided.
- 6           c.       Methods of providing opportunities for discussion with interested parties
- 7                   before public hearings are held. Applicants are required to schedule at
- 8                   least one meeting at a convenient location and time and notify all
- 9                   interested parties, as identified above, of the purpose, place, and time of
- 10                  the meeting.
- 11           d.       Applicant's schedule for completion of the Public Participation Plan.

12  
13           2.       Part Two of the Public Participation Program, the Public Participation Report  
14                   (Form B), shall be submitted to the City staff no later than seven business days  
15                   prior to the scheduled Zoning Commission meeting and the Applicant(s) shall  
16                   submit to the staff a revised copy of the Public Participation Report no later than  
17                   noon on the Tuesday preceding the Council meeting at which the development  
18                   will be considered. The report shall include:

- 19
- 20           a.       A list of all parties notified, the methods of notification used and copies
- 21                   of all notifications.
- 22           b.       A list of dates and locations of all community and/or other meetings
- 23                   attended by the Applicant to discuss the application and copies of related
- 24                   documentation including meeting notes and correspondence.
- 25           c.       The number of persons participating in each meeting and copies of the
- 26                   sign-in sheet(s).
- 27           d.       A summary of concerns and issues expressed by interested parties.
- 28           e.       A summary of the Applicant's response to concerns and issues.

29  
30   D.       Sign.

31

- 32           1.       Any application related to a PUD, including a TND, requiring a public hearing
- 33                   shall pay a sign placement fee of \$50 and shall authorize the Department of
- 34                   Public Works to place a sign at least four feet in height and eight feet in width on
- 35                   or adjacent to the property proposed for development or, if the property does not
- 36                   front on a public street, on the nearest public right of way or street with the
- 37                   highest traffic count. The sign shall indicate that the property is proposed for
- 38                   development, and shall include the present zoning classification of the property,
- 39                   the zoning classification sought by the amendment, the number of lots proposed
- 40                   (if applicable), the number of square feet of commercial buildings proposed (if
- 41                   applicable), the proposed name of the development, the date, time and place of
- 42                   the public hearing on the proposed amendment, the name and phone number of
- 43                   the developer and the phone number and website for Central's Planning
- 44                   Commission.

45

- 46           2.       For all other zoning requests requiring a public hearing the Applicant shall
- 47                   authorize the Department of Public Works to place sign(s) at least 18 inches in
- 48                   height and 24 inches in width on or adjacent to the property proposed for

1 development or, if the property does not front on a public street, on the nearest  
2 public right of way or street with the highest traffic count. The sign shall indicate  
3 the present zoning classification of the property, the zoning classification sought  
4 by the amendment, the date, time and place of the public hearing on the proposed  
5 amendment, and the phone number and website for Central's Planning  
6 Commission. The City of Central shall provide the sign at no cost to the  
7 Applicant.  
8

- 9 3. Required signs shall be posted not less than 20 days prior to the date of the public  
10 hearing to be held by the Zoning Commission on the proposed application. The  
11 sign shall not be removed from the property until the decision of the City Council  
12 is final. Signs shall be and shall remain the property of the Department of Public  
13 Works.  
14

- 15 E. Notwithstanding anything set forth above, if the City is the Applicant and the proposed  
16 amendment will affect the district regulations or rezone ten or more properties, only  
17 publication and posting notice is required.  
18

## 19 **Chapter 14: Planned Unit Development Regulations**

### 20 **Section 14.1 Purpose**

21  
22  
23 The purpose of the Planned Unit Development Regulations is to allow more creative and  
24 imaginative design for land development than is possible under the underlying zoning district  
25 regulations. In this regard, the bulk and use regulations of any district may be modified within a  
26 Planned Unit Development to preserve the natural site qualities, include urban amenities, create  
27 more open space and greater aesthetics and facilitate an overall higher quality project.  
28

- 29 A. The following objectives are sought through the use of the Planned Unit Development  
30 procedure:
- 31 1. To permit a creative approach to the use of land and related physical facilities  
32 that results in better design and development, with the inclusion of aesthetic  
33 amenities.
  - 34 2. To encourage a pattern of development to preserve natural vegetation,  
35 topographic and geological features and environmentally appropriate features.
  - 36 3. To create a method for the permanent preservation of common open space for the  
37 continued use and enjoyment of the residents of the development.
  - 38 4. To provide for more usable and suitably located recreation facilities and other  
39 public and private facilities.
  - 40 5. To encourage a land use that promotes the public health, safety, comfort, morals  
41 and welfare.
  - 42 6. To encourage building design, materials, and construction that promote a quality  
43 image now, and in the future, enhance the overall.  
44
- 45 B. The Planned Unit Development is intended to provide for projects incorporating a single  
46 type or a variety of related uses which are planned and developed as a unit. The Planned  
47 Unit Development should provide amenities not otherwise required by law and often  
48 establishes facilities and open space greater than the minimums required by law.

- 1  
2 C. The unique and substantially different character of Planned Unit Developments requires  
3 their administrative processing as a “conditional use.” Planned Unit Developments are  
4 more complex and of a different character than other conditional uses requiring the  
5 establishment herein of specific and additional procedures, standards and exceptions to  
6 guide the recommendations of the Zoning Commission and the action of the City  
7 Council.  
8
- 9 D. The approval of a Planned Unit Development, including the approval of the  
10 development’s uses and density (both residential and commercial) is within the  
11 legislative discretion of the City Council.  
12

### 13 **Section 14.2 Procedure**

14

15 A Planned Unit Development may be granted as a conditional use in accord with the procedures  
16 and standards of this section and may depart from the normal procedures, standards and other  
17 requirements of the other sections of this Zoning Code. Applications shall be made as hereinafter  
18 provided and shall be accompanied by the required plats and documents. Detailed plans,  
19 drawings and other information as specified by this Zoning Code shall be required at the time of  
20 the various meetings and hearings. Each step shall be reviewed and certified by the Zoning  
21 Administrator as being in accordance with the Planned Unit Development requirements.  
22

#### 23 A. Pre-application Procedure:

24

- 25 1. *Pre-Application Conference with the Zoning Administrator:* Prior to the filing of  
26 an application for approval of a Planned Unit Development, shall meet with the  
27 Zoning Administrator to discuss the proposed development. The Zoning  
28 Administrator should offer comments to the developer in an effort to make the  
29 development more compatible with surrounding uses, the purposes of Planned  
30 Unit Developments and the goals of the Master Plan. Additionally, the Zoning  
31 Administrator may bring in the Central’s engineering, planning, legal and other  
32 consultants to review and comment on the proposed development.  
33
- 34 2. *Optional Pre-Application Conference with the Zoning Commission:* Prior to the  
35 filing of an application for approval of a Planned Unit Development, the  
36 developer may request an informal meeting with the Zoning Commission to  
37 discuss the development of their land and submit an informal proposal therefore.  
38 This Pre-Application Conference shall be a part of a regularly scheduled Zoning  
39 Commission meeting and shall be open to the public. The application shall be  
40 accompanied by a fee which shall be established by the City Council from time  
41 to time. The Pre-Application Conference is not mandatory. It is intended that the  
42 informal proposal submitted will be in preliminary conceptual form, and the  
43 substance and detail of the matters presented shall, beyond complying with  
44 Section 14.5. A below, be largely within the discretion of the developer.  
45 However, the Zoning Commission may request the submission of other specified  
46 information or documentation. The purpose of the conference shall be informal  
47 communication, information and discussion, and no commitments shall be given,  
48 nor shall statements or opinions of the Zoning Commission members be deemed

1 binding. No recommendations need be made to, or acted upon by the City  
2 Council.

3  
4 B. Preliminary Plat Procedure:

5  
6 1. *Purpose:* The purpose of the Preliminary Plat is to obtain tentative approval  
7 and/or commitments from the City that the plans, design and program that the  
8 developer intends to build and follow are acceptable, and that the developer can  
9 reasonably proceed into final detailed architecture, engineering, surveying and  
10 landscape architecture in anticipation of Final Development Plan approval and  
11 subsequent construction. This is a relatively detailed submission that assures the  
12 developer that his Zoning is acceptable and that he can invest the money  
13 necessary to prepare final plans with the assurance that the Final Development  
14 Plan and Construction plans will be accepted if they substantially conform to the  
15 Preliminary Plat and plans. It is at this stage that final modifications, adjustments  
16 and interpretations are made to the conceptual plan.

17  
18 2. *Procedure:* A request for Preliminary Plan Approval of the Planned Unit  
19 Development shall be submitted to the Zoning Administrator who shall refer same  
20 to the Zoning Commission for a public hearing and report and recommendation as  
21 to whether or not the City Council should approve the Preliminary Plan. The  
22 required procedure for review of the Preliminary Plan shall be:

23  
24 a. *Submission of the following:*

25  
26 (i) Application for review of a Planned Unit Development Preliminary  
27 Plan including all information and materials required in Subsection 14.5B.  
28 Five copies of all required information shall be submitted.

29  
30 (ii) The application shall be accompanied by a fee which shall be  
31 established by the City Council from time to time and a signed agreement  
32 that the Applicant will reimburse the City for all fees incurred by the City  
33 for any consulting planners, engineers or legal review of the proposed  
34 development.

35  
36 b. Prior to the Zoning Commission hearing, the developer and his engineer  
37 shall have a development review meeting with the Development Review  
38 Committee (i.e. Planning and Zoning Staff, Department of Public Works  
39 Director, the City's engineer and Mayor's Office representative) to discuss  
40 the proposed development and the condition of drainage, water, sewer and  
41 traffic conditions in the area. After the development review meeting, the  
42 developer shall have 15 days to provide four copies of revised plans  
43 addressing the comments and concerns expressed at the development  
44 review meeting.

45  
46 c. The Zoning Commission shall hold a public hearing on the application for a  
47 Planned Unit Development, in accordance with the procedures of the  
48 Zoning Code applicable to Conditional Uses. However, the Zoning

1 Administrator may require mailed notice to be given to residents beyond  
2 300 feet in any direction if he/she deems it necessary and reasonable  
3 because of the size or nature of the development, unusual configuration of  
4 the property involved, or any other reason likely to result in a direct impact  
5 of the development on residents beyond 300 feet.  
6

7 d. Following the public hearing on the Preliminary Planned Unit Development  
8 Plan and supporting data, the Zoning Commission shall, within 45 days,  
9 unless an extension is requested by the Applicant, submit Findings of Fact  
10 and a written recommendation for approval, modification or disapproval,  
11 and the reasons therefore, or indicate why a report cannot be rendered to  
12 the City Council at that time.  
13

14 e. The City Council, after receipt of the Findings of Fact and  
15 Recommendation from the Zoning Commission, shall approve, modify or  
16 disapprove the Preliminary Plan within a period of 45 days, unless an  
17 extension is requested by the Applicant. In the case of approval, or  
18 approval with modification, the City Council shall pass an ordinance  
19 granting the conditional use and indicate their approval of the Plan and  
20 arrange zoning map modifications as necessary. The City Council may  
21 require such special conditions as they may deem necessary to insure  
22 conformance with the intent of the planning objectives of the City and the  
23 stated purposes of the Planned Unit Development.  
24

25 f. Approval of a Preliminary Planned Unit Development Plan shall not  
26 constitute approval of the Final Development Plan. Rather, it shall be  
27 deemed an expression of approval to the layout submitted on the  
28 Preliminary Plan as a guide to the preparation of the Final Development  
29 Plan which will be submitted for approval of the City and subsequent  
30 recording upon the fulfillment of the requirements of these regulations and  
31 conditions of the preliminary approval, if any. The Final Development Plan  
32 shall be approved if it conforms to the Preliminary Plan. The Preliminary  
33 Plan and Final Development Plan may be filed and approved  
34 simultaneously or the Final Development Plan may be filed and approved  
35 without a Preliminary Plan if all of the land is to be developed at one time,  
36 and if all requirements of both the Preliminary Plan and Final Development  
37 Plan procedures are met. No building permit shall be issued for any  
38 structure until the Final Development Plan has been filed, approved and  
39 recorded.  
40

41 g. The approval of the Preliminary Development Plan shall, unless extended  
42 by the City Council prior to expiration, expire three years after the effective  
43 date ordinance approving the Preliminary Development Plan.  
44

45 C. Final Development Plan Procedure:

- 46  
47 1. *Purpose:* The purpose of the Final Development Plan is to designate with  
48 particularity the land subdivided into conventional lots as well as the division of

1 other lands not so subdivided, into common open space and building sites. The  
2 Final Development Plan is intended as a document to be recorded. The Final  
3 Development Plan shows the exact location of facilities while the Preliminary  
4 Plat shows the general location of the same facilities.  
5

6 2. *Procedure:* The Final Development Plan shall be submitted as a Planned Unit  
7 Development Plat and shall conform substantially to the Preliminary Plat as  
8 approved and, if desired by the developer, may be submitted in stages with each  
9 stage reflecting the approved Preliminary Plat which is proposed to be recorded  
10 and developed; provided, however, that such portion conforms to all  
11 requirements of these regulations. The required procedure for approval of a Final  
12 Development Plan shall be:  
13

