

1 PARISH OF WEST FELICIANA

2 ORDINANCE NUMBER: _____

3
4 AN ORDINANCE TO REPEAL AND REENACT ARTICLES I, II AND III
5 OF CHAPTER 135 – ZONING; AND TO PROVIDE FURTHER WITH
6 RESPECT THERETO:

7
8 The West Feliciana Parish Council hereby ordains:

9
10 Articles I, II and III of Chapter 135 is hereby repealed and reenacted in the Code of
11 Ordinances of the Parish of West Feliciana to read as follows:

12
13 CHAPTER 135 – ZONING

14
15 **Chapter 135 – ZONING**

16 **ARTICLE I. - IN GENERAL**

17 **Sec. 135-1. - Enactment clause.**

18 Be it ordained by the parish council pursuant to the authority granted by R.S. 33:101
19 et seq. and 33:4780.40 et seq., that the West Feliciana Planning & Zoning
20 Commission is hereby formed.

21 **Sec. 135-2. - Jurisdiction.**

22 The provisions of this chapter shall apply to all land, buildings, and structures within
23 the unincorporated areas in the parish.

24
25 **Sec. 135-3. - Short title.**

26 This chapter shall be known and may be cited as the “Zoning Ordinance” for the
27 unincorporated portion of West Feliciana parish, Louisiana.

28
29 **Sec. 135-4. - General intent.**

30 The intent of this chapter is to establish a precise and detailed plan to promote the
31 health, safety, and general welfare of the present and future inhabitants of the parish.

1 **Sec. 135-5. - Powers and duties of the Planning & Zoning Commission.**

2 It shall be the duty of the Planning & Zoning Commission to:

- 3 a) Develop and adopt a master plan for the physical development of the
- 4 unincorporated portion of the parish.
- 5 b) Review and approve all plats.
- 6 c) Review and approve all development plans.
- 7 d) Review and approve all subdivision developmental plans.
- 8 e) Recommend to the parish council approval or disapproval of all requests for
- 9 zoning changes.
- 10 f) Conduct such other business and affairs as may be from time to time granted by
- 11 the parish council.

12

13 **Sec. 135-6. - Official zoning map.**

14 The boundaries of the various districts as created in section 135-7 are shown upon
15 the official zoning map of the parish. The official zoning map is hereby made part
16 of this section. All said maps and all notations, references and other information
17 shown thereon shall be as much a part of this chapter as if all the matter and
18 information set forth by said map were fully described in this section.

19 As evidence of the authenticity of said map, same shall be signed and dated by the
20 chairman of the land use planning commission and the chairman of the parish
21 council.

22

23 **Sec. 135-7. - Zoning districts established.**

24 The following districts are established to maintain the character of the parish and the
25 suitability of uses.

Residential Districts	
RA	Rural-Agricultural
R1	Low density Residential
R2	General Residential
R2.1	Zero Lot Line Residential
R3	High density Residential

R4	Recreation Residential
TR	Townhouse Residential
AR	Apartment Residential
Commercial Districts	
NC	Neighborhood Commercial
NO	Neighborhood Office
GO	General Office
LC	Light Commercial
HC	Heavy Commercial
CW	Commercial Warehouse
Industrial Districts	
M1	Light Industrial
M2	Heavy Industrial
Special Purpose Districts	
HC.AB	Heavy Commercial Alcoholic Beverage (Bars & lounges)
LC.AB	Light Commercial Alcoholic Beverage (Restaurant)
NC.AB	Neighborhood Commercial Alcoholic Beverage (Restaurant)
PUD	Planned Unit Development
S1	Special
SRV	Special Recreational Vehicle
X	Adult Business
Overlays	
F	Flood Hazard Area
H	Historic Preservation
N	Natural/Conservation

- 1
- 2 **Sec. 135-8. - Interpretation of district boundaries.**
- 3 a) Unless otherwise shown on the official zoning map of the parish, the boundary
- 4 lines of zoning districts are lot lines, property lines, the centerlines of streets or alleys

1 or such lines extended, railroad right-of-way lines, the centerlines of creeks and
2 streams or corporate limit lines as they existed at the time of the enactment of the
3 ordinance from which this chapter is derived, or otherwise section lines as they exist
4 within the various townships and ranges.

5 b) Planning district boundary lines not coinciding with lot lines, the centerlines of
6 streets or alleys or such lines extended, railroad right-of-way lines, the centerlines
7 of creeks or streams or the corporate lines of any incorporated places in the parish
8 as it exist at the time of the enactment of the ordinance from which this chapter is
9 derived, property lines or section lines within the various townships and ranges, shall
10 be determined by use of the scale of the official zoning map of the parish, unless
11 actual dimensions are noted.

12

13 **Sec. 135-9. – Conditional Use**

14 Conditional uses are those uses which are generally compatible with the uses
15 permitted in a zoning district, but require individual review of their location, design,
16 and intensity to ensure their appropriateness on any parcel of land and the
17 compatibility of the use with adjacent uses. Conditional uses may be granted for
18 those conditional uses enumerated in each of the zoning districts established in this
19 ordinance with the standards and procedures of this section and the standards
20 established for each conditional use in the district regulations.

21 a) Standards applicable to all conditional uses. A conditional use permit shall be
22 granted only if the Planning Commission deems the requested use to be in the
23 public interest and that the applicant demonstrates that all specific conditions for
24 each use are met and:

25 1) The design of the proposed development minimizes adverse effects, including
26 visual impacts, of the proposed use on adjacent properties.

27 2) The proposed use will not unduly burden essential public infrastructure and
28 services including roadways, existing parking spaces, police and fire
29 protection facilities, drainage systems, refuse disposal, water and sewers, and
30 schools.

31 3) The proposed use will not allow land or building usage that is incompatible
32 with the existing character or usage of the neighborhood.

33 b) Issuance of a Conditional Use Permit

34 1) Conditional uses shall be reviewed and approved or denied by the Planning
35 Commission in accordance with the provisions of this subsection; unless

1 identified as a major conditional use which shall require review and approval
2 by the Parish Council.

3 2) A written application for a conditional use permit shall be submitted to the
4 Office of the Planning Commission with the fee established by the Planning
5 Commission.

6 3) A conditional use permit application shall include a detailed site plan
7 including all items indicated on the site plan checklist and shall follow the
8 public notification procedures for a rezoning application.

9 4) The Planning Commission shall conduct a public hearing on all conditional
10 use permits. The Parish Council shall conduct a public hearing on Major
11 conditional use permits.

12 5) Notwithstanding any other provision of this ordinance, at the Parish Council
13 meeting following the decision of the Planning Commission any member of
14 the Parish Council may introduce an appeal of the decision of the Planning
15 Commission, failure to appeal will make the Planning Commission decision
16 final. If the Parish Council introduces an appeal of the conditional use, the
17 item shall be heard at the next regularly scheduled Parish Zoning Meeting.
18 Failure to introduce the conditional use will make the Planning Commission
19 decision final.

20 c) In addition to any other penalties and remedies for violation of this ordinance,
21 any conditional use approval may be revoked for violation of any condition
22 imposed upon such approval. Upon receipt of a report by the Building Official
23 identifying a violation of a conditional use, the Planning Commission shall hold
24 a public hearing to revoke the conditional use permit. The applicant shall be given
25 a reasonable time limit to eliminate all violations. This period, of at least twenty-
26 five (25) days, is to be set by the Planning Commission at the hearing. A report
27 by the Building Official verifying the violation(s) have been remedied shall be
28 submitted to the Office of the Planning Commission at least five (5) days prior to
29 the expiration of the time limit. Failure to remedy the violation within the time
30 limit given will result in the revocation of the conditional use permit. Any party
31 may appeal a decision by the Planning Commission to revoke a conditional use
32 permit to the Parish Council under the procedures in Section 135-9-b-5. Upon
33 exhaustion of all appeals of a conditional use revocation, the Planning
34 Commission shall record the official action of the Planning Commission
35 revoking the conditional use permit, in the public record with the Clerk of Court
36 for West Feliciana Parish.

37 d) Within one (1) year of conditional use approval, construction shall commence in
38 accordance with the approved conditional use permit. Within eighteen (18)

1 months of conditional use approval, the applicant shall obtain a Certificate of
2 Occupancy. If the applicant incurs delays beyond his control, a six-month
3 extension may be granted by the Planning Commission. Failure to commence
4 construction within that period shall automatically render the conditional use
5 permit null and void. Failure to obtain an Occupancy Permit within two (2) years
6 of conditional use approval shall automatically render the conditional use permit
7 null and void. A permit for a conditional use authorizes only the particular use
8 for which it was issued as shown on the approved site plan and such permit shall
9 automatically expire and cease to be of any force or effect if such use shall, for
10 any reason, be discontinued for a period of one (1) year. If a building, the use of
11 which is conditional, is damaged or destroyed to an extent of more than sixty (60)
12 percent of its fair market value, by fire, explosion, act of God, or the public
13 enemy, then any restoration shall follow the time limits for construction of a
14 conditional use.

- 15 e) Any citizen may petition for a Conditional Use Permit, provided that it has been
16 one (1) year or longer since the first denial of a petition to obtain a Conditional
17 use permit on a particular piece of property, and two (2) years or longer since the
18 second and subsequent denials of a petition to obtain a Conditional Use Permit
19 on a particular piece of property, subject to advertising and posting as required
20 herein.

21
22 **Sec. 135-10. - Definitions.**

23 For the purposes of this chapter and to carry out the provisions and intentions as set
24 forth in this section, certain words, terms, and phrases are to be used and interpreted
25 as defined in this section. The term "used" or "occupied," as applied to any land or
26 building, shall be construed to include the words "intended, arranged, or designed"
27 to be used or occupied. The term "lot" includes the term "plot" or "parcel." The
28 following words, terms and phrases are hereby defined and shall be interpreted as
29 such throughout this chapter. Terms not defined in this section shall have the
30 meaning customarily assigned to them.

31 *Accessory use* means a use incidental and subordinate to the principal use or building
32 and located on the same lot with such principal use or building. In buildings
33 restricted to residential use, the customary family activities conducted on the
34 property shall be deemed accessory uses. Accessory uses shall comply with all
35 pollution performance standards of this chapter and shall not be conducted closer
36 than five feet from any property line.

1 *Adult congregate living facilities* means multiple-family dwellings containing
2 congregate dining and limited nursing and medical facilities for the use of the
3 residents.

4 *Agricultural pursuit* includes, but is not limited to, field crop farming, forestry,
5 dairying, pasturage, land clearing, animal, poultry, fowl, and fish husbandry, without
6 limitation, plant nursery, mining (noncommercial) and necessary accessory uses of
7 the above.

8 *Alcohol and liquor establishment* means any business that sells alcoholic beverages,
9 regardless of the alcohol content for consumption on or off premises, where such
10 sales exceed 30 percent of total gross sales.

11 *Alcoholic beverages* mean any fluid or solid capable of being converted into fluid or
12 any solid suitable for human consumption and having an alcoholic content of more
13 than six percent by volume, including alcohol.

14 *Alter or alteration* means any change or modification in construction or occupancy.

15 *Annual* refers to the period between January 1 and December 31 of each year. In all
16 cases, annual requirements per this chapter must be satisfied before the issuance or
17 renewal of any annual occupation license.

18 *Apartment* means any building or portion thereof used as a multifamily dwelling for
19 the purpose of providing two or more separate dwelling units, which may share
20 means of egress and other essential facilities, in which occupancy is maintained for
21 a period of over 90 days for each dwelling unit.

22 *Apartment, transient*, means the rental, or sale of interval ownership, including time
23 shares, of a dwelling unit for any period less than 90 consecutive days. Transient
24 apartments, including time shares, are not permitted uses in any residential districts
25 of the parish.

26 *Appeal* means a request for a review of the planning commission's interpretation, or
27 the planning commission's interpretation or the subdivision committee's
28 interpretation of any provision of this chapter, or request for a variance.

29 *Area, building*, means the total areas taken on a horizontal plane at the main grade
30 level of the principal building and all accessory buildings, exclusive of uncovered
31 porches, terraces, and steps.

32 *Area of special flood hazard* means land in the floodplain of the parish shown as
33 Area A on the United States Government floodplain maps for this district.

34 *Automobile service stations or centers* means building and premises where gasoline,
35 oil, grease, batteries, tire, and automobile accessories may be supplied and dispensed

1 at retail, and where, in addition, the following services may be rendered and sales
2 made, and no other:

3 (1) Sale and servicing of spark plugs, batteries and distributors and distribution
4 parts.

5 (2) Tire servicing and repair, but not recapping or re-grooving.

6 (3) Replacement of muffler and tailpipes, water hose, fan belts, brake fluid, light
7 bulbs, fuses, floor mats, seat covers, windshield wiper and wiper blades, grease
8 retainers, wheel bearings, mirrors, and the like.

9 (4) Radiator cleaning and flushing.

10 (5) Washing and polishing and sale of automotive washing and polishing
11 materials.

12 (6) Greasing and lubrication.

13 (7) Providing and repairing fuel pumps, oil pumps and lines.

14 (8) Emergency wiring repairs.

15 (9) Minor servicing and repair of carburetors.

16 (10) Adjusting and repairing brakes.

17 (11) Minor motor adjustments not involving removal of the head or crankcase or
18 racing the motor.

19 (12) Sales of cold drinks, package foods, tobacco, and similar convenience goods
20 for station customers, as accessory and incidental to principal operation; and

21 (13) Provision of road maps and other informational material to customers;
22 provision of restroom facilities.

23 Uses permissible at an automobile service station do not include major mechanical
24 and body work, straightening of body parts, painting, welding, and storage of
25 automobiles not in operating condition or other work involving noise, glare, fumes,
26 or smoke of other characteristics. An automobile service station or center is not a
27 repair garage or a body shop.

28 *Automobile storage yard* means a place where recovered vehicles are stored
29 temporarily for a period no longer than six months. Such locations must be gated
30 and locked, maintain a ten-foot non-transparent fence, as well as measures taken to
31 mitigate any hazardous liquids or materials from the temporarily stored vehicles
32 from leaving the site.

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

1 *Bed and Breakfast* means a rental facility for short-term occupancy with breakfast
2 provided, but limited to a maximum of nine (9) sleeping rooms, except as otherwise
3 provided.

4 *Boardinghouse* means any dwelling in which more than two persons, either
5 individually or as families, are housed or lodged for hire with or without meals. A
6 rooming house or a furnished rooming house shall be deemed a boardinghouse.

7 *Bookstore, adult*, means a regulated use which contains or is used for the display or
8 sale of books, magazines, movie films, still pictures and any and all other written
9 materials, photographic material, novelties, devices and related sundry items, which
10 are distinguished or characterized by their emphasis on matters depicting, describing
11 or relating to specified sexual activities or specified anatomical areas; or an
12 establishment with a segment or section devoted to the sale or display of such
13 material constituting either five percent of the total product types offered for sale or
14 five percent of the monthly gross receipts.

15 *Buffer* means landscaping, open space, fences, or walls located parallel to and within
16 the outer perimeter of a lot and extending to the lot line. A buffer is used to physically
17 separate or screen, one use or property from another to visually shield or block noise,
18 lights, or other nuisances.

19 *Building* means any structure built for support, shelter or enclosure of persons,
20 animals, chattels, or property of any kind, which has enclosing walls for 50 percent
21 of its perimeter. The term "building" shall be construed as if followed by the words
22 "or portion thereof." (For the purpose of this chapter, each portion of a building
23 separated from other portions by a fire wall shall be considered as a separate
24 building.) For the purpose of area and height limitations, the following definitions
25 shall be applicable to sheds and open sheds:

26 (1) *Shed* means any structure built for the support, shelter or enclosure of persons,
27 animals, chattels, or property of any kind which has enclosing walls for less than 50
28 percent of its perimeter.

29 (2) *Open shed* means any structure that has no enclosing walls.

30 (3) *Building area* means the maximum horizontally projected area of a building
31 at or above grade, exclusive of areas open and unobstructed to the sky.

32 *Building, accessory*, means a supplementary building the use of which is incidental
33 to that of a main or principal building and located on the lot therewith.

34 *Building, principal*, means a building in which is conducted the main or principal
35 use of the lot on which said building is situated.

1 *Building director* means the officer or other person charged with the administration
2 and enforcement of the building code included within this chapter, or identified as
3 in chapter 105, or his duly authorized representative.

4 *Building height* means the vertical distance measured from the established average
5 sidewalk grade, street grade or finished grade at the building lines of the front of the
6 building, whichever is the highest, to the highest point of the building.

7 *Building line, front*, means the line of that face of the building nearest to the front
8 line of the lot. This face includes sun parlors and covered porches, whether enclosed
9 or unenclosed, but does not include steps.

10 *Building setback line* means a line delineating the minimum allowable distance
11 between the property line and a building on a lot, within which no building or other
12 structure shall be placed except as otherwise provided.

13 *Building setback, front*, means the minimum allowable distance between the front
14 property line on an abutting street, road, or official future street, and the front of a
15 building or structure on a lot. The front setback distance is measured and applied to
16 the full width of the lot and is parallel to or concentric with the street centerline.

17 *Building setback, rear*, means the minimum allowable distance between the rear
18 property line and a building or structure on a lot. The rear setback applies to and
19 extends the full width of the lot.

20 *Building setback, side*, means the minimum allowable distance between the side
21 property line and a building or structure on a lot. The side setback applies to the full
22 depth of a lot.

23 *Care home* means a rest home, nursing home, convalescent home, home for the aged
24 or similar use established and operated to provide lodging and meals and/or
25 domiciliary care for aged, infirm, chronically ill or convalescent persons.