14 a. The Final Development Plan and supporting data required in subsection  
15 14.5 C shall be submitted, with appropriate comments by the Zoning  
16 Administrator, to the Zoning Commission for certification that the Final  
17 Development Plan and other required documentation are in conformity with  
18 the Zoning Code, and consistent with the approved Preliminary Plat and  
19 with any documentation corollary thereto, and conditions of approval  
20 thereof, and further for review and recommendation at a public hearing of  
21 all architectural, landscaping, and any other aesthetic or other matters  
22 remaining to be approved after the Preliminary Plat stage.  
23

24 b. After review of the Final Development Plan, the Zoning Commission shall,  
25 within 45 days, unless extension is required by the Applicant, recommend  
26 approval or disapproval, and the reasons therefore, to the City Council.  
27

28 c. The City Council, after receipt of the Final Development Plan from the  
29 Zoning Commission, shall approve or disapprove the Final Development  
30 Plan within a period of 45 days, unless an extension is requested by the  
31 Applicant; and if approved, shall pass an ordinance authorizing the Planned  
32 Unit Development and allowing the issuance of all necessary permits.  
33

34 d. Permits are to be issued only after the Final Planned Unit Development  
35 Plan and supporting data have been recorded with the Parish Clerk's office  
36 and shall be issued in full conformance with this Zoning Code. Proof of the  
37 recording of the Final Plat shall be provided to the Zoning Administrator.  
38 However, the Mayor may authorize the issuance of permits for public  
39 improvements prior to recordation of the Final Plat, upon application of the  
40 developer and good cause shown. Any permits issued prior to approval of  
41 the Final Planned Unit Development Plat are at the Applicant's sole risk.  
42

43 e. *Recording the Final Plan:* The Ordinance authorizing construction of the  
44 Planned Unit Development shall be effective only upon recording of the  
45 Final Planned Unit Development Plan and supporting data with the Parish  
46 Clerk. The recording of the Final Plan shall inform all who deal with the  
47 Planned Unit Development of the restrictions placed upon the land and act  
48 as a zoning control device.

- 1  
2 f. *Submission Requirements:* The Final Development Plan must be submitted  
3 for approval in accordance with the scheduling approved by the Zoning  
4 Commission. The first Final Plan must be submitted not later than one year  
5 from the approval of the Preliminary Plat and construction, as authorized  
6 by the issuance of a building permit or notice to proceed, must begin within  
7 six months of the date of the approval of the Final Development Plan  
8 dealing with such construction. In the event that same is not done, the  
9 Planned Unit Development Conditional Use shall be null and void. If the  
10 development falls more than six months behind the building schedule filed  
11 with the Final Development Plan, the City Council shall either extend the  
12 schedule period or initiate action to revoke the Planned Unit Development  
13 Conditional Use. Extensions in the development schedule for six month  
14 period may be recommended by the Zoning Commission and granted by  
15 the City Council.  
16  
17 g. *Occupancy:* Upon the completion of the Planned Unit Development, a  
18 portion thereof, or an individual building or element of the Planned Unit  
19 Development in full compliance with the Final Development Plan and  
20 supporting data, and following submission and approval of the Final Plat  
21 and Subdivision Restrictions which are required to be filed with the Parish  
22 Clerk of Court, then and only then may an Occupancy Permit be issued by  
23 the Zoning Administrator to allow the use of a building or facility.  
24

### 25 **Section 14.3 Changes in the Planned Unit Development**

26  
27 The Planned Unit Development project shall be developed only according to the ordinance  
28 approving the Final Development Plan and all supporting data. The ordinance and supporting  
29 data together with all amendments shall be binding on the Applicants, their successors, grantees  
30 and assigns and shall limit and control the use of premises and location of structures in the  
31 Planned Unit Development project as set forth therein. Changes to the approved and recorded  
32 Planned Unit Development may be made, as follows:  
33

- 34 A. *Major Changes:* Changes which alter the concept or intent of the Planned Unit  
35 Development, including increases in density of more than 10%, increases in the height of  
36 buildings above those for the underlying zoning district, reductions of proposed open  
37 space of more than 5%, changes to the approved amenities, significant changes in  
38 building facility locations, changes in the development schedule that extend the  
39 development of any phase more than 180 days, changes in road standards, or changes to  
40 the architectural style of any building may be approved only by submission of a new  
41 Final Planned Unit Development Plan and supporting data.  
42  
43 B. *Minor Changes:* The Zoning Administrator may approve minor changes in the Planned  
44 Unit Development which do not change the concept or intent of the development. Minor  
45 changes shall be any change not defined as a major change.  
46

### 47 **Section 14.4 Location**

1 Planned Unit Developments are authorized as a Conditional Use in every zoning district.

2  
3 **Section 14.5 Specific Content**

4  
5 The Planned Unit Development Plan and supporting data shall include at least the following  
6 information by the Zoning Commission:

7  
8 A. Pre-Application (Optional) Stage:

- 9  
10 1. General Site Information: Data regarding the site conditions, land characteristics,  
11 available community facilities and utilities, existing servitudes and covenants,  
12 and other related information.  
13  
14 2. Sketch Plan: A drawing showing the proposed location and extent of the land  
15 uses, streets, lots and other features.  
16  
17 3. Description: A complete property survey and legal description of the site  
18 proposed for development.  
19  
20 4. The developer shall submit this information to the Zoning Administrator for  
21 review so that staff may become familiar with the proposal at least one week  
22 prior to the Zoning Commission meeting.

23  
24 B. Preliminary Plat Stage:

- 25  
26 1. *Detailed Plan:* A drawing of the Planned Unit Development shall be prepared at  
27 a scale of not less than one inch to one hundred feet (1" = 100') and shall show  
28 such designations as proposed streets (public and private), all buildings and their  
29 use, common open space, recreation facilities, parking areas, service areas, and  
30 other facilities to indicate the character of the proposed development. The  
31 submission may be composed of one or more sheets and drawings and shall  
32 include:  
33  
34 a. Boundary lines - bearings and distance  
35 b. Easements - location, width and purpose  
36 c. Streets on and adjacent to the tract street names, right-of-way widths,  
37 existing or proposed centerline elevations, pavement type, walks, curbs,  
38 gutters, culverts, etc.  
39 d. Utilities - A preliminary engineering study providing information on  
40 existing and proposed sanitary, storm, water and other utilities necessary to  
41 adequately service the development  
42 e. Ground elevations on the tract  
43 f. Other conditions on the tract - watercourses, flood plains, marshes, rock  
44 outcrops, wooded areas, isolated preservable trees with a diameter of one  
45 foot or more, houses, accessory buildings, and other significant features  
46 g. Other conditions on adjacent land - approximate direction and gradient of  
47 ground slope, including any embankments or retaining walls; character and  
48 location of major buildings, railroads, power lines, towers, and other

- 1 nonresidential land uses or adverse influences; owners of adjacent unplatted  
2 land; for adjacent platted land refer to subdivision plat by name, and show  
3 approximate percent built-up, typical lot size and dwelling type
- 4 h. Zoning districts on and adjacent to the tract
  - 5 i. Proposed public improvements - highways or other major improvements  
6 planned by public authorities for future construction on or near the tract
  - 7 j. Open Space - all parcels of land intended to be dedicated for public use or  
8 reserved for the use of all property owners with the purpose indicated. All  
9 Developments shall have at least ten percent of the acreage (not counting  
10 retention ponds) as open space
  - 11 k. Structures and Density - general location, purpose and height, of each  
12 building. In a residential only development, the density calculation shall be  
13 made considering only the developable portion of the development parcel,  
14 not including the required open space, wetlands or retention ponds.  
15 However, the City will consider a portion of the required open space in the  
16 density calculation if the proposed development contains significant  
17 additional open space and may choose to allow greater density when the  
18 required open space is improved with either active or passive recreational  
19 amenities. (Appendix A). In a mixed use development, residential densities  
20 shall be calculated considering only the residential portion of the  
21 development (along with the percentage of required open space attributable  
22 to the residential portion)
  - 23 l. Map Data - name of development, name of site planner, north point, scale,  
24 date of preparation, and acreage of site
  - 25 m. Such additional information as may be required by the Zoning  
26 Commission.
- 27
- 28 2. *Objectives:* A statement of planning objectives to be achieved by the Planned  
29 Unit Development. This statement should include a description of the character  
30 of the proposed development and the rationale behind the assumptions and  
31 choices of the developer.
  - 32
  - 33 3. *Ownership:* Statement of present and proposed ownership of all land within the  
34 project, including present tract designation according to official records in offices  
35 of the Parish Clerk's office. If legal title to the property is in trust, then a  
36 statement of the names and percentage of interest of all the beneficiaries shall be  
37 submitted. If legal title to the property is in a corporation, limited partnership or  
38 other legal entity, then a statement of the names of all persons or entities owning  
39 ten percent or more of the stock or other ownership interest shall be submitted.
  - 40
  - 41 4. *Schedule:* Development schedule indicating:  
42
  - 43 a. Stages in which project will be built with emphasis on area, density, use  
44 and public facilities such as open space to be developed with each stage.  
45 Overall design of each stage shall be shown on the plat and through  
46 supporting graphic material.
  - 47 b. Approximate dates for beginning and completion of each stage.
  - 48

- 1           5.       *Covenants*: Proposed agreements, provisions or covenants which will govern the  
2           use, maintenance and continued protection of the planned development and any  
3           of its common open space. Said covenants shall be reviewed and approved by the  
4           City Attorney prior to recordation.  
5
- 6           6.       *Density*: Provide information on the density of residential uses, including the  
7           number of dwelling units per acre, the number of dwelling units by type, the  
8           number of buildings by type, and the number of bedrooms in each dwelling unit  
9           type.  
10
- 11          7.       *Non-Residential Use*: Provide information on the type and amount of ancillary  
12          and non-residential uses, including the amount of common open space.  
13
- 14          8.       *Service Facilities*: Provide information on all service facilities and off-street  
15          parking facilities.  
16
- 17          9.       *Architectural Plans*: Preliminary architectural plans for all primary buildings  
18          shall be submitted in sufficient detail to permit an understanding of the style of  
19          the development, the design of the building, and the number, size and type of  
20          dwelling units. Also, provide floor area of building types and total ground  
21          coverage and height of buildings.  
22
- 23          10.       *Landscape Plans*: Preliminary plans for vegetation, earth sculpturing, berming  
24          and aesthetic features shall be submitted.  
25
- 26          11.       *Facilities Plans*: Preliminary plans or information, adequate to indicate that the  
27          proposed development can be serviced, shall be submitted for:  
28
- 29               a.       Roads including classification, width of right of way, width of pavement  
30               and typical construction details  
31               b.       Sanitary sewers  
32               c.       Storm drainage  
33               d.       Water supply system  
34               e.       Lighting programs  
35               f.       Sidewalks, paths and trails  
36
- 37          12.       *Drainage Impact Study*.

38  
39       For proposed developments with over 50 residential units:  
40

- 41          1.       *Traffic Impact Study*: Provide information on the adequacy of the local  
42          transportation and thoroughfare system to handle anticipated traffic volumes  
43          generated by the PUD. Also, an analysis should be made of the adequacy of the  
44          internal vehicular circulation pattern.  
45
- 46          2.       *School Impact Study*: At the request of the Zoning Administrator, provide  
47          information on the student load and financial impact on the local schools and  
48          district(s), including expected scheduling of potential students.

1  
2 For proposed developments with over 100 residential units and commercial  
3 developments of more than 200,000 square feet:

- 4  
5 1. *Tax Impact Study:* If requested by the Zoning Administrator provide information  
6 on the taxes to be generated by the proposed project and the cost to the various  
7 taxing bodies to provide the necessary service to the project.  
8  
9 2. *Market Study:* If requested by the Zoning Administrator provide an economic  
10 feasibility study of the proposed development, including information on land  
11 utilization and marketing potential. Evidence should be presented showing the  
12 need for and feasibility of the proposed development.

13 C. Final Development Plan Stage:

- 14  
15 1. *Final Detailed Plan:* A Final Planned Unit Development Plan shall be prepared  
16 and submitted to the Zoning Commission for approval. The purpose of the Final  
17 Development Plan is to designate with particularity the land subdivided into  
18 conventional lots as well as the division of other land not so treated, into common  
19 open areas and building areas. The Final Development Plan shall include, but not  
20 be limited to:  
21  
22 a. An accurate legal description of the entire area under immediate  
23 development within the Planned Development.  
24 b. A subdivision plat of all subdivided lands in the same form and meeting all  
25 the requirements of a normal subdivision plat.  
26 c. An accurate legal description of each separate unsubdivided use area,  
27 including common open space.  
28 d. Designation of the exact location of all buildings to be constructed.  
29 e. Tabulation on separate unsubdivided use area, land area, number of  
30 buildings, number of dwelling units, and dwelling units per acre.  
31  
32 2. *Common Open Space Documents:* All Common Open Space may be either  
33 conveyed to a municipal or public corporation, conveyed to a not-for-profit  
34 corporation or entity established for the purpose of benefiting the owners and  
35 residents of the Planned Development or retained by the developer. In any event,  
36 the Zoning Commission may require legally binding covenants and other  
37 guarantees, in a form approved by the City Attorney, that the common open  
38 space will be permanently preserved as an open area. All land conveyed to a not-  
39 for-profit corporation or like entity shall be subject to the right of said  
40 corporation to impose a legally enforceable lien against the individually owned  
41 property in the Planned Unit Development for maintenance and improvement of  
42 the common open space. Such documents shall also provide that the City shall  
43 have the right, but not the obligation, to perform necessary maintenance of the  
44 common open space, and shall have a lien against the individually owned  
45 property in the Planned Unit Development for the costs thereof.  
46  
47 3. *Public and Quasi-Public Facilities:* All public and quasi-public facilities and  
48 improvements made necessary as a result of the Planned Unit Development shall

1 be either constructed in advance of the approval of the Final Plat pursuant to a  
2 permit duly obtained, or a letter of credit in a form approved by the City Attorney  
3 shall be posted to guarantee construction of the required improvements. The  
4 letter of credit, payable to the City, shall be sufficient to cover the full cost of the  
5 improvements as estimated by the City, plus ten percent. Detailed construction  
6 plans shall be submitted for all public and quasi-public facilities to be built.  
7 Public and quasi-public facilities shall include, but not be limited to roads, curbs,  
8 gutters, sidewalks, street lights, street signs, water, sewer improvements or open  
9 spaces, recreational facilities, landscaping and public parking facilities.

- 10
- 11 4. *Construction Plans:* Detailed plans shall be submitted for the design,  
12 construction or installation of site amenities; including buildings, landscaping,  
13 lakes and other site improvements.  
14
- 15 5. *Construction Schedule:* A final construction schedule shall be submitted for that  
16 portion of the Planned Unit Development for which approval is being requested.  
17
- 18 6. *Guarantee Deposit:* A deposit shall be made to the City in cash, letter of credit or  
19 maintenance bond in a form approved by the City Attorney, equal to ten percent  
20 of the estimated cost of public facility installations. This deposit shall be a  
21 guarantee of satisfactory performance of the facilities constructed within the  
22 Planned Unit Development and shall be held by the City for a period of 18  
23 months from the date of acceptance of the facilities by the City. After such 18  
24 months, the deposit shall be refunded if no defects have developed, or if any  
25 defects have developed, then the balance of such deposit, if any, shall be  
26 refunded after reimbursement for amounts expended in correcting defective  
27 facilities.  
28
- 29 7. *Covenants:* Final agreements, provisions or covenants which will govern the use,  
30 maintenance and continued protection of the Planned Unit Development shall be  
31 submitted to the City Attorney for review and approval. Said covenants shall not  
32 be recorded without the written approval of the City Attorney.  
33
- 34 8. Stormwater Management Plan, SWPPP, and copy of NOI in accordance with  
35 applicable state law and ordinances.  
36

37 **Section 14.6 Standards.**

38  
39 The Planned Unit Development must meet the following standards:

- 40
- 41 A. *Size and Ownership:* The site of the Planned Unit Development must be under single  
42 ownership and/or unified control and be not less than two acres.  
43
- 44 B. *Compatibility:* The Planned Unit Development shall be demonstrated by developer to be  
45 of a type, and to be so located as to exercise no undue detrimental influence upon  
46 surrounding properties, and to be compatible with surrounding uses. In determining  
47 compatibility of proposed residential development, the City shall use the Net Density  
48 Calculator in Appendix A.

- 1  
2 C. Need: A showing of the desirability of the Zoning and its benefit to the community must  
3 be made.  
4  
5 D. Yards: The required yards along the periphery of the Planned Unit Development shall be  
6 at least equal in width or depth to that of the adjacent zoning district or districts.  
7 Buildings of more than 24 feet in height shall provide a setback from any property line of  
8 not less than equal to the height of such buildings.  
9  
10 E. Parking Requirements: Adequate parking shall be provided as required by this Zoning  
11 Code.  
12  
13 F. Traffic: Adequate provision shall be made to provide ingress and egress so designated as  
14 to minimize traffic congestion on the public streets and promote safety.  
15  
16 G. Other Standards: The Planned Unit Development may depart from strict conformance  
17 with the required density, dimension, area, height, bulk, use and other regulations for the  
18 zoning district in which the property is located, so long as the Planned Unit Development  
19 will not be detrimental to or endanger the public health, safety, morals, comfort or  
20 general welfare.  
21

#### 22 **Section 14.7 Conditions and Guarantees.**

23  
24 Prior to approval of any PUD, the Zoning Commission may recommend and the City Council  
25 may require, such conditions and restrictions upon the establishment, location, design, layout,  
26 height, density, construction, maintenance, aesthetics, operation and other elements of the  
27 Planned Unit Development as deemed necessary for the protection of the public interest,  
28 protection of the adjacent area, and to secure compliance with the standards specified in Section  
29 10.6. In all cases in which PUD are approved, the City Council shall require such evidence and  
30 guarantees as it may deem necessary as proof that the conditions stipulated in connection  
31 therewith are being, and will be, complied with.  
32

#### 33 **Section 14.8 Alternative Standards; Traditional Neighborhood Developments (TND)**

##### 34 35 A. Purpose.

36  
37 The purpose of a Traditional Neighborhood Development (“TND”) is to encourage  
38 mixed-use, compact development and facilitate the efficient use of services. A TND  
39 diversifies and integrates land uses within close proximity to each other, and it provides  
40 for the daily recreational and commercial needs of the residents. A TND is a sustainable,  
41 long-term community that provides economic opportunity and environmental and social  
42 equity for the residents. This section’s intent is to encourage its use by providing  
43 incentives, rather than prohibiting conventional development. A TND:  
44

- 45 1. Is designed for the human scale;
- 46  
47 2. Provides a mix of uses, including residential, commercial, civic, and open space  
48 uses in close proximity to one another within the neighborhood;

3. Provides a variety of housing types, and sizes to accommodate households of all ages, sizes, and incomes;
4. Coordinates transportation systems with a hierarchy of appropriately designed improvements for pedestrians, bicycles, and vehicles, which incorporates a system of relatively narrow, interconnected streets, roads, drives, and other thoroughfare types, and provides for the connections of those thoroughfare types to existing and future developments;
5. Includes compatibility of buildings and other improvements as determined by their arrangement, massing, form, character and landscaping to establish a livable, harmonious and diverse environment;
6. Incorporates environmental features into the design;
7. Provides a range of open space configured by squares, plazas, greens, landscaped streets, preserves, greenbelts and parks woven into the pattern of the neighborhood;
8. Incorporates architecture, landscape, lighting and signage standards integrated with the zoning provisions that respond to the unique character of the region; and
9. Provides an increased range of options than are allowed by conventional zoning.

B. Overview

1. A TND consists of an area of not less than 50 contiguous acres. TND property is considered contiguous, even if separated by a public roadway.
2. A TND is divided into at least two types of areas, and each type of area has different land use and site development regulations. A TND must have one Neighborhood Center Area (also sometimes referred to as Town Center or Village Center) and at least one Mixed Residential Area. A TND may also have a Neighborhood Edge Area, Civic Spaces and Green Spaces.
3. A “Neighborhood Center Area” serves as the focal point of a TND, containing retail, commercial, civic, and/or public services to meet the daily needs of community residents. A “Neighborhood Center” is pedestrian-oriented; designed to encourage pedestrian movement. A square may be located in a Neighborhood Center Area. Retail and commercial uses should generally be located adjacent to a square. The Neighborhood Center uses include retail shops, restaurants, offices, banks, hotels, post office, governmental offices, churches, community centers, and attached residential dwellings.
4. A “Mixed Residential Area” includes a variety of residential land uses, including single-family residential, duplex, town home, and multi-family. Residential scale retail and commercial uses are permitted within a Mixed Residential Area with

1 strict architectural and land use controls. Retail and commercial uses in a Mixed  
2 Residential Area are required to blend into the residential character of the  
3 neighborhood. A Mixed Residential Area should include open spaces such as  
4 small squares, pocket parks, community parks, and/or greenbelts. A Mixed  
5 Residential Area promotes pedestrian activity through well-designed and varied  
6 streetscapes that also provide for the safe and efficient movement of both  
7 pedestrian and vehicular traffic. Mixed Residential Area Uses include single-  
8 family homes, condominiums, town homes, apartments, offices, restaurants,  
9 neighborhood scale retail, and civic Uses. Mixed Residential areas often utilize  
10 alleys, either public or private. Varying lot sizes are encouraged within the Mixed  
11 Residential Area.

- 12
- 13 5. “Neighborhood Edge Area” is the least dense portion of a TND, with larger lots  
14 and greater setbacks than the rest of the neighborhood. Alleys are not required,  
15 and direct vehicular access to streets is permitted. Only single-family residential  
16 dwellings are permitted. A Neighborhood Edge Area is appropriate along the  
17 perimeter of the TND. A portion of a TND that adjoins existing or platted  
18 conventional low density housing must be designated as a Neighborhood Edge  
19 Area.
- 20
- 21 6. Large office, low-impact manufacturing uses and industrial uses that are not  
22 appropriate for a Neighborhood Center Area or a Mixed Residential Area but will  
23 serve the TND’s residents may be located in a specified district.
- 24
- 25 7. Civic uses that are oriented to the general public are permitted in a Neighborhood  
26 Center Area and a Mixed Residential Area. These uses are essential components  
27 of the social and physical fabric of a TND. Civic space shall be integrated in  
28 residential and commercial areas in the TND. TND’s shall incorporate civic  
29 common open spaces to be maintained by the municipality and/or private open  
30 spaces to be maintained by the community or landowners within the TND.  
31 Special attention should be paid to the location of government offices, libraries,  
32 museums, schools, churches, and other prominent public buildings to create focal  
33 points and landmarks for the community. The locations of these major public  
34 civic uses shall be designated on the Preliminary Plan.
- 35
- 36 8. Open space is a significant part of a TND design. Formal and/or informal open  
37 spaces are required. These serve as areas for community gatherings, landmarks,  
38 and as organizing elements for the neighborhood. Open space includes squares,  
39 plazas, greens, preserves, parks, and greenbelts.
- 40
- 41 9. TNDs are designed to be pedestrian oriented. To accomplish this goal, pattern and  
42 design of the various thoroughfare types are used to reduce vehicle travel speeds  
43 and encourage pedestrian activity. An interconnected and diverse network of  
44 streets, and other thoroughfare types, is required. Streets may be smaller than in  
45 conventional development and more varied in size and form to control traffic and  
46 give character to the neighborhood.
- 47

1 10. Thoroughfares and utilities in a TND shall connect to existing thoroughfares and  
2 utilities, or deadend as stubs intended for connection to future thoroughfares,  
3 unless otherwise prohibited by topography, environmental constraints or other  
4 considerations.  
5

6 C. Application and Approval Process  
7

8 The application and approval process for a TND is the same as for any other PUD. The  
9 design requirements and standards set forth herein are intended to provide a more  
10 efficient design and approval process.  
11

12 D. TND Design Requirements  
13

14 1. Association.  
15

16 a. Conditions, covenants, and restrictions for all the property within a TND  
17 shall, after review and approval by the City Attorney, be filed in the Parish  
18 records by the owner before a lot is sold and/or an occupancy permit is  
19 issued.  
20

21 b. In addition to other terms and conditions acceptable to the applicant, the  
22 conditions, covenants, and restrictions must create one or more property  
23 owners association with mandatory membership for each property owner,  
24 governed by Articles of Incorporation and Bylaws, which shall:  
25

26 1. be organized by the applicant and operated with a financial subsidy  
27 from the applicant before the sale of any lots within the TND;  
28

29 2. provide for the conditions and timing of transferring control of the  
30 association from the applicant to the property owners;  
31

32 3. be responsible for maintenance of insurance and taxes on all  
33 common open space, enforceable by liens placed on the  
34 Association by the appropriate governmental entity(s), as provided  
35 in the Association Bylaws;  
36

37 4. at all times, cause all owners to have access to the common open  
38 space within the TND;  
39

40 5. establish architectural standards that are in conformity with the  
41 requirements of this Zoning Code which shall be subject to review  
42 and approval by the Board of Directors of the Association or the  
43 Architectural Control Committee, as described below;  
44

45 6. create an Architectural Control Committee to review development  
46 for compliance with the design standards, to issue certificates of  
47 approval, and to review and approve the development's architect,