26 *Centerline* means that line determined as such by the official authority having
27 jurisdiction over the street, otherwise it shall be the succession of the midpoints
28 between the identifiable limits of any improvements on the ground or of any
29 easement or otherwise as shown on a map of survey by a registered land surveyor
30 which is filed of record with the clerk of court for the parish.

31 *Clearing land* includes clear cutting, bulldozing, burning, brush piles and other
32 clearing practices in conjunction with the removal of timber and other vegetation
33 with or without stumps, as well as removal of topsoil on more than one-half acre of
34 land.

35 *Clinic* means an establishment where people or animals are admitted for examination
36 or treatment but are not lodged overnight.

1 *Commercial* means any business enterprise engaged in commerce with the public
2 whose primary purpose is for a profit.

3 *Condominium dwelling unit. See Apartment.*

4 *Convenience gas station* means a building and premises where gasoline and oil may
5 be dispensed at retail. Uses permissible also include the sale of cold drinks, package
6 foods, tobacco, and similar convenience goods for station customers.

7 *Conversion* means the structural and spatial alteration of a residence to produce a
8 greater number of dwelling units than presently exists.

9 *Corner lot* means any lot bounding the intersection of two streets, or upon the inside
10 of a curve of a street where the corner interior angle is less than 135 degrees.

11 *Coverage* means that percentage of the plot or lot area covered by building area,
12 including pools, accessory buildings, patios, and screened areas, but excluding walks
13 and driveways.

14 *Deck. See Patio.*

15 *Developer* means a person, or his agent, who undertakes the development activities
16 covered by these regulations.

17 *Development* means any manmade change to any real estate, including, but not
18 limited to, buildings or other structures, mining, dredging, filling, grading, paving,
19 excavation, drilling, or seismic operations.

20 *District* means any section of the parish for which the regulations governing the use
21 of buildings or premises are uniform.

22 *District, conservation,* means any section of the parish for which land use is
23 dedicated to conservation practices, be it land use, wildlife, water, scenic or
24 primitive.

25 *District, historic,* means any section of the parish in which the building, monument,
26 structure, site, or land use has been officially recognized as historic by the state,
27 United States Federal Government or registered on the National Historic Register.
28 See chapter 120.

29 *Dwelling* means any building, vehicle, or portion thereof, designed or used
30 exclusively as the residence or sleeping place of one or more persons. The term
31 "dwelling" does not include hotel, motel, rooming house, tourist house, hospital,
32 nursing home, dormitory, fraternity, or sorority house. The term "dwelling" includes
33 only structures occupied on a seasonal (at least 90 continuous days) or yearly basis.

1 *Dwelling unit* means one or more rooms, including kitchen or kitchenette, and
2 sanitary facilities in a dwelling structure, designed as a unit for living and sleeping
3 purposes.

4 *Dwelling, multiple-family*, means a building or portion thereof designed for, or
5 occupied by, two or more families.

6 *Dwelling, single-family*, means a detached building designed for, or occupied
7 exclusively by, one family.

8 *Drive-in* means a retail or service enterprise oriented to automobile driving patrons
9 wherein service is provided to the consumer on the outside and/or inside of the
10 principal building. The term "drive-in" includes drive-in restaurants and dairy bars,
11 theatres, banks, laundries, food stores or car washes.

12 *Easement* means a right-of-way granted for limited use of private property for a
13 public or quasi-public purpose.

14 *Employee* means a person paid or unpaid in the service of the employer at his place
15 of business.

16 *Entertainment establishment, adult*, means a regulated use which contains, or is used
17 for, commercial entertainment where the patron directly or indirectly is charged a
18 fee to view a series of dance routines, strip performances or other gyrational
19 choreography provided by the establishment which appeals to the prurient interest
20 of the patron. Personal contact between the patron and employees will not be allowed
21 in adult entertainment establishments in the parish.

22 *Erect* means to construct, build, raise, assemble, place, affix, attach, create, paint,
23 draw, or in any way establish, and it shall include the change of advertising
24 messages, whether indoors or outdoors.

25 *Family* includes one or more persons living together in one dwelling unit and
26 maintaining a common household. The term "family" may consist of a single person
27 or two persons, legally related by marriage, and their children, plus up to two
28 unrelated individuals, including domestic servants and gratuitous guests. Nothing
29 contained in this definition shall expand the provision of the Louisiana Civil Code
30 articles pertaining to persons.

31 *Family cemetery* means a cemetery in which no lots can be sold to the public and in
32 which interments are restricted to a group of persons related to each other by blood
33 or marriage on a lot not less than five acres.

34 *Fence and wall* mean a manmade barrier erected for the purposes, including, but not
35 limited to, enclosure, exclusion, protection, privacy, security, retainment, and

1 aesthetics, located at the perimeter of, or within, the required yards, side, and rear,
2 of private property.

3 *Fence, obstructed view.* See *Visual obstruction.*

4 *Fence, visually open,* means a fence constructed of metal galvanized wire such as
5 chain link, and securely attached to posts and railings of galvanized metal, which
6 posts are encased below ground level in concrete or cement, or net wire fences of
7 galvanized material securely attached to wood or metal post, or barb wire securely
8 attached to wood or metal post which are encased below ground level in concrete or
9 cement or hard packed soil.

10 *Fishing camp.* See *Hunting camp.*

11 *Flood or flooding* means a general and temporary condition of partial or complete
12 inundation of normally dry land areas from the overflow of surface waters other than
13 for irrigation purposes.

14 *Flood insurance rate map (FIRM)* means an official map of the parish on which the
15 Federal Emergency Management Agency has delineated both the areas of special
16 flood hazards and the risk premium zones applicable to this parish.

17 *Flood insurance study* means the official report provided by the Federal Emergency
18 Management Agency. The report contains flood profiles as well as the flood hazard
19 boundary-floodway map and the water surface elevation of the base flood.

20 *Flood zone.* See *Area of special flood hazard.*

21 *Floor area, gross,* means the area within the inside perimeter of the exterior walls
22 of a building by floor, with no deduction for corridors, stairs, closets, thickness of
23 walls, columns, or other features, exclusive of areas open and unobstructed to the
24 sky.

25 *Floor area, net,* means the area occupied, not including accessory unoccupied areas
26 such as corridors, stairs, closets, thickness of walls, columns, toilet room,
27 mechanical area, or other features.

28 *Floor area, net habitable,* means the net floor area in a structure used for living,
29 sleeping, eating, or cooking. A storage garage and utility space and similar areas are
30 not considered habitable space.

31 *Gaming devices* means any structure, device, unit, or mechanism, including, but not
32 limited to video poker devices, slot machines, roulette wheels, card games or dice
33 games, or any games of chance or any form of legalized gambling, other than scratch
34 or rip-off cards or lottery tickets, that provide a payment of money, merchandise, or
35 credit to the winner.

1 *Garage, private*, means an enclosed space for the storage of up to three motor
2 vehicles, provided no business, occupation or service is conducted therein, nor space
3 therein for more than one car leased to a nonresident of the premises for garage; as
4 used herein, shall also include carport when it is attached to the main dwelling.

5 *Garage, public*, means any garage other than a private garage, operated for gain, and
6 used for the storage and/or rental of more than three automobiles or other motor
7 vehicles.

8 *Grade* means the average level of the finished surface of the ground for building
9 from a street or road right-of-way line.

10 *Health officer* means the director or supervisor of the parish health unit.

11 *Hedge* means a planting of shrubs, planted to form a continuous unbroken solid
12 visual screen within three years after planting. See chapter 115.

13 *Hotel*. See *Motel*.

14 *Hunting camps* means permanent or temporary dwellings and accessory buildings
15 that are used for overnight lodging by any individual on the property of another in
16 conjunction with recreational activities.

17 *Improvements, public*, means any of the following:

18 (1) Street pavement with curbs and gutters

19 (2) Sidewalks

20 (3) Water mains

21 (4) Sanitary sewers

22 (5) Storm drainage and storm retention

23 (6) Street signs

24 (7) Street trees

25 (8) Other permanent fixtures and improvements.

26 *Junkyard* means buildings, structures, or premises where junk, waste, or discarded
27 or salvage materials are bought, sold, exchanged, stored, baled, packed,
28 disassembled or handled, including automobile wrecking yards, house wrecking and
29 structural steel materials and equipment. The presence of more than one
30 disassembled or unlicensed vehicle, trailer, mobile home, or boat, or licensed and
31 not moved within six months, not in operating conditions, on a lot constitutes a
32 junkyard.

1 *Kennel* means any zoning lot on which five or more dogs six months old or older are
2 kept.

3 *Landscaping* means trees, shrubs, flowers, plants, or any grass normally used in state
4 climate, obtained either by seeding or sodding. The term "landscaping" also includes
5 stone gardens or other areas presenting permeable surface for water or rain.

6 *Loading space* means a space within the main building or on the same lot therewith,
7 providing for the standing, loading, or unloading of trucks, buses, or other vehicles.

8 *Lot* means a parcel or tract of land held in a single ownership to which land use
9 planning regulations are to be applied, which may include one or more separately
10 deeded or platted parcels or other such "lots of record."

11 *Lot area* means the total horizontal area included within lot lines.

12 *Lot depth* means the mean horizontal distance between the front and rear property
13 lines.

14 *Lot frontage* means the projection or extension of a straight line drawn between the
15 two points where the abutting property lines or other adjacent lot lines intersect a
16 given street line of a public or private street or road. A lot may have more than one
17 frontage.

18 *Lot lines* means the boundary dividing a given lot from a street, an alley, or adjacent
19 lots.

20 *Lot of record* means a lot which is part of a plan of subdivision recorded in the office
21 of the clerk of court for the parish, or a lot described by metes and bounds, the
22 description of which has been recorded in the office of the clerk of court for the
23 parish.

24 *Maintain* includes general servicing and upkeep in a safe workmanlike and attractive
25 manner.

26 *Manufactured home* and *manufactured housing* mean a factory-built, residential
27 dwelling unit constructed to standards and codes, as promulgated by the United
28 States Department of Housing and Urban Development (HUD), under the National
29 Manufactured Housing Construction and Safety Standards Act of 1974, 42 USC
30 5401 et seq., as amended. Further, the terms "manufactured home" and
31 "manufactured housing" may be used interchangeably and apply to structures
32 bearing the permanently affixed seal of the United States Department of Housing
33 and Urban Development or to factory-built, residential dwellings that are mounted
34 on a chassis.

35 *Microbrewery/Microdistillery* means a retail establishment wherein beer, malt
36 beverages or spirits are brewed or distilled in small quantities, not to exceed that set

1 forth in law, and where such beverages are sold at retail for consumption on or off
2 the licensed premises.

3 *Mobile home* means a structure, transported to a location in one or more sections,
4 which is built on a permanent chassis and designed to be used with or without a
5 permanent foundation when connected to the required utilities. The term "mobile
6 home" does not include recreational vehicles or travel trailers.

7 *Mobile home parks* mean an area of land where four or more mobile home sites are
8 rented, or held out for rent, to accommodate mobile homes used for human habitation
9 on a permanent basis.

10 *Motel* includes a hotel, rooming house or boardinghouse, tourist court or any type of
11 nonpermanent (less than 90 consecutive day occupancy) lodging facility. Any
12 structure, including mobile homes, occupied for less than 90 consecutive days shall
13 be included in this definition.

14 *Multiple-family dwelling.* See *Dwelling, multiply-family.*

15 *New construction* means structures for which the start of construction commenced
16 on or after the effective date of the ordinance from which this chapter is derived.

17 *Noncommercial* means any activity conducted on one's own property by the owner,
18 or their successors, assigns or lessees for the purpose of harvesting or mining of
19 natural resources or any agricultural pursuit. The selling of one's own livestock or
20 domesticated pets or wildlife, as permitted by state law, is a noncommercial activity
21 which is allowed in a residential zone.

22 *Nonconforming lot* means any lot which does not conform with the minimum depth,
23 width and area dimensions specified for the district where such lot is located.

24 *Nonconforming use* means any building or land use lawfully occupied and used at
25 the time of passing of the land use ordinance which does not conform with the
26 regulations contained herein.

27 *Nonconformity.* See *Nonconforming use.*

28 *Notice.* Where notice is required to be given, it shall be given in accordance with
29 current state statutes and/or requirements of the parish council or this land use
30 planning commission.

31 *Nursing or convalescent home* means any premises containing sleeping rooms used
32 by persons who are lodged and furnished meals and nursing care of hire.

33 *Occupancy* means the purpose for which a building, or part thereof, is used or
34 intended to be used.

1 *Open space* means any portion of a lot unencumbered by either a principal or
2 accessory building or a hard surface, consisting of landscaping and open to the sky.

3 *Owner* means the holder of the land in full ownership and any person, partnership,
4 group of persons, company, association, or corporation in whose name the property
5 tax bills are assessed on the property. It shall also mean any person who, alone or
6 jointly with several others:

7 (1) Shall have legal title to any dwelling or dwelling unit, with or without
8 accompanying possession thereof; or

9 (2) Shall have charge, care, or control of any dwelling or dwelling unit as owner,
10 executor, executrix, administrator, trustee, guardian of the estate of the owner,
11 mortgagee or vendee in possession, or assignee of rents, lessee, or other person, firm,
12 or corporation in control of a building, or their duly authorized agents. Any such
13 person thus representing the actual owners shall be bound to comply with the
14 provisions of this land use ordinance to the same extent as if he were the owner and
15 it is his responsibility to notify the actual owner of the reported infractions pertaining
16 to the property which apply to the owner.

17 *Ownership. See Lot.*

18 *Patio* means a paved or wooden deck area used for lounging, open to the sky.

19 *Planning commission* means the parish land use planning commission, as established
20 by this chapter.

21 *Plat, final,* means a complete and exact subdivision plan or other plat or survey
22 prepared for official recording, as required by statute and ordinance, to identify and
23 define property rights, dedications, and public improvements. All permits and new
24 constructions after date of passage of the ordinance from which this chapter is
25 derived are required to furnish plats in conjunction with same.

26 *Plat, preliminary,* means a tentative plan of subdivision plan, or other plat or survey,
27 in lesser detail than a final plat, showing approximate proposed street and layout as
28 a basis for consideration prior to preparation of a final plat.

29 *Plat, sketch,* means an informal, not necessarily to scale, plat indicating salient
30 existing features of a tract and its surroundings, and a general layout of a proposed
31 subdivision or other development.

32 *Pool, family,* means a swimming pool used, or intended to be used, solely by the
33 owner, operator, or lessee thereof and his family and invitees.

34 *Pool, swimming,* means a body of water in an artificial or semi-artificial receptacle
35 or other container, whether located indoors or outdoors, used, or intended to be used
36 for public, semipublic, or private swimming by adults or children, or both.

1 *Premises* means a tract of land with the buildings, structures or appurtenances
2 located thereon.

3 *Principal use* means the specific, primary purpose for which land or a building is
4 used.

5 *Private residential subdivision* means residential development classified as a major
6 subdivision where the infrastructure constructed to support the development,
7 including but not limited to roads, sewerage collection if applicable, and drainage,
8 shall be maintained perpetually by the owner, developer, or homeowner's
9 association (HOA), yet must be built to the current parish public standards.

10 *Public sewerage* means a sanitary sewerage system for the collection of waterborne
11 wastes complete with a sewerage treatment plant or stabilization pond. The entire
12 system must be either operated by the parish or have been approved by the parish or
13 state in the case of a privately owned system.

14 *Public space* means all town, city, parish, state and federal streets, roads, and alley
15 right-of-way lines.

16 *Recreational activities* mean any outdoor activities for the enjoyment, relaxation,
17 exercise or use of the property by its owner, lessee, or invitees thereon, including,
18 but not limited to hunting, fishing, swimming, hiking, camping and other activities
19 typically identified for outdoor recreational use, with or without a fee.

20 *Recycling center* means any facility which recycles non-polluting materials which
21 are free of contamination to the environment.

22 *Recycling collection center* means any permanent or temporary facility which serves
23 as a collection point for any recyclable non-polluting materials which are free of
24 contaminants to the environment.

25 *Regulated use* means any building or structure or portion of any building or structure
26 used or proposed to be used for an adult bookstore, adult entertainment
27 establishment or adult theater.

28 *Reverse frontage lot* means a lot extending between and having frontage on a major
29 traffic street and a minor street which can have no vehicular access from or to a
30 major traffic street.

31 *Right-of-way* means a legal public or private servitude consisting of lands conveyed
32 or dedicated to the public or private use to be used for a street, walkway, drainage
33 facility or other public utility or purpose.

34 *Sanitation and sewage.* See R.S. 40:4 et seq.

1 *Screen* means any fence of solid or opaque material or greenery of shrubs or trees
2 used to provide a visual barrier with a height of at least six feet from the ground.

3 *Shed*. See *Building*.

4 *Shed, open*. See *Building*.

5 *Sight distance* means the minimum extent of unobstructed vision (in the horizontal
6 plane) along a street, located at a given point on the street.

7 *Sign* means any structure, part thereof, or device attached thereto or painted or
8 represented thereon, or any material or thing, illuminated or otherwise, which
9 displays or includes any numeral, letter, word, model, banner, emblem, insignia,
10 device, trademark, figures of people or animals, window posters, wall murals of
11 explicit services or merchandise, merchandise stacked or lined up out of doors for
12 display from the street, with the exception of motor vehicles, boats, trees, shrubs and
13 gardening supplies offered for sale on the premises. A sign shall include any
14 representation, announcement, advertisement, direction or designation, enterprise,
15 or industry, which is located on any building, in or upon any building, in or upon a
16 window, or indoors, in such a manner as to attract attention from outside the
17 building.