- 1 designer, and/or other professionals contributing to the  
2 development;  
3
- 4 7. provide for the ownership, development, management, and  
5 maintenance of private open space (except plazas owned by  
6 individual property owners), community parking facilities,  
7 community meeting hall, and other common areas;  
8
- 9 8. provide for a maintenance program for all property within the  
10 TND, including landscaping and trees within the streetscape;  
11
- 12 9. require the collection of assessments from members in an amount  
13 sufficient to pay for its functions; and  
14
- 15 10. be effective for a term of not less than 50 years.  
16
- 17 2. Land Use Allocations. Each lot within a TND must be allocated particular  
18 permitted land use categories. The identification of permitted land uses within all  
19 or a portion of a TND may be made by reference to the zoning districts available  
20 within the City. Areas that would permit the sale or consumption of alcohol must  
21 be designated on the Preliminary Plan and/or Final Plan or receive a separate  
22 Conditional Use permit.  
23
- 24 3. Neighborhood Uses. In order to achieve the proximity necessary to make  
25 neighborhoods walkable, it is important to mix land uses throughout the TND and  
26 not to completely separate uses. A TND shall consist of a mix of residential uses,  
27 a mixed use area, and open space as provided below:  
28
- 29 a. A mix of residential uses. For new construction or infill development, the  
30 mix of residential uses may be satisfied by existing residential uses  
31 adjacent to the TND by including some and/or all of the following:  
32
- 33 i. Single-family detached dwellings;  
34
- 35 ii. Single-family attached dwellings, including duplexes, town homes,  
36 row houses;  
37
- 38 iii. Multi-family dwellings, including senior housing;  
39
- 40 iv. Accessory dwelling units;  
41
- 42 v. “Special needs” housing, such as community living arrangements  
43 and assisted living facilities;  
44
- 45 vi. Residential units above commercial uses, which shall be  
46 considered multi-family units.  
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- b. Mixed use area, of commercial, residential, civic or institutional, and open space uses as identified below. All residences shall be not more than (approximately) ¼ mile distance from existing or proposed commercial, civic, and or open space areas.
  - i. Commercial uses may include the following:
    - a. Food services such as (but not limited to) neighborhood grocery stores, butcher shops, bakeries, restaurants, cafes, coffee shops, neighborhood taverns, bars or pubs, delis and ice cream parlors. Outside dining patios may be permitted, but not including drive-throughs;
    - b. Retail uses such as (but not limited to) florists or nurseries (retail sales only), gas stations, hardware stores, stationery stores, book stores, galleries, studios and shops of artists and artisans, drug stores, apparel, antiques, furniture, music, pets, farmers market, and toys;
    - c. Services such as (but not limited to) child care centers; music, dance or exercise studios; offices, including professional and medical offices; financial and banks; laundromats and dry cleaners, educational, salons, health or fitness, tailor shops, repair and service shops;
    - d. Accommodations such as small hotels or inns and bed and breakfast establishments; and
    - e. Clubs and organizations, including fraternal organizations.
  - ii. Residential uses may include the following, for sale or rent:
    - a. Single-family attached dwellings, including duplexes, town homes, row houses;
    - b. Multi-family dwellings, including senior housing;
    - c. Residential units located on upper floors above commercial uses or to the rear of storefronts;
    - d. Live/work units that combine a residence and the resident’s workplace; and
    - e. “Special needs” housing, such as community living arrangements and assisted living facilities.
  - iii. Civic or institutional uses may include the following:

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- a. Municipal offices, fire stations, libraries, museums, community meeting facilities, and post offices;
  - b. Places of worship;
  - c. Transit shelters;
  - d. Philanthropic institutions; and
  - e. Educational facilities.
- iv. Office which may include the following:
- a. Art galleries and studios;
  - b. Banks;
  - c. Child care centers;
  - d. Clubs;
  - e. Offices; and
  - f. Medical clinics.
- v. Open space uses may include the following:
- a. Central square;
  - b. Neighborhood parks;
  - c. Recreational facilities; and
  - d. Playgrounds.
- c. Open Space. Uses identified below should be incorporated in the TND as appropriate. Large outdoor recreation areas (such as playgrounds and fields, not large neighborhood centers) should be located at the periphery of neighborhoods rather than central locations. Common Open Space is more particularly described below.
- i. Environmental corridors dedicated for preservation;
  - ii. Protected natural areas dedicated for preservation;
  - iii. Community parks;
  - iv. Streams, ponds, and other water bodies.

1  
2 4. Dwelling Unit Density. The number of residential dwelling units and the amount  
3 of nonresidential development, excluding open spaces, shall be determined as  
4 follows, provided that single-family detached dwellings shall account for at least  
5 50% of the total number of residential units in the TND:  
6

7 a. In areas devoted to mixed residential uses:  
8

9 i. The number of single-family attached and detached units permitted  
10 shall be consistent with the density permitted in most similar  
11 residential zoning district and the residential density calculated by  
12 using Appendix A;  
13

14 ii. The number of Multi-Family units shall be compatible with the  
15 density permitted in the R-3 district and the residential density  
16 calculated by using Appendix A;  
17

18 iii. Accessory Dwelling Units may be permitted in areas devoted to  
19 detached single-family residences in addition to the number of  
20 dwelling units authorized under this Section. However, the total  
21 number of ADUs shall not be more than 20% of the total number  
22 of single-family detached units.  
23

24 b. In mixed-use areas:  
25

26 i. The number of single-family and multi-family dwelling units  
27 permitted shall be calculated the same as above plus an additional  
28 number of units not to exceed ten percent of the amount permitted  
29 above.  
30

31 ii. All dwelling units constructed above Commercial Uses shall be  
32 permissible in addition to the number of dwelling units authorized  
33 under this Section. However, the total number of dwelling units  
34 shall not be increased by more than ten dwelling units or ten  
35 percent, whichever is greater.  
36

37 iii. The total ground floor area of nonresidential development uses,  
38 including off-street parking areas, shall not exceed 25% of the  
39 TND.  
40

41 5. Additional Common Open Space Requirements. At least 20% of the gross acreage  
42 of the TND must be Common Open Space. Ninety percent of the Lots within the  
43 areas devoted to residential and mixed residential uses shall be within  
44 approximately ¼ mile distance from Common Open Space.  
45

46 a. The following uses may account for Common Open Space with the stated  
47 limitations:  
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- i. Parks, open greenbelt areas, and other recreational space which are readily accessible must account for not less than 25% of the required Common Open Space.
  - ii. Trees along thoroughfare types located within designated landscape common areas or landscape servitude and located within as street right-of-way may only constitute 25% of the Common Open Space. There shall be a minimum average of one street tree on both sides of the street per 40 feet of frontage. However, Common Open Space within vehicle use areas or any noncontiguous green area of less than 500 square feet may not be included.
  - iii. Surface drainage, including surface retention and detention, should include natural or man-made features which enhance a particular property and increase its desirability to a community or its marketability to the public.
    - a. Unpaved lakes, ponds, bayous, streams, or creeks, including storm water wet detention basins provided that they are designed so that a minimum of 20% of the abutting shoreline is made accessible for the common use of the development, but in no event less than 300 feet of frontage.
    - b. Storm water dry detention basins of not less than one acre; but may not exceed 25% of the Common Open Space and must be designed to provide for acceptable maintenance and upkeep of the detention basin.
  - iv. Golf courses may account for up to 50% of the Common Open Space provided that the course is open to the public.
  - v. Natural wetlands shall not exceed 50% of Common Open Space plus any natural wetlands reasonably visible from recreational walkways provided in and through the wetland.
  - vi. Hard surface recreation areas such as recreational courts and pedestrian plazas may account for up to 25% of the Common Open Space.
  - vii. Servitudes with existing below ground utilities and/or facilities with a width of not less than 30 feet.
  - viii. Electrical transmission line servitudes with a width not to exceed 150 feet in commercial and residential areas only, and must be improved, recreational use areas available to the public.

- 1 ix. School sites, library sites, outside hard surface recreational area, not  
 2 to exceed 20% of the Common Open Space, excluding the area  
 3 devoted to Buildings.  
 4
- 5 x. An existing building or buildings that have historical or cultural  
 6 significance may be located in a common area space; however, the  
 7 enclosed building area may not be included in the Common Open  
 8 Space requirement.  
 9
- 10 a. Common Open Space shall not include:  
 11
- 12 1. Required  
 13 a. Yards which are not accessible for the  
 14 common use of the development;  
 15 b. Parking areas;  
 16 c. Drives;  
 17 d. Utility with above ground improvements or  
 18 road servitudes;  
 19 e. Paved lakes, ponds, bayous, streams, or  
 20 creeks  
 21
- 22 2. Structures (unless a part of the open space such as  
 23 gazebos);  
 24
- 25 3. Required drainage ditches or canals; and  
 26
- 27 4. Areas reserved for the exclusive use and benefit of  
 28 an individual tenant or owner.  
 29
- 30 b. No more than 20% of the Common Open Space shall be devoted to paved  
 31 areas and structures such as courts or recreation buildings.  
 32
- 33 c. Common Open Space shall be permanently set aside for the sole benefit,  
 34 Use, and enjoyment of present and future occupants of the TND through  
 35 covenant, deed restriction, open space servitude, or similar legal  
 36 instrument; or, if agreed to by governmental agency, the open space may  
 37 be conveyed to a governmental agency for the use of the general public.  
 38
- 39 d. In the event land shown on a Final Development Plan as Common Open  
 40 Space is dedicated to the City, the City Council may, but shall not be  
 41 required to, accept the open space provided: (i) such land is accessible to  
 42 the residents of the City; (ii) there is no cost of acquisition other than the  
 43 costs incidental to the transfer of ownership (which shall be borne by the  
 44 TND applicant); and (iii) the City agrees to and has access to maintain  
 45 such lands.  
 46
- 47 e. Common Open Space shall be protected against building development and  
 48 environmental damage by conveying to the municipality, parish,

1 association, or land trust an open space servitude restricting the area in  
2 perpetuity against any future building and against the removal of soil, trees  
3 and other natural features, except as the City determines is consistent with  
4 conservation or recreational purposes.  
5

6 6. Storm Water Management. The design and development of the TND should  
7 minimize off-site storm water runoff, promote on-site filtration, and minimize the  
8 discharge of pollutants to ground and surface water. Natural topography and  
9 existing land cover should be maintained/protected to the maximum extent  
10 practicable. New development and redevelopment shall meet the following  
11 requirements:  
12

- 13 a. Untreated, direct storm water discharges to wetlands or surface waters are  
14 not allowed.
- 15 b. A drainage analysis shall be submitted in conformance with City  
16 requirements.  
17
- 18 c. Erosion and sediment controls must be implemented.  
19
- 20 d. Redevelopment storm water management systems should improve existing  
21 conditions and meet standards to the extent practicable.  
22
- 23 e. All treatment systems or BMPs must have operation and maintenance  
24 plans to ensure that systems function as designed.  
25  
26

27 7. Lot and Block Standards.  
28

- 29 a. Block and Lot Size Diversity. Thoroughfare layouts should provide for  
30 perimeter blocks that are generally in the range of 200 – 400 feet deep by  
31 400 –800 feet long. Block length shall not exceed 2,000 feet in perimeter.  
32 The City may approve block perimeters of more than 2,000 feet if required  
33 because of existing topography. The applicant should consider where and  
34 when appropriate, a block longer than 500 feet in length may be traversed  
35 near the midpoint by a pedestrian path. A variety of lot sizes should be  
36 provided to facilitate housing diversity and choice and meet the projected  
37 requirements of people with different housing needs.  
38
- 39 b. Lot Widths. Lot widths should create a relatively symmetrical street or  
40 road cross section that reinforces the public space of the street or road as a  
41 simple, unified public space.  
42
- 43 c. Building Setback, Front - Mixed Use Area. Structures in the mixed-use  
44 area have no minimum setback. Commercial and civic or institutional  
45 buildings should abut the sidewalks in the mixed- use area.  
46
- 47 d. Building Setback, Front - Areas of Mixed Residential uses. Single-family  
48 detached residences shall have a building setback in the front of up to 25

1 feet. Single-family attached residences and multifamily residences shall  
2 have a building setback in the front of up to 15 feet.

- 3  
4 e. Side Setbacks. Provision for zero lot-line single-family dwellings should  
5 be made, provided that a reciprocal access easement is recorded for both  
6 lots and town homes or other attached dwellings, provided that all  
7 dwellings have pedestrian access to the rear yard through means other than  
8 the principal structure.  
9

10 8. Thoroughfare Network.