18 *Sign, animated*, means any sign designed to move or rotate, excepting flags or
19 pennants.

20 *Sign, base*, means protective structures surrounding a pylon sign which shall not be
21 higher than 30 inches from the ground.

22 *Sign, building*, means an on-site sign which is attached or affixed to the building to
23 which the sign relates, subject to restrictions on the use, size and placement of such
24 signs that are set forth in the planning ordinance.

25 *Sign, frame*, means walls or structures designed to hold or highlight signs.

26 *Sign, illuminated*, means any sign which has characters, letters, figures, designs, or
27 outlines, illuminated directly or indirectly by electric lights or luminous tubes, as
28 part of the sign proper, or as may be remotely installed.

29 *Sign, marquee*, means a sign attached to a marquee or walkway such as located in
30 shopping centers. Signs attached to, or hung from, a marquee shall be completely
31 within the borderline of the marquee outer edge.

32 *Sign, nonconforming*, means every sign or advertising structure in existence at the
33 adoption of the land use planning ordinance, which violates or does not conform to
34 the provisions hereof.

1 *Sign, off-site*, means an outdoor advertising display which relates to products,
2 accommodations, services, or activities not available on the premises on which the
3 sign is located, and includes billboards, poster panels and painted bulletins.

4 *Sign, on-site*, means a sign relating to the premises on which located or to the
5 products, accommodations, services, or activities available to the public on the
6 premises on which the sign is located.

7 *Sign, parasite*, means a sign hung or supported from another sign when it is not
8 attached as an integral part thereof.

9 *Sign, pole or pylon*, means a sign erected on a single or multiple upright support and
10 anchored to the ground.

11 *Sign, portable*, means a sign that falls into one of the following classifications and/or
12 is a type that is not built to withstand the wind and dead loads called for in the
13 building code identified in chapter 105:

14 (1) Signs mounted on wheels or trailer.

15 (2) Signs mounted on a frame or support which rests entirely above the ground.

16 (3) Signs that are not structurally fastened to the ground or a support that is
17 structurally fastened to the ground.

18 (4) Signs that are attached to the top of a motor vehicle that is parked within the
19 required front setback for more than four hours of any day.

20 *Sign, real estate*, means any sign erected to advertise the sale, lease, or rental of real
21 property on which the sign is located, subject to restrictions on the use, size and
22 placement of such signs as are set forth in this chapter.

23 *Sign, roof*, means a building sign that is erected, constructed, or maintained on or
24 above the roof of any building.

25 *Sign, surface area*, includes the entire area within a parallelogram, triangle, circle,
26 or semicircle, including all the elements of the sign except structural elements laying
27 outside the limits of the sign and not forming an integral part of the display. Each
28 face of a sign shall be included for the purpose of determining the surface area, and
29 the entire area of internally lighted panels is to be used in the calculation of allowable
30 sign area. The surface areas of signs painted directly on walls shall be calculated by
31 constructing a square or rectangle around the outside of all elements of the sign.
32 Signs with letters attached directly to walls shall be computed in the same manner
33 as those being painted.

34 *Sign, temporary*, means any sign, banner, streamer, or advertising display not of a
35 permanent or stationary construction and not permanently attached to a building, the

1 ground or other structures, and which is intended to be displayed for a specific,
2 limited period for a specific event. Temporary sign permits may be granted for a
3 period not to exceed 30 days, with one permit extension for a total of 60 days.

4 *Special exception use* means a use which, because of its unique characteristics,
5 requires individual consideration in each case by the planning commission before a
6 land use change permit may be issued.

7 *Specified anatomical areas* means:

8 (1) Less than completely and opaquely covered:

9 a. Human genitals, pubic regions

10 b. Buttock

11 c. Female breast below a point immediately above the top of the areola, and

12 (2) Human male genitals in a discernibly turgid state, even if completely and
13 opaquely covered.

14 *Specified sexual activities* means:

15 (1) Acts of human masturbation, sexual intercourse, sodomy, or any acts of
16 bestiality.

17 (2) Fondling or other erotic touching of human genitals, pubic region, buttock, or
18 breast of either male or female.

19 (3) Human genitals in a state of sexual stimulation or arousal.

20 (4) Photos, films, projections, portraits, or live acts of any of the above.

21 *Stable, private*, means a stable with a capacity for not more than two hoofed animals.

22 *Stable, public*, means a stable, other than a private stable, with a capacity of more
23 than two hoofed animals.

24 *Start of construction* means the first placement of permanent construction of a
25 structure on a site, such as the pouring of slabs or footings, or any work beyond the
26 stage of excavation. Permanent construction does not include land preparation, such
27 as clearing, grading, or filling, nor does it include the installation of streets and/or
28 walkways.

29 *Story* means that portion of a building included between the upper surface of any
30 floor and the upper surface of the floor next above, except that the topmost story
31 shall be that portion of a building included between the upper surface of the topmost
32 floor and the ceiling or roof above.

1 *Street* includes avenue, boulevard, parkway, court, highway, drive, lane, road,
2 terrace, causeway, expressway, way, circle, and place.

3 *Street, arterial*, means a street or highway used primarily for fast and heavy traffic
4 traveling considerable distances.

5 *Street, collector*, means a street which, in addition to giving access to abutting
6 properties, carries traffic from minor streets to the major system of arterial streets.

7 *Street, major*. See *Street, arterial*.

8 *Street, minor*, means a street used primarily for access to abutting properties and not
9 for through traffic.

10 *Structural alteration* means any change in the structural members of a building, such
11 as walls, columns, beams or girders, or any addition to any structure.

12 *Structure* means anything constructed or erected with a fixed location on the ground
13 or attached to something having a fixed location on the ground. Among other things,
14 structures include buildings, mobile homes, walls, billboards, and poster panels.
15 Excluded are fences less than eight feet in height and structures less than 30 inches
16 in height.

17 *Structure, farm*, means barns, sheds, pens, chutes, and other structures compatible
18 with the normal farming and agricultural uses of the parish.

19 *Subdivision* means the division of land into two or more lots or parcels. See chapter
20 130.

21 *Theater, adult*, means a regulated use for the viewing of performances or activities
22 by others, whether live or by still or motion pictures, slide shows or other forms of
23 photographic or visual display, which are distinguished or characterized by their
24 emphasis on matters depicting, describing, or relating to specified sexual activities
25 or specified anatomical areas as defined herein, or an establishment with a segment
26 or section devoted to the sale or display of such material.

27 *Travel trailer* includes any motorized camper, recreational vehicle, converted bus,
28 non-motorized trailer, tent trailer or other similar vehicular or portable structure used
29 or designed for temporary portable housing or occupancy while on vocational,
30 recreational, or other excursions and provided with sleeping accommodations.

31 *Tree line* means a minimum of at least 30 feet of immovable property bordering any
32 public roadway, and at least 50 feet of immovable property bordering any waterway
33 maintained in tree growth with varieties indigenous to the parish. See chapter 115.

34 *Use* means the purpose for which land or a building or other structure is designed,
35 arranged, or intended or for which it is or may be occupied or maintained.

1 *Use, nonconforming.* See *Nonconforming use.*

2 *Variance* means the authorized departure from the text of the land use planning
3 ordinance in direct regard to the hardship peculiar to an individual in accordance
4 with the procedures set forth in the land use planning ordinance, as distinct from
5 land use planning.

6 *Vehicle recovery* means the recovery of any vehicle to another place, generally with
7 a commercial vehicle known as a recovery vehicle, tow truck or special lift.
8 Recovery can take the form of general recovery, normally of broken-down vehicles,
9 or a statutory recovery at the request of the police using police powers.

10 *Visual obstruction* means a fence, hedge or grouping of plants over 36 inches in
11 height, when measured from the crown of the adjacent street, providing less than 85
12 percent clear vision in any direction to vehicular or pedestrian traffic within the right-
13 of-way, when viewed through the obstruction.

14 *Walkway* means a servitude of right-of-way intended primarily for pedestrians,
15 excluding self-propelled vehicles.

16 *Waste sites* means any premise, excavation, lands, subsurface, streams, lakes, ponds,
17 airspace, or wells used for dumping, storage, burying, disposal or diversion of
18 chemical, medical, nuclear effluent, hazardous, toxic, garbage, trash, rubbish, or
19 waste of residences industry or of any type.

20 *Watercourse* includes channel, bayou, coulee, creek, ditch, drain, dry run spring,
21 stream, and canal, but does not include lake, pond, or pool with outlet. Regarding
22 the reference of watercourse or waterways in chapter 115, same refers only to those
23 waterways or watercourses which are named and highlighted on the official zoning
24 map for the parish (see section 135-6).

25 *Wildlife* means non-domesticated animals, fish, or fowl, nor the hunting, trapping, or
26 fishing of same are regulated by these ordinances but by state law. Further, the lease
27 of one's property for hunting and fishing is not considered a commercial venture and
28 therefore is not subject to any zoning change or regulation, in and of itself.