- 11  
12 a. The circulation system shall allow for different modes of transportation.  
13

- 14 b. The circulation system shall provide functional and visual links within the  
15 residential areas, mixed-use area, and open space of the TND and shall be  
16 connected to existing and proposed external development. The circulation  
17 system shall provide adequate traffic capacity, provide connected  
18 pedestrian and bicycle routes, especially off-street bicycle or multi-use  
19 paths or bicycle lanes on the streets where required and ADA-approved  
20 crosswalks and sidewalks, control through traffic, provide adequate transit  
21 stops, limit lot access to streets of lower traffic volumes, and promote safe  
22 and efficient mobility through the TND.  
23

- 24 c. Pedestrian Circulation. Convenient pedestrian circulation systems that  
25 minimize pedestrian-motor vehicle conflicts shall be provided  
26 continuously throughout the TND. Where feasible, any existing pedestrian  
27 routes through the site shall be preserved and enhanced. All streets (not  
28 alleys), shall be bordered by sidewalks on both sides in accordance with  
29 the following:  
30

- 31 i. Sidewalks in residential areas. Clear and well-lighted sidewalks  
32 shall be a minimum five feet in width. Sidewalks shall be provided  
33 along both sides of each street in residential areas. For pedestrian  
34 safety, sidewalks shall be separated at least six feet from the curb  
35 in areas of single-family detached dwelling units. In areas of  
36 multifamily and attached single-family dwellings, pavement may  
37 extend between the required pedestrian sidewalk and the street  
38 curb, provided a five foot unobstructed pedestrian sidewalk is  
39 provided, and there be a minimum five foot street tree buffer  
40 between the pedestrian sidewalk and the curb on both sides of the  
41 roadway.  
42

- 43 ii. Sidewalks in mixed-use areas. Clear and well-lighted walkways  
44 shall be a minimum of five feet in width. Sidewalks shall be  
45 provided along both sides of each thoroughfare type located within  
46 a mixed-use area. Within mixed-use areas, pavement may extend  
47 between the required pedestrian sidewalk and the street curb  
48 provided a five foot unobstructed pedestrian sidewalk is provided,

1 and the there be a minimum six foot Street tree buffer between the  
2 pedestrian sidewalk and the curb on both sides of the roadway.

3  
4 iii. Disabled Accessibility. Sidewalks shall comply with the applicable  
5 requirements of the Americans with Disabilities Act.

6  
7 iv. Crosswalks. Intersections of sidewalks with thoroughfares shall be  
8 designed with clearly defined edges. Crosswalks shall be well lit  
9 and clearly marked with contrasting paving materials or texture at  
10 the edges.

11  
12 d. Bicycle Circulation. Bicycle circulation shall be accommodated on streets  
13 and/or on dedicated bicycle paths. Where feasible, any existing bicycle  
14 routes through the site shall be preserved and enhanced. Facilities for  
15 bicycle travel may include off-street bicycle paths (generally shared with  
16 pedestrians and other nonmotorized users) and separate, striped, five foot  
17 bicycle lanes on streets. If a bicycle lane is combined with a lane for  
18 parking, the combined width should be 14 feet.

19  
20 e. Public Transit Access. Where public transit service is available or planned,  
21 convenient access to transit stops shall be provided. Where transit shelters  
22 are provided, they shall be placed in highly visible locations that promote  
23 security through surveillance, and shall be well lighted.

24  
25 f. Motor Vehicle Circulation. Motor vehicle circulation shall be designed to  
26 minimize conflicts with pedestrians and bicycles. Traffic calming features  
27 such as “queuing streets”, curb extensions, traffic circles, and medians  
28 shall be used to encourage slow traffic speeds.

29  
30 g. The thoroughfare network of the TND shall be connected to existing  
31 thoroughfares. TND streets should be laid out to allow extensions to future  
32 neighborhoods. Dead-end streets are prohibited.

33  
34 h. Design of thoroughfares.

35  
36 i. General.

37  
38 a. Thoroughfares consist of moving lanes, parking lanes,  
39 curbs or swales, planters, Trees, Street lights and sidewalks.

40 b. Thoroughfare types shall be designated in the Final  
41 Development Plan.

42 c. Roads, streets, and commercial streets may be modified to  
43 become avenues, boulevards and drives.

44 d. Thoroughfares passing from one use area to another shall  
45 change appropriately except those designated as a  
46 “connector” in the Final Development Plan.

- 1 e. The exact locations of trees and lights along thoroughfares
- 2 may be adjusted for specific conditions, such as building
- 3 entrances.
- 4 f. Thoroughfares that exist in or near a TND at the time of
- 5 approval and are consistent with the intent of this Zoning
- 6 Code may become an approved standard for use in that
- 7 TND. An example of such a condition is commonly found
- 8 in a nearby historic neighborhood.
- 9 g. If striped, on-street parallel parking spaces shall be striped
- 10 collectively, not individually.
- 11 h. The full width of all paths, passages, rural lanes, lanes and
- 12 alleys shall be designated a utility easement. Only in the
- 13 absence of these thoroughfare types are utility easements
- 14 permitted elsewhere.
- 15 i. All thoroughfares within a TND shall terminate at other
- 16 thoroughfares, forming a network. Cul-de-sacs shall be
- 17 granted only when justified by site conditions.
- 18
- 19 ii. Design of thoroughfares in commercial areas.
- 20
- 21 a. All lots shall front on a thoroughfare, except that a
- 22 maximum of 20% of lots served by a rear alley may front a
- 23 path or passage.
- 24
- 25 b. Thoroughfares may intersect at nonorthogonal angles as
- 26 acute as 30 degrees. Thoroughfares should preferably
- 27 intersect at 90 degrees, but in no case less than 60 degrees.
- 28
- 29 iii. Design of thoroughfares in civic areas. Thoroughfares fronting
- 30 civic buildings or civic spaces shall follow the standards of the
- 31 underlying use area.
- 32
- 33 9. Parking requirements. The requirements for parking spaces shall be as listed in
- 34 the Final Development Plan. Parking areas for shared or community use should be
- 35 encouraged. On-street parking shall count toward the parking requirements. Side
- 36 and rear parking shall be allowed. In addition:
- 37
- 38 a. In the mixed-use area, any parking lot shall be located at the rear or side of
- 39 a building. If located at the side, appropriate screening shall be provided.
- 40
- 41 b. Parking lots or garages must provide not less than one bicycle parking
- 42 space for every ten motor vehicle parking spaces.
- 43
- 44 c. Adjacent on-street parking may apply toward the minimum parking
- 45 requirements.
- 46

- 1 d. In the mixed residential areas, parking may be provided on-site. One off-  
2 street parking space with unrestricted ingress and egress shall be provided  
3 for each accessory dwelling unit.  
4
- 5 e. Multi-family uses must provide one parking space for every first bedroom  
6 and [0.5] parking space for each additional bedroom.  
7
- 8 f. In residential areas, garage doors which face the front of a lot shall be  
9 placed 20 feet beyond the setback of the principal structure. However, the  
10 City may modify this requirement for no more than 20% of the dwelling  
11 units if warranted by topography or other environmental conditions.  
12
- 13 g. In non-residential areas, parking lots shall be located to the rear or side of  
14 buildings. Side parking lots shall account for no more than 25% of parking  
15 per site, and shall be screened from sidewalks by a combination of low  
16 walls or fences and landscaping.  
17
- 18 h. In the case of commercial or office uses which have shop or store fronts  
19 adjacent to sidewalks and thoroughfares, parking along the thoroughfare  
20 directly in front of the lot shall count toward fulfilling the parking  
21 requirements.  
22
- 23 i. The required number of spaces for commercial and office uses may be  
24 further reduced by demonstrating the use of shared parking.  
25
- 26 j. Off-street parking shall be located in mid-block parking lots located  
27 behind the buildings.  
28
- 29 k. Parking shall be accessed by alley or rear lane, when available. However,  
30 there shall be no parking in an alley or lane.  
31
- 32 l. Parking shall be prohibited within 30 feet of intersections to enable public  
33 service and emergency vehicles adequate turning radii, and in mid-block  
34 sections such that emergency vehicles can park and operate within 125  
35 feet of all buildings on the block.  
36
- 37 m. Required parking must be provided within a five minute (one quarter mile)  
38 radius of the site which it serves.  
39
- 40 n. The location of permitted parking along thoroughfares should be  
41 coordinated to allow access to mail boxes.  
42
- 43 o. Parking lots greater than two double loaded parking rows should be  
44 carefully arranged to minimize breaks between pedestrian destinations.  
45
- 46 p. Shared Parking.  
47

- 1                   i.       If an office use and a retail use share parking, the parking  
2                   requirement for the retail use may be reduced by 20%, provided  
3                   that the reduction shall not exceed the minimum parking  
4                   requirement for the office use.  
5
- 6                   ii.       If a residential use shares parking with a retail use other than  
7                   lodging uses, eating and drinking establishments or entertainment  
8                   uses, the parking requirement for the residential use may be  
9                   reduced by 30%, provided that the reduction does not exceed the  
10                  minimum parking requirement for the retail and service use.  
11
- 12                  iii.       If an office and a residential use share off-street (or other  
13                  thoroughfare) parking, the parking requirement for the residential  
14                  use may be reduced by 50%, provided that the reduction shall not  
15                  exceed the minimum parking requirement for the office use.  
16
- 17                  iv.       The required number of spaces for commercial, office, civic, and  
18                  multi-family uses may be further reduced by demonstrating the use  
19                  of shared parking.  
20

21       10.       Architectural Standards. A variety of architectural features and building materials  
22       is encouraged to give each building or group of buildings a distinct character. In  
23       order to achieve harmonious design throughout the TND, architectural design  
24       guidelines for the residential, commercial, office, civic and institutional uses shall  
25       be submitted to the City and used in creating the development. The architectural  
26       features and guidelines are illustrative and conceptual and may be altered by the  
27       developer from time to time, it being understood that market conditions, social  
28       changes, building costs, changes in demographics, other building codes and  
29       regulation and other reasons may require the alteration of the architectural  
30       features and concepts.

- 31           a.       Guidelines for existing structures
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- 33
- 34                  i.       Existing structures or sites, if determined to be historic or  
35                  architecturally significant by the East Baton Rouge Parish Historic  
36                  Preservation Commission or the Louisiana State Historic  
37                  Preservation Office, or listed on the National Register of Historic  
38                  Places, shall be protected from demolition or encroachment by  
39                  incompatible structures or landscape development.  
40
- 41                  ii.       The U.S. Secretary of the Interior’s Standards for alterations to  
42                  Historic Properties shall be used as the criteria for rehabilitation  
43                  and treatment of historic or architecturally significant Structures or  
44                  sites.  
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- 46           b.       Guidelines for new structures  
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- i. Height. New structures within a TND shall be no more than three occupied stories for single-family residential, or five occupied stories for commercial, multifamily residential, or mixed-use.
  
- ii. Entries, Facades, Windows, Doors and Roofs.
  - a. The architectural features, materials, and the articulation of a facade of a building shall be continued on all sides visible from a public thoroughfare.
  
  - b. The front facade of the principal building on any lot in a TND shall face onto a public thoroughfare. Corner lots are required to face onto one public thoroughfare.
  
  - c. The front facade shall not be oriented to face directly toward a parking lot.
  
  - d. Porches, pent roofs, roof overhangs, hooded front doors or other similar architectural elements shall define the front entrance to all residences.
  
  - e. For commercial buildings, a minimum of 50% of the front facade on the ground floor shall be glass (transparent), including window or door openings allowing views into and out of the interior.
  
  - f. New structures on opposite sides of the same Thoroughfare should follow similar design guidelines. This provision shall not apply to Buildings bordering civic uses.
  
  - g. Building and parking placement within the Neighborhood Center, or Town Center, should be arranged to create appropriately scaled continuous building facades with as few non-pedestrian oriented breaks as possible.
  
  - h. Walls along thoroughfares shall be made of brick, or block and stucco, or other material to match the facade of the principal building.
  
  - i. Windows shall use clear glass panels.
  
  - j. All openings including porches, galleries, arcades and windows, with the exception of storefronts, shall be square or vertical in proportion.
  
  - k. Openings above the first story shall not exceed 50% of the total building wall area, with each facade being calculated independently.

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- 1. The facades on retail frontages shall be detailed as storefronts and glazed no less than 50% of the sidewalk-level Story.
  - m. Doors and windows that operate as sliders are prohibited along frontages.
  - n. Flat roofs shall be enclosed by parapets a minimum of 42 inches high, or as required to conceal mechanical equipment for viewing from the adjacent public right(s)-of-way.
    - 1. Dwelling units may be constructed above the ground floor in commercial and office buildings.
    - 2. Commercial and office development within the TND shall have an architectural design compatible with the design of residential buildings.
  - c. Utilities. All utilities shall be placed underground.
11. Guidelines for garages and Accessory Dwelling Units. Garages and Accessory Dwelling Units may be placed on a single-family detached residential lot within the principal building or an accessory building provided that the Accessory Dwelling Unit shall not exceed 1,000 square feet. Garage doors shall have a minimum setback of 20 feet when accessed from the front property line, and shall have a minimum setback of nine feet from the rear property line when accessed from a Rear Alley.
12. Guidelines for exterior signage. Comprehensive sign guidelines are required for the entire TND which establishes a uniform sign theme. Such guidelines shall be submitted to and approved by the City. Signs shall share a common style, as to sizes, shapes, and materials permitted within the TND.
13. Guidelines for lighting.
- a. Lighting along thoroughfares, including pedestrian scale lighting, shall be provided along all thoroughfares. Generally more, smaller lights, as opposed to fewer, high-intensity lights, should be used. Lights shall be installed on both sides of Streets at intervals of no greater than 75 feet apart. The lighting design shall meet the minimum standards developed by the Illumination Engineering Society.
  - b. Exterior lighting shall comply with all applicable ordinances.
14. Landscaping and screening standards.