29 *Wrecking yard, scrapyards, or junkyard* means the location of a business in
30 dismantling where wrecked or decommissioned vehicles are brought, their usable
31 parts are sold for use in operating vehicles, while the unusable metal parts, known
32 as scrap metal parts, are sold to metal recycling companies. Other terms include
33 wreck yard, wrecker's yard, salvage yard, breakers yard, dismantler, and scrapheap.

34 *Yard* means an unoccupied space open to the sky on the same lot with a building,
35 buildings, structure, or structures.

1 *Yard, front*, means an open unoccupied space on the same lot with a main building,
2 extending the full width of the lot and situated between the street line and the front
3 line of the building projected to the side lines of the lot. The depth of the front yard
4 shall be measured between the front line of the building and the street line. Covered
5 porches, whether enclosed or unenclosed, shall be considered as part of the main
6 building and shall not project into a required front yard.

7 *Yard, rear*, means an open unoccupied space on the same lot with the building,
8 between the rear line of the building and the rear line of the lot, and extending the
9 full width of the lot. The same provisions relating to covered porches for front yard
10 shall apply to rear yards.

11 *Yard, side*, means an open unoccupied space on the same lot with the building,
12 situated between the building and the side lot line, and extending from the front yard
13 to the rear yard. Any lot line not a rear lot line or a front lot line shall be deemed a
14 side lot line.

15

16 **Secs. 135-11— 135-40. - Reserved.**

17 **ARTICLE II. – RESIDENTIAL DISTRICTS (RA, R1, R2, R2.1, R3, R3, TR, AR)**

18 **Sec. 135-41. – Purpose and Intent**

19 The following zoning districts, established pursuant to Section 135-7 of
20 Article I, are for the purpose of promoting the health, safety, morals, and general
21 welfare of parish residents.

1 **Sec. 135-42. - Rural-agricultural district (RA); purpose.**

2 a) This district is established to provide a minimum zoning district for rural farms,
3 agricultural lands, and non-farm residences in rural areas for where intensive
4 development is unlikely. Residential uses are allowed at overall low density to
5 support rural and agricultural lifestyles. This district is also used as the default
6 zoning district in the parish, and a “holding zone” for future development when
7 conditions allow for efficient expansion.

8 b) For information concerning permitted uses, see section 135-51. For information
9 concerning lot and structure requirements, see section 135-52.

10 c) **Specific Uses**

11 1) All agricultural pursuits

12 d) **Conditional Uses**

13 1) Bed and breakfast home – Limited to four (4) guestrooms within National
14 Register Historic Districts or Sites or homes listed on the National Register of
15 Historic Places or within homes a minimum of fifty (50) years old. All parking
16 areas must be completely screened from the street and adjacent residences. No
17 signage is allowed. Must be owner occupied. Shall be located on a lot or tract
18 with a minimum size of one (1) acre. Guests are limited to a maximum stay
19 of seven (7) consecutive days. Homes that qualify based upon the fifty (50)
20 year old requirement shall not be located within a recognized residential
21 subdivision unless the lot has frontage on a designated major street.

22 2) Cemeteries, columbaria, and mausoleums – Must be located on 5 acres or
23 more. Shall not be located within a recognized residential subdivision.

24 3) Childcare centers – Enrollment is limited to ten children. Hours of operation
25 are between 6:30a.m. and 6:30 p.m. A six (6) foot solid wooden fence is
26 required between adjacent residences and outdoor play areas. No signage is
27 allowed. Must be owner occupied. All parking areas must be completely
28 screened from the street and adjacent residences. Shall not be located within
29 a recognized residential subdivision.

30 4) Educational, religious, and philanthropic institutions – Plan Review is
31 required for all such uses. Site Plan criteria shall be submitted.

32
33 **Sec. 135-43. - Low-density residential district (R1); purpose.**

34 a) This district is established to provide for low-density, farm or non-farm
35 residential uses of land and structures where intensive land development is

1 unlikely to occur. The R1 district is designed to serve as a transition between the
2 RA and R2 districts.

3 b) For information concerning permitted uses, see section 135-51. For information
4 concerning lot and structure requirements, see section 135-52.

5 **c) Specific Uses**

6 1) Agricultural pursuits including field crop farming and forestry but excluding
7 poultry houses, dairies, ranges, and feedlots for the commercial sale of meat
8 or eggs.

9 **d) Conditional Uses**

10 1) All conditional uses in the RA District.

11
12 **Sec. 135-44. - General residential district (R2); purpose.**

13 a) This district is established to provide for development of medium-density single-
14 and two-family residential uses in areas served by public or private water and
15 sewer. Maximum density of 5.8 units per acre. Accessory uses normally
16 compatible with surrounding low density residential development may be
17 permitted.

18 b) For information concerning permitted uses, see section 135-51. For information
19 concerning lot and structure requirements, see section 135-52.

20 **c) Conditional Uses**

21 1) All conditional uses in the R1 District.

22 2) Garage apartments – Limited to one (1) dwelling unit. The building shall be
23 set back ten (10) feet from all side and rear lot lines. The lot shall contain a
24 minimum of ten thousand (10,000) square feet. Maximum size of the unit is
25 five hundred (500) square feet.

26
27 **Sec. 135-45. – Zero lot line residential district (R2.1); purpose.**

28 a) This district is established to only provide for “zero lot line” single-family
29 residential uses. Maximum density of 7.9 units per acre. There shall be a six (6)
30 foot high wall or solid fence along the sides and rear of the R2.1 zoning site
31 wherever it adjoins R1 or R2 Single Family Districts or a recognized Residential
32 Subdivision.

33 b) For information concerning permitted uses, see section 135-51. For information
34 concerning lot and structure requirements, see section 135-52.

1 c) **Conditional Uses**

2 1) None

3

4 **Sec. 135-46. - High-density residential district (R3); purpose.**

5 a) This district is established to provide for high-density single- and two-family
6 residential development in areas serviced by public or private water, sewer, and
7 other urban type services.

8 b) For information concerning permitted uses, see section 135-51. For information
9 concerning lot and structure requirements, see section 135-52.

10 c) **Conditional Uses**

11 1) None.

12

13 **Sec. 135-47. - Recreation residential district (R3); purpose.**

14 a) This district is established to provide less restrictive regulations for residential
15 development of recreational areas in the parish where residents maintain homes
16 or small parcels or open space. This district is intended to permit only those
17 residential and related recreational uses of land and structures and to exclude all
18 those activities not compatible with the character of recreational-residential
19 areas.

20 b) For information concerning permitted uses, see section 135-51. For information
21 concerning lot and structure requirements, see section 135-52.

22 c) **Conditional Uses**

23 1) None.

24

25 **Sec. 135-48. - Townhouse residential district (TR); purpose.**

26 a) This district is established to provide for the development of townhouse
27 residential units at a density not greater than eight units per gross acre. For this
28 district, the term "townhouse" means an attached dwelling unit which has its own
29 front door and is separated from adjoining units in the same row or group by fire
30 walls or fire separations. It is intended that this district serve as a transition between
31 single-family detached houses and existing commercial and apartment zoning
32 districts, or areas designated for commercial and apartment development in the
33 planning commission's development plan.

1 Churches, schools, public buildings, recreational facilities, and other accessory
2 uses normally compatible with surrounding residential development may be
3 permitted.

4 b) Procedure: Before the Planning Commission considers an application for a TR
5 District, the proponent shall submit a preliminary subdivision layout to the West
6 Feliciana Parish Office as the first step in the procedure and meet the following
7 design criteria. If rezoning is granted, the preliminary layout will then be brought
8 before the Planning Commission.

9 1) Not more than six contiguous town houses shall be built in a row with the
10 same, or approximately the same, front building line, and not more than
11 twelve (12) town houses shall be contiguous.

12 2) Minimum width for the portion of the lot on which the town house is to be
13 constructed shall be twenty (20) feet.

14 3) Minimum lot area shall be two thousand (2,000) square feet.

15 4) Courts, Open Space, and Recreation Areas: There shall be a site area of at
16 least three thousand eight hundred (3,800) square feet per dwelling unit
17 including lots, common open space, yards, and buffer area adequately
18 landscaped; walkways, and access drives, and including at least two hundred
19 (200) square feet per dwelling unit of recreation space.

20 c) For information concerning permitted uses, see section 135-51. For information
21 concerning lot and structure requirements, see section 135-52.

22 **d) Conditional Uses**

23 1) None.
24

25 **Sec. 135-49. - Apartment residential district (AR); purpose.**

26 a) This district is established to provide for the development of multi-family
27 residential dwellings at a density of not greater than 14 units per gross acre. It is
28 intended that this district encourage well-designed apartment developments which
29 have ample open space, recreational areas, and off-street parking. It is further
30 intended that this district be located adjacent to existing commercial land use
31 planning districts, along primary arteries, adjacent to permanent open space or
32 adjacent to areas designated for commercial development on the parish land use
33 planning commission's development plan.

34 b) For information concerning permitted uses, see section 135-51. For information
35 concerning lot and structure requirements, see section 135-52.

1 c) **Conditional Uses**

2 1. None

3

4 **Sec. 135-50. - Reserved.**

5

6 **Sec. 135-51. - List of permitted uses in residential districts.**

7 The following table indicates where uses are permitted in residential districts.

Uses Categories/ Specific Uses	RA	R1	R2	R2.	R3	R4	TR	AR
Single-family	●	●	●		●	●	○	○
Two-family			●		●	●	○	○
Townhouse							○	○
Zero Lot Line				●				
Multiple-family/Apartment								○
Manufactured Homes on Individual Lots	○	○				○		
Accessory Building	●	●	●		●	●	●	●
Accessory Dwelling	○	○	○		○			
Boarding/Lodging House								
Congregate Care Facility								
Group Home	○	○	○		○			
Bed and Breakfast	☹	☹	☹					
Cemetery/Columbarium/Mausoleum	☹	☹	☹					
Churches	☹	☹	☹					
Community Parks/Open Spaces and Related Facilities	●	●	●	●	●	●	●	●
Customary Home Occupations	●	●	●	●	●	●		
Daycare Child	☹	☹	☹					
Garden Apartments			☹					

Philanthropic Organization	☺	☺	☺					
Public and Private Schools	☺	☺	☺					
Public Parks/Open Spaces and related Facilities	●	●	●	●	●	●	●	●
Agricultural Pursuits	○	○						
Gardens	●	●	●	●	●	●	●	●

1 ● Permitted subject to general ordinance standards and conditions

2 ○ Permitted subject to conditions listed in the ordinance

3 ☺ Permitted only on appeal and subject conditional use.

4 Note: Family cemeteries may be permitted in RA zoning districts upon approval of
5 the planning and zoning commission and pursuant to regulations adopted by the
6 commission and the parish council.

7

8 **Sec. 135-52. - List of lot and structure requirements in residential districts.**

9 The following table indicates the lot and structure requirements in residential
10 districts:

Requirements	RA	R1	R2	R2.1	R3	R4	TR	AR
Minimum lot area (square feet):								
Single-family	40,000	30,000	10,000	5,400	7,500	10,000		
Two-family			14,000		10,000	14,000		
Multifamily							2 ac.	4 ac.
Not served by public water and sewer	40,000	40,000	30,000	30,000	30,000	30,000		
Maximum lot coverage by principal building and accessory structures (percentage)	20	30	50		50	50	50	
Minimum lot frontage (feet), Local street	125 ¹	100	75		75	75	100 ²	
Arterial street	150 ¹	150	150		150	150	150 ²	
Collector street	125 ¹	120	120		120	120	120 ²	
Minimum lot width at building line (feet)	125	100	75		75	75	100	

Minimum front setback from street centerline (feet), Local street	75	65	55		50	75	75	
Arterial street	125	115	110		105	110	125	
Collector street	90	80	75		70	75	90	
Minimum setback from rear property line	25	25	10		10	10	40	
Minimum setback from side property line	10	10	10		10	10	40	
Maximum building height	35	35	35		35	35	40	
Special requirements: a minimum amount of the site reserved for recreational area (percentage)							10	

¹RA only, may be 60 feet for lots three acres or larger.

1
2
3
4
5
6
7
8
9
10
11
12
13

Sec. 135-53. - Single- and two-family residences.

Single- and two-family residences in a TR, AR, Office, Commercial, M1, M2, and G districts shall comply with the requirements of R3 districts.

Sec. 135-54. - Reserved.

Sec. 135-55. - Reserved.

Secs. 135-56—135-80. - Reserved.

ARTICLE III. - COMMERCIAL, INDUSTRIAL, SPECIAL DISTRICTS, and OVERLAYS (NO, GO, NC, LC, HC, CW, M1, M2, PUD, S1, SRV, N, F, X)

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

Sec. 135-81. - Neighborhood office district (NO); purpose.

- a) The purpose of this district is to permit a limited range of office uses designed at a neighborhood scale near residential areas to meet the needs of the residents of the surrounding area.
- b) For information concerning permitted uses, see section 135-91. For information concerning lot and structure requirements, see section 135-92.
- c) **Conditional Uses**
 - 1. Animal hospitals – All animals must be kept inside a building.
 - 2. Branch banks – No drive through facilities.
 - 3. Childcare centers
 - 4. Office buildings – Buildings greater than 2,500 gross square feet and no more than 5,000 gross square feet of floor area

Sec. 135-82. - General office district (GO); purpose.

- a) The purpose of this district is to permit a range of office uses, including employment and community service activities, of moderate intensity on sites that offer convenient access to the public from the parish road network. Some residential and/or commercial uses may be permitted, provided that at least 50 percent of the building area is utilized for office purposes.
- b) For information concerning permitted uses, see section 135-91. For information concerning lot and structure requirements, see section 135-92.
- c) **Conditional Uses**
 - 1. Childcare centers
 - 2. Fraternal lodges and clubs with alcohol – Must be approved for alcohol license. Structures where alcohol is served must be a minimum of five hundred (500) feet from any existing single-family residence, school, park, church, or library.

- 1 3. Health clubs.
- 2 4. Reception and banquet facilities with alcohol - Must be approved for alcohol
- 3 license. Structures where alcohol is served must be a minimum of five
- 4 hundred (500) feet from any existing single-family residence, school, park,
- 5 church, or library.
- 6 5. Restaurants without alcohol
- 7 6. Schools

8

9 **Sec. 135-83. - Neighborhood commercial district (NC); purpose.**

10 a) The purpose of this district is to permit commercial activity, primarily retail

11 shopping and personal services. Buildings are limited to two thousand five hundred

12 (2,500) gross square feet of floor area per lot. All commercial activities must be

13 contained within the building — no outside work or storage areas permitted. Limit

14 the number of gas pumps to two when provided as an accessory use in retail activity.

15 b) For information concerning permitted uses, see section 135-91. For information

16 concerning lot and structure requirements, see section 135-92.

17 c) **Conditional Uses**

18 1. Animal hospitals - All animals must be kept inside buildings.

19 2. Buildings – Limited to a maximum of five thousand (5,000) gross square feet

20 of floor area.

21 3. Garage apartments – Limited to one family, provided however, that the

22 building be set back ten (10) feet from all side and rear lot lines, and the lot

23 contain at least ten thousand (10,000) square feet.

24 4. Repair and service shops – Limited to small equipment, household items,

25 clothing, and furnishings, but not motor vehicle repair or service. All work

26 must be done inside enclosed buildings and all storage of materials must be

27 inside enclosed buildings.

28

1 **Sec. 135-84. – Neighborhood commercial, Alcoholic beverage district (NC.AB);**
2 **purpose.**

3 a) This district permits businesses involved in the serving of alcoholic beverages
4 for consumption on the premises, where alcohol sales are not the primary source of
5 revenue. Buildings are limited to two thousand five hundred (2,500) gross square
6 feet of floor area per lot.

7 b) For information concerning permitted uses, see section 135-91. For information
8 concerning lot and structure requirements, see section 135-92.

9 c) **Conditional Uses**

- 10 1. Buildings – Limited to a maximum of five thousand (5,000) gross square feet
11 of floor area.

12
13 **Sec. 135-85. - Light commercial district (LC); purpose.**

14 a) The purpose of this district is to permit a variety of commercial activities and
15 multi-family (medium-high density) residential uses that serve surrounding local
16 areas. Businesses within this district are limited to twenty thousand (20,000) gross
17 square feet of floor area per lot and a height of three stories. The regulations of this
18 district are intended to encourage development compatible with uses of residential
19 property adjoining or surrounding the district with suitable open spaces, landscaping,
20 and parking area. See chapter 115.

21 b) For information concerning permitted uses, see section 135-91. For information
22 concerning lot and structure requirements, see section 135-92.

23 c) **Conditional Uses**

- 24 1. Building materials sales – All materials must be located a minimum of three
25 hundred (300) feet from the property line of any existing residential use. All
26 storage of materials must be within a building or opaquely screened from the
27 street and adjacent properties.

- 1 2. Car wash – The structure must be located a minimum of five hundred (500)
2 feet from the property line of any residential use. All lighting must be directed
3 away from adjacent uses.
- 4 3. Cabinet shops and millwork shops – Shops must be located a minimum of five
5 hundred (500) feet from the property line of any existing residential use. All
6 work must be done inside enclosed buildings and all storage of materials must
7 be within a building or opaquely screened from the street and adjacent
8 properties.
- 9 4. Country clubs with alcohol – Must be approved for an alcohol license.
- 10 5. Dinner theatres with alcohol – Must be approved for an alcohol license.
- 11 6. Fraternal lodges with alcohol – Must be approved for an alcohol license.
- 12 7. Glass installation – The structure must be located a minimum of three hundred
13 (300) feet from the property line of any residential use.
- 14 8. Heavy equipment sales and service – All equipment and structures must be
15 located a minimum of five hundred (500) feet from the property line of any
16 existing residential use. Shall provide a six (6) foot high solid fence around
17 equipment storage areas.
- 18 9. Mini storage facilities – All structures must be located a minimum of three
19 hundred (300) feet from the property line of any residential use.
- 20 10. Motor vehicle sales, service, and repair – All vehicles and structures must be
21 located a minimum of five hundred (500) feet from the property line of any
22 residential use. All work must be done inside enclosed buildings and all
23 storage of materials must be inside enclosed buildings.
- 24 11. Pilot juvenile diagnostic development centers – All structures must be located
25 a minimum of five hundred (500) feet from the property line of any residential
26 use.
- 27 12. Reception halls with alcohol – Must be approved for an alcohol license.