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- a. Overall composition and location of landscaping shall complement the scale of the development and its surroundings. In general, larger, well-placed contiguous planting areas shall be preferred to smaller, disconnected areas. Where screening is required by this Zoning Code, it shall be at least three feet in height, unless otherwise specified. Required screening shall be at least 50% opaque throughout the year. Required screening shall be satisfied by one or some combination of a decorative fence not less than 50% behind a continuous landscaped area, a masonry wall, or a hedge.
  
- b. Trees along thoroughfares.
  - i. A minimum of one deciduous canopy tree per 40 feet of frontage, or fraction thereof, shall be required. Trees can be clustered and do not need to be evenly spaced, subject to further provisions as set forth herein.
  
  - ii. Trees should preferably be located between the sidewalk and the curb, within the landscaped area of a boulevard, or in Tree wells installed in pavement or concrete.
  
  - iii. Native shade trees which grow to a minimum height of 40 feet at maturity shall be planted along all streets at a maximum average spacing of 30 feet on center.
  
  - iv. Trees shall have a minimum caliper of two and one-half inches at the time of planting.
  
- c. Parking area landscaping and screening.
  - i. All parking and loading areas fronting public thoroughfares or sidewalks, and all parking and loading areas abutting residential districts or users, shall provide a landscaped area at least five feet wide along the public thoroughfare or sidewalk; screening at least three feet in height and not less than 50% opaque; and one Tree for each 25 linear feet of parking Lot frontage.
  
  - ii. The corners of parking lots, “islands”, and all other areas not used for parking or vehicular circulation shall be landscaped. Vegetation may include turf grass, native grasses or other perennial flowering plants, vines, shrubs or trees. Such spaces may include architectural features such as benches, kiosks or bicycle parking.
  
  - iii. For all parking lots with more than six spaces, the landscaped area shall be comprised of a minimum of 20% of the total parking Lot area.

- iv. In large parking lots containing more than 200 parking spaces, an additional landscaped area of at least 200 square feet shall be provided for each 25 parking spaces or fraction thereof, containing one native shade tree or canopy tree. The remainder shall be covered with turf grass, native grasses or other perennial flowering plants, vines or shrubs.
- v. An approved landscaping plan is required for structured parking.

15. Environmental Standards. All uses in the TND shall conform to all applicable federal, state and local laws and regulations regarding the environment such as laws and regulations concerning noise, air quality, water quality, radiation, and radioactivity.

E. Additional Regulations for Phased Developments. A Traditional Neighborhood Development may be developed in phases or stages in accordance with the following requirements:

- 1. Boundaries. The boundaries of all proposed TND phases shall be shown on the Preliminary Plan.
- 2. Data. All data required for the project, as a whole, shall be given for each phase shown on the Preliminary Plan.
- 3. Improvements. The phasing plan shall be consistent with the traffic circulation, drainage, common open space, and utilities plans for the entire TND. TND's that are to be developed in phases or stages shall be required to provide public improvements, common open space, and other amenities attributed to such phase at the same time as or before the construction of principal buildings and structures associated with individual phases. The nature, type, and amount of public improvements, common open space, and other project amenities provided during an individual phase of the project shall be commensurate with and proportionate to the overall development of the phase.

**Chapter 15: Nonconforming Buildings Structures and Uses**

**Section 15.1 Purpose**

The purpose of this Chapter is to provide for the regulation of nonconforming uses, buildings and structures and to specify those circumstances and conditions under which those nonconforming buildings, structures and uses shall be eliminated. It is the intent of this Zoning Code that nonconforming buildings, structures and uses shall not be enlarged upon, expanded or extended nor be used as grounds for adding other structures or uses prohibited elsewhere in the same district except as otherwise specifically permitted herein.

**Section 15.2 Authority to Continue Nonconforming Buildings. Structures and Uses**

1 Any nonconforming building, structure or use that existed lawfully at the time of the adoption of  
2 this Zoning Code and which remains or becomes nonconforming upon the adoption of this  
3 Zoning Code or of any subsequent amendment thereto may be continued subject to the following  
4 regulations:

5  
6 A. For the purpose of this Section, a building or structure shall be deemed to be lawfully  
7 established or lawfully existing on the date of adoption of this Zoning Code if it was  
8 established or existed pursuant to a building permit lawfully issued prior to such date and  
9 on which construction was begun within the period of time required by the applicable  
10 building code or, in the case of nonconforming uses, was a permitted or an approved  
11 conditional use pursuant to the City of Central/City of Baton Rouge/East Baton Rouge  
12 Parish UDC or became a legal nonconforming use pursuant to the passage of time and  
13 applicable law.

14  
15 B. Nothing in this Chapter shall be deemed to require a change in the plans, construction or  
16 designated use of any building on which actual construction was lawfully begun prior to  
17 the effective date of adoption of this zoning code or any amendment thereto and upon  
18 which actual building construction has been carried on diligently.

19  
20 C. Repairs or Alterations. Ordinary repairs and nonstructural alterations may be made to a  
21 nonconforming building or structure. However, no structural alteration shall be made to a  
22 building or structure, all, or substantially all, of which is designed or intended for a use  
23 not permitted in the district in which it is located, except those required by law. For the  
24 purpose of this section, ordinary repairs and alterations, shall be determined by the  
25 Zoning Administrator. Structural alterations are those which move, increase or otherwise  
26 modify any structural support for the building or structure. The replacement of storage  
27 tanks where the safety and operation of the installation requires such replacement shall  
28 also be permitted. Notwithstanding any of the above requirements, structural alterations  
29 may be made to any nonconforming building or structure in a manner so that the entire  
30 building or structure and use conform to all regulations of the district in which it is  
31 located.

32  
33 D. Additions and Enlargements. A nonconforming building or structure, other than a single-  
34 family dwelling, shall not be added to or enlarged in any manner unless such  
35 nonconforming building or structure and use, including all additions and enlargements is  
36 made to conform to all regulations of the district in which it is located.

37  
38 A single-family dwelling, nonconforming as to bulk, may be added to or enlarged  
39 without seeking a variation if all additions or enlargements conform to all setback, height  
40 and lot coverage limitations of the district in which the property is located.

41  
42 E. Moving. No building or structure shall be moved in whole or in part to another location  
43 unless every portion of such building or structure and its use is made to conform to all  
44 regulations of the district in which it is moved.

45  
46 F. Restoration of Damaged Nonconforming Buildings. A building or structure, which does  
47 not conform to the bulk requirements or use restrictions of the district in which it is  
48 located and which is destroyed or damaged by fire or other casualty or act of God may be

1 restored only if the cost of restoration to the condition in which it was prior to the  
2 destruction or damage is less than 50% of the cost of constructing the entire building or  
3 structure new. No repairs or restoration shall be made unless such work is started within  
4 six months from the date of the partial destruction and is diligently pursued to  
5 completion. Notwithstanding any of the above requirements, nothing in this subsection  
6 shall preclude the reconstruction of a building in a manner so that the entire building or  
7 structure and use conform to all regulations of the district in which it is located.  
8

9 G. Restoration of Damage to Nonconforming Single-Family Dwellings. Notwithstanding  
10 subsection F of this section, a single-family dwelling or structure accessory to a single-  
11 family dwelling located on a zoning lot which existed prior to the adoption of this zoning  
12 code or was lawfully established thereafter and which has less than the required  
13 minimum lot width or area, destroyed or damaged by fire or other casualty or act of God,  
14 may be restored or reconstructed, provided the restored or reconstructed dwelling or  
15 accessory structure is not larger than that which was damaged or destroyed and does not  
16 exceed the limits established by the footprint of the original structure. If the restored or  
17 reconstructed dwelling or accessory structure is to be larger than the damaged or  
18 destroyed structure, it shall meet all bulk requirements except lot width and area.  
19

20 H. Discontinuance of a Nonconforming Building. A building, structure or portion thereof,  
21 all, or substantially all of which is designed or intended for a use which is not permitted  
22 in the district in which it is located and which is vacant on the effective date of this  
23 Zoning Code or thereafter becomes vacant or is not used for a continuous period of 180  
24 days, shall not, thereafter, be occupied or used except by a use which conforms to the  
25 regulations of the district in which it is located.  
26

27 I. Nonconforming Use of Buildings, Structures or Land. The lawfully existing  
28 nonconforming use of all or part of a building, structure or parcel, may be continued  
29 subject to the following provisions:  
30

- 31 1. The nonconforming use of part of a building, structure or parcel shall not be  
32 expanded or extended into any other portion of such building, structure or parcel.
- 33 2. If a nonconforming use of a building, structure or parcel is discontinued for a  
34 period of 180 days, it shall not be renewed.
- 35 3. A nonconforming use shall not be changed to another nonconforming use.  
36

37 J. The casual, intermittent, temporary or illegal use of land or buildings shall not be  
38 sufficient to establish the existence of a nonconforming use. The existence of a  
39 nonconforming use on part of a lot, tract or parcel shall not be construed to establish a  
40 right to extend the nonconforming use to the entire lot, tract or parcel.  
41

42 K. Existing uses which are Conditional Uses under the provisions of this Zoning Code shall  
43 not be nonconforming uses, but shall require a Conditional Use Permit for any  
44 enlargement, extension, intensification or change of use.  
45

46 L. Where the legal existing use of a premises is nonconforming as to the parking or loading  
47 requirements of Chapter 16 or any subsequent amendment thereto, the use may be  
48 changed to another permitted use without seeking a variation as to parking or loading

1 requirements provided the new use does not require more parking or loading spaces than  
2 the existing use.

3  
4 **Chapter 16. Off-Street Parking and Loading**

5  
6 **Section 16.1 Off-Street Loading**

7  
8 In connection with any building or structure which is to be erected or substantially altered and  
9 which requires the receipt or distribution of materials or merchandise by trucks or other similar  
10 vehicles, there shall be provided off-street loading berths not less than the minimum  
11 requirements specified in this Section.

- 12  
13 A. Location. All required loading berths shall be located on the same lot as the use to be  
14 served and no portion of the vehicles shall project into a street or public alley. No  
15 permitted or required loading berth shall be located within 25 feet of the nearest point of  
16 intersection of any two streets, nor shall it be located in a required rear or side yard.  
17  
18 B. Size. A required off-street loading berth shall be at least ten feet in width and 35 feet in  
19 length, exclusive of aisle and maneuvering space. It shall have vertical clearance of at  
20 least 12 feet. Enclosed loading spaces shall have a vertical clearance of at least 15 feet.  
21  
22 C. Access. Each required off-street loading berth shall be designed with appropriate means  
23 of vehicular access to a street or alley in a manner which will least interfere with traffic  
24 movements.  
25  
26 D. Surfacing. All open off-street loading berths shall be improved with a compacted  
27 macadam base not less than seven inches thick, or equal, surfaced with not less than two  
28 inches of asphaltic-concrete or some comparable all-weather dustless material.  
29  
30 E. Repair and Service. No storage of any kind or motor vehicle repair work or service of  
31 any kind shall be permitted within any required loading berth.  
32  
33 F. Space Allowed. Space allowed to any off-street loading berth shall not, while so  
34 allocated, be used to satisfy the space requirements for any off-street parking facilities or  
35 portions thereof.  
36  
37 G. Required Loading Berths.  
38  
39 1. The minimum number of off-street loading spaces accessory to nonresidential  
40 uses in residence districts shall be one loading space for buildings containing  
41 10,000 to 100,000 square feet of gross floor area, plus one additional loading  
42 space for each additional 100,000 square feet of gross floor area or fraction  
43 thereof.  
44  
45 2. The minimum number of off-street loading spaces accessory to uses in the  
46 commercial/business and industrial districts shall be, as follows:

Floor Area of	Required	Minimum Size	Minimum
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Establishments	Number		Vertical Clearance
5,000 thru 10,000	1	10 ft. x 35 ft. ea.	12 feet
10,001 thru 15,000	2	10 ft. x 35 ft. ea.	12 feet
25,001 thru 40,000	2	12 ft. x 50 ft. ea.	14 feet
40,001 thru 100,000	3	12 ft. x 50 ft. ea.	14 feet

For each additional 100,000 square feet or fraction thereof of gross floor area over 100,000 square feet of gross floor area, one additional loading space is required. Such additional loading space shall be at least 12 feet in width by 50 feet in length.

## Section 16.2 Off-Street Parking

Any off-street parking space in connection with buildings or structures existing on the effective date of this Zoning Code shall not be removed or altered, except in conformance with the requirements of this Zoning Code.

In connection with any building or structure which is to be erected or substantially altered and which requires off-street parking space, there shall be provided off-street parking space in accordance with regulations set forth hereinafter.

A. Use. Except as may otherwise be provided for the parking of trucks or for Conditional Uses, required accessory off-street parking facilities shall be solely for the parking of vehicles of patrons, occupants, or employees of a specific establishment.

B. Computation. When determination of the number of off-street parking spaces required by results in a requirement of a fractional space, any fraction of one-half or less may be disregarded, while a fraction in excess of one-half shall be counted as one parking space.

When more than one use exists on a lot, the number of off-street parking spaces required shall be the sum of the number required for each use.

"Floor area" means gross floor area, unless otherwise designated.

C. Collective Provisions for Nonresidential Uses. Off-street parking facilities for separate uses may be provided collectively if the total number of spaces so provided is not less than the sum of the separate requirements of each such use and if all regulations governing the location of accessory parking spaces in relation to the use served are observed. But no parking space, or portion thereof, shall serve as the required space for more than one use unless otherwise authorized in accordance with this Zoning Code.

D. Repair and Service. No motor vehicle repair work of any kind shall be permitted in parking lots. No gasoline or motor oil shall be sold in conjunction with any accessory parking facilities.

E. Parking Stall Dimensions.

- 1 1. Stall width: A minimum width of nine feet shall be provided for each parking  
2 stall.
- 3
- 4 2. Stall length: A minimum length of 18 feet shall be provided for each parking  
5 stall.
- 6
- 7 3. Parallel parking stalls shall be permitted to be 8 feet wide and no less than 22 feet  
8 long.
- 9
- 10 4. Compact Auto Spaces: Notwithstanding the above, when more than 50 parking  
11 spaces are required for a commercial use(s), up to 20% of the spaces may be  
12 smaller than the stall length and width set forth above so long as they are not less  
13 than eight feet wide and 17 feet long and are clearly marked for "Compact Auto  
14 Only."
- 15

16 F. Access. Each required off-street parking space shall open directly upon an aisle or a  
17 driveway of such width and design as to provide safe and efficient means of vehicular  
18 access to such parking space.

19  
20 All off-street parking facilities shall be provided with appropriate means of vehicular  
21 access to a street, alley, or driveway in a manner which will least interfere with traffic  
22 movements.

23  
24 All parking areas shall have vehicular access to it over a street, alley, or driveway  
25 containing all-weather, hard-surfaced pavement and the location and route of access to  
26 such a parking area shall be identified.

27  
28 Every parking facility shall be provided with one or more access driveways, the width of  
29 which shall be at least nine feet for private driveways, twelve feet for one-way and 24  
30 feet for two-way entrances to commercial uses.

31  
32 G. In Yards. Off-street parking spaces may be located in yards, except required front yards  
33 and required side yards adjoining a street unless otherwise provided herein.

34  
35 H. Limitations.

36  
37 1. No public parking lot or structure may be used for the servicing, repair, or  
38 washing of motor vehicles unless legally permitted to do so by the City.

39  
40 2. Parking of unoccupied travel, utility, or boat trailers on residential lot areas is  
41 permitted provided they do not constitute a hazard to safe visibility of drivers on  
42 adjacent streets and are parked a minimum of 30 feet from the edge of the nearest  
43 vehicular travel lane or in a garage, carport, or rear yard.

44  
45 3. The following restrictions shall apply to the parking or storage of commercial  
46 vehicles on property zoned for residential use:

47  
48 a. No commercial vehicle shall be parked on any public right-of-way in a

1 residential district, except for vehicles engaged in loading or unloading, or  
2 vehicles in connection with current work being done to the adjacent  
3 premises;  
4

5 b. No stored or parked commercial vehicle shall be occupied or used for  
6 human habitation.  
7

8 4. Heavy equipment shall be defined as any vehicle whose weight is in excess of  
9 five tons, including but not limited to equipment commonly used in site clearing,  
10 road building, or construction. Heavy Equipment includes but is not limited to:  
11 cranes, pan-scrapers, bulldozers, steamrollers, backhoes, graders, water-drilling  
12 rigs, paving machines, loaders, trenching machines and dump trucks.  
13

14 5. Parking and storage of heavy equipment is neither incidental to nor customary in  
15 a residential area. Parking and storage of heavy equipment is only allowed:  
16

17 a. in the Commercial / Business and Office, Research & Development  
18 districts;  
19

20 b. where such parking or storage of heavy equipment is incidental to an  
21 existing commercial or industrial use; and  
22

23 c. when such equipment is actively being used for the purpose intended.  
24

25 6. Recreational Vehicles  
26

27 a. No recreational vehicle or trailer licensed to transport recreational  
28 vehicles or equipment shall be parked in the public right-of-way or in the  
29 first 30 feet of the front yard driveway of a residential district.  
30

31 b. Recreational vehicles may be stored in a residential district within a fully  
32 enclosed structure or within the rear or side yard on a paved surface. If  
33 stored in the rear or side yard, it must be located at least three feet from  
34 any lot line.  
35

36 c. No recreational vehicle shall be used for living, sleeping, or  
37 housekeeping purposes in any zoning district, unless within a regulated  
38 recreational vehicle park.  
39

40 d. All recreational vehicles shall be maintained in mobile condition. No  
41 recreational vehicle shall be parked or stored in such a manner as to  
42 create a dangerous or unsafe condition on the lot where parked or stored.  
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44 e. This section does not apply to recreational vehicles offered for sale in the  
45 approved outdoor sales and display area of a recreational vehicle  
46 dealership.  
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48 I. Design and Maintenance.

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1. Open and Enclosed Parking Spaces. Accessory parking spaces, located on the same lot as occupied by the use served, may be open to the sky or enclosed in a building. Accessory parking spaces, located elsewhere than on the same lot occupied by the use, shall be open to the sky.
2. Surfacing. All open off-street parking areas shall be improved with a compacted macadam base, or equal, not less than four inches thick surfaced with asphaltic concrete or comparable hard-surfaced, all-weather, dustless material as approved by the City. Alternatively, a porous pavement parking surface may be substituted when:
  - a. The parking spaces are used seasonally or less than two times per week;
  - b. The parking spaces are within 20 feet of an existing or proposed tree; and
  - c. The entire parking area will have not less than 100 parking spaces and no more than 50% of the spaces use porous pavement.

While parking spaces may be porous pavement, all access and drive isles shall be constructed of hard-surfaced, all-weather, dustless materials as described above.

3. Screening and Landscaping. All open automobile parking areas containing more than four parking spaces shall be effectively screened on each side adjoining or fronting on any residential property by a wall or fence not less than five feet high or a densely-planted compact hedge not less than five feet in height. A landscape buffer with plantings at least 3 feet high across the property on the public street side(s) shall be provided for all parking areas containing more than four parking spaces. Wheel stops of masonry, steel, or heavy timber, shall be placed not nearer than five feet from the street line in districts where a front yard is not required or from side lot lines.
4. Lighting. Illumination of an off-street parking area shall be arranged so as not to reflect rays of light into adjacent residential districts and streets.

J. Required Spaces. Off-street parking spaces accessory to designated uses shall be provided as follows:

<i>USE</i>	<i>Number of Parking Spaces Required</i>
<b><u>RESIDENTIAL:</u></b>	
Bed and Breakfast	1 space/guest room plus 2 spaces/dwelling unit
Single-Family and Two-Family Dwelling	2 spaces/unit
Multi-Family Dwelling	2 spaces/unit plus 10% of total for guest parking
Group Homes	1 space/3 residents
Residential Care Centers	1 space/4 residents
<b><u>CIVIC:</u></b>	
General Administrative/Government Facilities	1 space/200 sf of gross floor area
Church/Assembly Places of Worship	1 space/5 seats or ninety (90) inches of seating space in the main auditorium
Private Club/Lodge	1 space/3 persons of rated capacity per fire marshall
Library/Museum	3 spaces/1,000 sf of gross floor area
Parks & Open Space	As determined by Zoning Administrator
Indoor Recreation or Community Center	1 space/10 persons of rated capacity

Hospital	1 space/2 hospital beds plus 1 space/200 sf gross medical office floor area
Parcel Post and Public Safety Services	1 space/vehicle maintained or stored on site plus 1 space/200 sf gross floor area
Schools, Elementary	2 spaces/classroom (including labs and library) plus 10% of total
Schools, Middle/Junior High	4 spaces/classroom (including labs and library) plus 10% of total
Schools, High School and Vocational Schools/Colleges	10 spaces/classroom (including labs and library) plus 10% of total.
Public Assembly/Arenas/Open Theaters	1 space/6 seats or eighty inches (80") of seating space
<b>COMMERCIAL:</b>	
Animal Hospital	4 spaces/1,000 sf gross floor area
Automotive/Equipment Sales and Service	1 space/400 sf retail/office sales area plus 4 spaces/service bay and 1 space/anticipated vehicles for sale on site
Bowling Alley	3 spaces/lane plus additional spaces as may be required herein for affiliated uses such as restaurants and the like
Day Care or Preschool Facilities	1 space/200 sf gross floor area plus 10% of total
General Commercial	1 space/300 sf gross floor area
Hotel/Motel	1 space/sleeping unit plus 1 space/500 sf of common area
Medical Office	1 space/200 sf gross floor area
Movie Theater	1 space/4 seats up to 400 seats, plus 1 space/6 seats over 400 seats
Nursing Home	1 space/6 beds
Office (excluding Medical and Clinics)	1 space/250 sf gross floor area
Outdoor Sales Establishments	1 space/1000 sf of lot area occupied by sales
Restaurant, Bar, or Nightclub	1 space/100 sf gross floor area plus 15% of total
Retail	1 space/300 sf gross floor area
Undertaking / Funeral parlors	1 space/100 sf gross floor area plus 1 space/funeral vehicle maintained on premises
<b>INDUSTRIAL:</b>	
Industry/Manufacturing/Fabricating/Processing Plants less than 10,000 sf	1 space/400 sf of gross floor area
Industry/Manufacturing/Fabrication/Processing Plants more than 10,000 sf	25 spaces plus 1 space/1,000 sf gross floor area
Warehouse/Mini-Storage (offices and other uses calculated separately)	1 space/4,000 sf gross floor area
<b>MIXED USE DEVELOPMENTS</b>	Sum of the requirements for the various uses computed separately
<b>OTHER USES</b>	Spaces determined by the most similar use as determined by the Zoning administrator

1  
2 **Section 16.3 Control of Off-Site Parking Facilities**  
3

4 In cases where parking facilities are permitted on land other than the lot on which the building or  
5 use served is located, such parking facilities shall be within 300 feet of the lot occupied by the  
6 building or use to which the parking facilities are accessory measured along the nearest  
7 pedestrian walkway. A covenant running with the land must be recorded in the East Baton Rouge  
8 Parish Clerk's office on the lot upon which the accessory off-street parking is located which  
9 prohibits any other uses on that portion of the lot needed for accessory parking until such time as  
10 either one of the following conditions occurs:  
11

- 1 A. The use on the lot containing the principal use is terminated or replaced with a use where  
2 there is enough parking on the lot containing that use; or  
3
- 4 B. Another lot of the required size within the required distance is properly developed and  
5 used for the required accessory off-street parking in place of and in lieu of the initial lot  
6 used for accessory off-street parking with the same requirements, covenants and  
7 conditions attaching to such substitute accessory lot as required for the approval of such  
8 initial use lot.  
9

10 **Section 16.4 Handicap Parking Spaces**

11  
12 Handicap parking spaces shall be provided in the size, location and number required by the any  
13 applicable State or federal statute or regulation.  
14

15 **Chapter 17: Signs**

16  
17 Signs shall be in compliance with the City of Central Sign Ordinance, Ordinance No. 2008-18 as  
18 amended.  
19

20 **Chapter 18: Special Regulations for Mobile Home Parks and Individual Sites for Mobile**  
21 **Homes**

22  
23 **Section 18.1**

- 24  
25 A. Mobile homes and mobile home parks allowed by this Zoning Code must continue to  
26 comply with all ordinances and all other applicable laws regulating mobile homes and  
27 mobile homes parks.  
28
- 29 B. Mobile home parks, when allowed as either permitted or conditional uses in the various  
30 districts, shall conform to the following requirements:  
31
  - 32 1. A mobile home park shall be located on a site of not less than one acre and shall  
33 contain not more than 24 mobile home sites per acre. Individual mobile home  
34 sites shall contain an area of not less than 1,750 square feet.  
35
  - 36 2. A mobile home park shall be connected with a street by a paved driveway or  
37 driveways constructed in accordance with appropriate ordinances and  
38 regulations.  
39
  - 40 3. A front yard setback of at least 20 feet in depth shall be provided.  
41
  - 42 4. Side yards of not less than five feet shall be provided; however, on corner sites a  
43 side yard of not less than ten feet in width shall be provided.  
44
  - 45 5. A rear yard of not less than 20 feet in depth shall be provided.  
46

- 1           6.     Required front, rear and side yards shall be planted with grass, shrubs, or trees  
2           and all planting must be maintained in a manner not obstructing sight distances  
3           for vehicles entering or leaving the mobile home park.  
4
- 5           7.     The mobile home park shall be separated from the abutting property and the  
6           required front yard and on a corner lot from the required side yard on the street  
7           side by a solid fence at least five feet, but not in excess of seven feet in height.  
8
- 9           8.     Individual mobile home sites shall provide a front yard having a minimum depth  
10          of five feet. Appendages, expansions, canopies or attachments to the mobile  
11          home shall not protrude into any required yard area.  
12
- 13          9.     Individual mobile home sites shall provide two side yards having a combined  
14          width of 13 feet; in no case shall either side yard be less than five feet.  
15          Appendages, expansions, canopies or attachments to the mobile home shall not  
16          protrude into any required yard area.  
17
- 18          10.    Individual mobile home sites shall provide a rear yard having a minimum depth  
19          of five feet. Appendages, expansions, canopies or attachments to the mobile  
20          home shall not protrude into any required yard area.  
21
- 22          11.    Individual mobile home sites shall have a concrete pad upon which the mobile  
23          home shall be placed. The concrete pad shall be large enough for the entire  
24          mobile home to be over concrete.  
25
- 26          12.    Off-street parking space for automobiles shall be provided in the ratio of at least  
27          one parking space per mobile home in location convenient to individual mobile  
28          homes or groups of mobile homes. Parking is not allowed in the required front  
29          yard.  
30
- 31          13.    No signs shall be erected upon such mobile home parks except for the one sign at  
32          each entrance as set forth below. Such signs shall not exceed ten square feet nor  
33          extend more than ten feet in overall height above the ground and shall not project  
34          into required yard areas more than six inches.  
35
- 36          14.    All mobile home parks:  
37              a.     Shall have a sign listing the mobile home park name and address.  
38              b.     Each sign shall have a map diagram showing the names of all streets in  
39                      the mobile home park, (private or public).  
40              c.     Each mobile home in the park shall be numbered with a uniform 12 by 12  
41                      inch sign on a four-foot post made of weather-resistant material. Said  
42                      sign shall be located and maintained in the front of each mobile home  
43                      giving a clear and unobstructed view from the road giving access and  
44                      ingress to said mobile home.  
45                      giving a clear and unobstructed view from the road giving access and  
46                      ingress to said mobile home.  
47                      ingress to said mobile home.  
48

- 1 d. Any change of street names by new owners of the mobile home park shall  
2 be submitted to Central's Planning Department and the fire district prior  
3 to the name change.  
4  
5 e. A copy of the street map of the mobile home park with the names of each  
6 street and the number of mobile homes located thereon shall be supplied  
7 to the fire district.  
8  
9 15. All mobile home parks shall have at least 10% of its area (not exceeding 1 acre)  
10 set aside for recreational use by the park's residents. The recreation area shall  
11 have a length to width ratio of not greater than 3:1.  
12

13 C. Individual Mobile Homes.  
14

- 15 1. Individual mobile homes, used for construction or sales or leasing offices or for  
16 similar purposes, but not for residential use, may be located as an accessory use  
17 in any district for such time as active construction is continuing or initial sales or  
18 initial leasing at the development (to which the mobile home is accessory) is  
19 ongoing.  
20  
21 2. A single mobile home may be permanently used for office purposes for mobile  
22 home parks and mobile home sales facilities as part of a conditional use for a  
23 mobile home park or mobile home sales facility.  
24  
25 3. A single mobile home used for residential purposes is permitted in the  
26 Rural/Agriculture District provided it meets all requirements of said district and  
27 further complies with the following minimum requirements:  
28  
29 a. Lot Area: Three acres.  
30  
31 b. Lot width: 100 feet of frontage on a public maintained roadway.  
32  
33 c. *Front yard setback:* 100 feet. On through lots, the required front yard  
34 shall be provided on both streets.  
35  
36 d. *Side yard setback:* 25 feet. On corner lots the side yard on the side of  
37 the lot abutting the side street shall be not less than 100 feet. Further, said  
38 mobile home shall be located at least 50 feet from adjacent residences.  
39  
40 e. *Rear yard:* Not less than 25 feet.  
41  
42 f. The property has an approved sanitary sewer treatment system to which a  
43 manufactured home may be connected.  
44  
45 4. A single mobile home used for residential purposes may be permitted in the R-1,  
46 R-2, and R-3 Districts in the event that a residence is destroyed by storm, fire or  
47 other act of God for such period of time required to construct a new residence.  
48 Said mobile home shall not be installed until a building permit for the new

1 residence is obtained and shall only be permitted so long as construction on the  
2 new residence is actively pursued.  
3

4 **Chapter 19: Special Regulations for Certain Specified Uses**

5  
6 **Section 19.1 Adult Uses.**

7  
8 1. Findings:  
9

10 The City hereby makes the following legislative findings with regard to these  
11 adult use regulations:  
12

- 13 a. Based on studies performed in other cities (some of which are summarized  
14 in the Minnesota Attorney General’s “Report of the Attorney General’s  
15 working Group on the Regulation of Sexual Oriented Businesses”) areas  
16 near sexually oriented businesses are often associated with high crime  
17 rates, deteriorated commercial and residential neighborhoods, depreciation  
18 of property values and dramatic changes in the character of a  
19 neighborhood when more than one such business is operating in a given  
20 area;  
21
- 22 b. Retaining and growing sales tax revenues are extremely important to the  
23 economic well being of the City;  
24
- 25 c. Persons who use the shopping areas within the City will shop elsewhere if  
26 these shopping areas are identified with adult uses;  
27
- 28 d. The City recognizes that the First Amendment to the United States  
29 Constitution requires that it “refrain from effectively denying” expressive  
30 adult use operations a reasonable opportunity to open and operate within  
31 the City;  
32
- 33 e. The regulations herein are intended as a narrow means to eliminate, or at  
34 least limit, the deleterious effects of adult uses on the health, safety and  
35 welfare of the residents, business owners and property owners in the City;  
36 and  
37
- 38 f. The regulations limiting the areas available for adult uses have been  
39 narrowly drafted to keep such uses from defining the character of the  
40 existing and planned major commercial areas of the City.  
41

42 2. Definitions.  
43

- 44 a. “Adult Bookstore” means an establishment having 25% or more of its  
45 sales or stock in trade, books, magazines, films for rent, sale or for  
46 viewing on premises by use of motion picture devices or by coin operated  
47 means, and periodicals which are distinguished or characterized by their  
48 emphasis on matter depicting, describing or relating to specified sexual

1 activities, or specified anatomical areas; or an establishment with a  
2 segment or section devoted to the sale or display of such materials; or an  
3 establishment that holds itself out to the public as a purveyor of such  
4 materials based upon its signage, advertising, displays, actual sales,  
5 presence of video preview or coin operated booths, exclusion of minors  
6 from the establishment's premises or any other factors showing the  
7 establishment's primary purpose is to purvey such material.  
8

9 b. "Adult Entertainment Cabaret" means a public or private establishment  
10 which:

- 11 i. Features topless dancers, strippers, or male or female  
12 impersonators;
- 13 ii. Not infrequently features entertainers who display specified  
14 anatomical areas; or
- 15 iii. Features entertainers who, by reason of their appearance or conduct,  
16 perform in a manner which is designed primarily to appeal to the  
17 prurient interest of the patron, or entertainers who engage in or are  
18 engaged in explicit simulation of specified sexual activities.  
19

20  
21 c. "Adult Motion Picture Theater" means a building or area used for  
22 presenting materials distinguished or characterized by an emphasis on  
23 matter depicting, describing or relating to specified sexual activities or  
24 specified anatomical areas for observation by patrons therein.  
25

26 d. "Adult Novelty Store" means an establishment having 25% or more of its  
27 sales or stock in trade consisting of toys, devices, clothing "novelties",  
28 lotions and other items distinguished or characterized by their emphasis on  
29 or use for specified sexual activities or specified anatomical areas, or an  
30 establishment that holds itself out to the public as a purveyor of such  
31 materials based upon its signage, advertising, displays, actual sales,  
32 exclusion of minors from the establishment's premises or any other factors  
33 showing the establishment's primary purpose is to purvey such material.  
34

35 e. "Specified Anatomical Areas" means less than completely and opaquely  
36 covered: 1) human genitals, pubic region; 2) buttock; 3) female breasts  
37 below a point immediately above the top of the areola; and Human male  
38 genitals in a discernibly turgid state, even if completely and opaquely  
39 covered.  
40

41 f. "Specified Sexual Activities" means human genitals in the state of sexual  
42 stimulation or arousal; acts of human masturbation, sexual intercourse or  
43 sodomy; and fondling or other erotic touching of human genitals, pubic  
44 region, buttock or female breasts.  
45

46 3. Location. Adult uses may be located in B-3, B-4, B-5, O, R & D and R/A  
47 districts (unless such property is planned for residential or low density B-1 and B-  
48 2 commercial uses) provided that no adult uses shall be located within 1000 feet

1 of any property zoned, used or planned for residences, churches, schools, parks or  
2 another adult use. Further, no adult use shall be permitted to operate within 300  
3 feet of the centerline of Greenwell Springs, Hooper, Joor, Sullivan or  
4 Wax/Magnolia Bridge Roads.

- 5
- 6 4. Liquor. No alcoholic beverage or liquor license shall be issued and no liquor shall  
7 be sold or consumed on the premises of any adult use.
- 8
- 9 5. Exterior Display Prohibitions. No adult use shall be conducted in any manner that  
10 permits the observation of any material depicting, describing or relating to  
11 specified sexual activities or specified anatomical areas from any public way or  
12 from any property not registered as an adult use. This section shall apply to any  
13 display, decoration, sign, show window or other opening.
- 14
- 15 6. Any adult use which existed lawfully, but which became nonconforming upon the  
16 effective date hereof, may be continued as follows:
  - 17
  - 18 a. Upon written notice from the City to the owners/interests therein that any  
19 building, structure, lot or regulated use is nonconforming under the  
20 provisions of this Zoning Code, as amended, the owners/interests therein  
21 shall, within two months from the date of such notice, apply to the City for  
22 a certificate of nonconformance.
  - 23
  - 24 b. Failure to apply for a certificate of nonconformance within two months of  
25 the notice provided in section a of this section will require the  
26 amortization of the nonconformance within six months of the notice  
27 provided for in said **subsection A**.
  - 28
  - 29 c. Nonconforming business owners/interests that have applied for a  
30 certificate of nonconformance from the City shall be allowed to continue  
31 the business if the business becomes conforming within one year of the  
32 notice provided in **section A**.
  - 33

34 **Section 19.2 Accessory Dwelling Units (“ADUs”).**

35  
36 ADUs meeting the following standards are permitted in the R-1 and R/A districts.

- 37
- 38 1. Only one ADU may be permitted on any lot.
- 39
- 40 2. ADUs shall only be permitted in rear yards.
- 41
- 42 3. ADUs may be attached to the main residence (“mother-in-law” unit), free  
43 standing (“carriage house”) or be a mobile home.
- 44
- 45 4. ADUs shall not be considered permitted obstructions in a required yard and shall  
46 therefore comply with all bulk requirements, including, but not limited to,  
47 setbacks and lot coverage limitations. For purposes of rear yard lot coverage  
48 limitations only, an unattached ADU shall be considered an accessory building.

- 1  
2 5. No ADU may be greater than 1,000 square feet.  
3  
4 6. A “mother-in-law” unit must have a working (inside) door connecting it to the  
5 main residence.  
6

7 **Section 19.3 Group Homes**  
8

- 9 1. Prior to issuance of a building permit, Zoning Certificate or Occupancy Permit for  
10 a Group Home, the proposed Group Home operator shall provide the Zoning  
11 Administrator with construction (if any) and operational plans for the Group  
12 Home.  
13  
14 2. The Zoning Administrator shall not authorize the issuance of a building permit,  
15 Zoning Certificate or Occupancy Permit unless, after reviewing the plans, he/she  
16 finds:  
17  
18 a. The structure and facilities to be used for a Group Home are physically  
19 adequate for the number of proposed residents and their particular  
20 disability(ies) and meet all building, fire and safety codes and all other  
21 provisions of this Zoning Code;  
22  
23 b. The structure and facilities will be designed, constructed, operated and  
24 maintained so as to be harmonious and appropriate in appearance with the  
25 existing or intended character of the residential neighborhood.  
26  
27 c. The proposed Group Home is not within 600 feet of another Group Home.  
28  
29 3. Prior to issuance of an Occupancy Permit, the proposed Group Home operator  
30 shall provide evidence of license, certification, or registration with the appropriate  
31 state or federal agency, if required.  
32  
33 4. Group Homes shall not install or display any identification viewable from a public  
34 street by signage, graphics, display, or other visual means except for a display of  
35 the address.  
36