1 13. Used car sales – No service or repair of vehicles is allowed. All cars must be
2 located a minimum of three hundred (300) feet from the property line of any
3 residential use.

4 14. Trade schools – All structures must be located a minimum of five hundred
5 (500) feet from the property line of any residential use.
6

7 **Sec. 135-86. – Light commercial district, alcoholic beverage (LC.AB); purpose.**

8 a) This district permits businesses involved in the serving of alcoholic beverages
9 for consumption on the premises and whose primary purpose is to prepare meals for
10 on premise consumption for the public.

11 b) For information concerning permitted uses, see section 135-91. For information
12 concerning lot and structure requirements, see section 135-92.

13 c) **Conditional Uses**

14 1. None
15

16 **Sec. 135-87. – Heavy commercial district (HC); purpose.**

17 a) The purpose of this district is to permit a variety of commercial and service
18 activities along with multiple-family (high density) residential uses and include
19 indoor firing ranges as a permitted use. Firing range structures must be located a
20 minimum of three hundred (300) feet from the property line of any residential use
21 or any residential zoning district. Businesses within this district are limited to thirty
22 thousand (30,000) gross square feet of floor area per lot and a height of three stories.

23 b) For information concerning permitted uses, see section 135-91. For information
24 concerning lot and structure requirements, see section 135-92.

25 c) **Conditional Uses**

26 1. None
27

1 **Sec. 135-88. – Heavy commercial district, alcoholic beverage (HC.AB);**
2 **purpose.**

3 a) This district permits bars and lounges as well as businesses involved in the sale
4 or serving of alcoholic beverages for consumption on the premises.

5 b) For information concerning permitted uses, see section 135-91. For information
6 concerning lot and structure requirements, see section 135-92.

7 c) **Conditional Uses**

8 1. None
9

10 **Sec. 135-89. – Commercial warehousing district (CW); purpose.**

11 a) The purpose of this district is to permit businesses that are involved in the
12 distribution and storage of goods. Commercial Warehousing districts must be
13 located along four (4) lane major streets or within designated commercial/industrial
14 subdivisions. No residential land uses are permitted in Commercial Warehousing
15 districts. Assembly for the purpose of permissible uses in CW zoning districts means
16 putting together pre-manufactured parts which:

17 1. Shall be conducted entirely within constructed buildings.

18 2. Does not use the open area around such buildings for storage of materials or
19 manufactured products, or for any industrial purpose.

20 3. Is not noxious or offensive by reason of emission of smoke, dust, gas, fumes,
21 odors, noise, or vibrations beyond the internal confines of the building.

22 b) For information concerning permitted uses, see section 135-91. For information
23 concerning lot and structure requirements, see section 135-92.

24 c) **Conditional Uses**

25 1. None
26

27 **Sec. 135-89. – Light industrial district (M1); purpose.**

- 1 a) The purpose of this district is to permit light manufacturing, fabricating,
2 processing, and wholesale distribution activities located near or adjacent to major
3 thoroughfares or railroads. No residential, adult businesses, commercial gaming,
4 junk, and auto salvage yards, and uses which involve the sale or serving of
5 alcoholic beverages for consumption on the premises are allowed.
- 6 b) For information concerning permitted uses, see section 135-91. For information
7 concerning lot and structure requirements, see section 135-92. All uses shall
8 conform to the following requirements:
- 9 1) Uses may not create noise greater than seventy (70) decibels when measured
10 at the property line.
- 11 2) Uses may not emit smoke at periods of normal operation of a density greater
12 than number one (1) according to Ringlemann's Scale.
- 13 3) Uses may not emit particles from any flue or smokestack more than two tenths
14 (0.2) grains per cubic foot of flue gas at a stack temperature of five hundred
15 (500) degrees F.
- 16 4) Uses may not emit odors, gas, or flumes beyond the property line.
- 17 5) Uses may not produce glare that can be seen from a property line.
- 18 6) Uses shall dustproof all walks, driveways, and parking areas so that no dust
19 from these or any other operations escapes beyond the property line.
- 20 7) All operations must be conducted within a building or within an area enclosed
21 by a solid fence or wall not less than six feet in height, where adjacent to or
22 across the street from residential, office and commercial districts.
- 23 8) Firing range structures must be located a minimum of three hundred (300) feet
24 from the property line of any residential use or any residential zoning district.
- 25 9) Where a lot or tract in an M1 District is next to a residential, commercial, or
26 government district, a solid fence or solid screen planting at least six (6) feet
27 high shall be provided along all property lines adjoining those districts.
- 28 c) **Conditional Uses**
- 29 1. None

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

Sec. 135-89. – Heavy industrial district (M2); purpose.

- a) The purpose of this district is to permit industrial manufacturing, fabricating, processing, and wholesale distribution located near or adjacent to major thoroughfares or railroads. No residential, adult businesses, or commercial gaming uses are permitted.
- b) For information concerning permitted uses, see section 135-91. For information concerning lot and structure requirements, see section 135-92. All uses shall conform to the following requirements:
 - 1) No building or trailer shall be erected for residential use; except that dwelling quarters may be established in connection with any industrial establishment for watchman or caretakers employed upon the premises.
 - 2) Junk yards, auto salvage or scrap yards, or similar uses shall be surrounded by a solid, painted fence at least six (6) feet high within building lines so that they cannot be seen from the public street.
 - 3) Trailer Parks or Mobile Home Parks shall be excluded.
 - 4) All firing ranges structures must be located a minimum of three hundred (300) feet from the property line of any residential use or any residential zoning district.

c) Conditional Uses

- 1) None

Sec. 135-90. – Adult business district (X); purpose.

- a) This district allows adult businesses that are distinguished or characterized by an emphasis on matter depicting, describing or relating to “specified sexual activities”. This district may not be located within one thousand (1,000) feet of
 - a. another adult business;
 - b. any restaurant, bar or lounge, or package liquor stores;
 - or c. a school, playground, church, or area zoned for residential purposes including rural zones.

1 1) Adult businesses are defined for purposes of this chapter to include exotic
2 dancers, adult motion picture theaters, theaters showing X rated movies, adult
3 mini motion picture theaters, adult bookstores (all as elsewhere defined in this
4 chapter), or other businesses which are distinguished or characterized by an
5 emphasis on matter depicting, describing or relating to “specified sexual
6 activities” of “specified anatomical area” provided that no such adult
7 businesses be located nearer than one thousand (1,000) feet from:

8 (i) Another adult business (as defined herein).

9 (ii) Any restaurant, bar or lounge, or package liquor stores.

10 (iii) Any school, playground, church, or area zoned for residential
11 purposes including rural zones.

12 b) For information concerning permitted uses, see section 135-91. For information
13 concerning lot and structure requirements, see section 135-92.

14 **c) Conditional Uses**

15 1) None

17 **Sec. 135-91. – Special districts (S1, SRV); purpose.**

18 **No Special District permits shall be issue after February 1, 2021.**

19 a) This district is established to provide for the proper placement of private, semi-
20 private and public uses which require special consideration because of their
21 character, physical setting, size and/or relation to surrounding land uses. It is
22 intended that uses such as churches, hospitals, schools, cemeteries, large scale
23 private recreational facilities, mobile home parks, and mobile home subdivisions,
24 utility substations, excavation of natural resources and other similar uses would
25 be located within this district.

26 b) For information concerning permitted uses, see section 135-91. For information
27 concerning lot and structure requirements, see section 135-92.

28 **c) Conditional Uses**

29 1) None

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29

Sec. 135-92. – Planned unit development district (PUD); purpose.

- a) The intent of this district is for the following objectives to be achieved, where applicable, using the Planned Unit Development process:
 - 1) Encourage a mix of land uses for the development of large tracts of land as planned neighborhoods, communities, and/or development.
 - 2) Encourage flexible and creative concepts in site planning.
 - 3) Preserve the natural amenities of the land by encouraging scenic and open areas; create a method for the permanent preservation of common open space, natural vegetation, topographic and geological features, and environmentally appropriate features for the continued use and enjoyment of the residents of the development.
 - 4) Accomplish a more desirable environment and increase the variety of environments made available to the public by allowing a development that would not be possible under the strict application of the current Zoning Code.
 - 5) Provide an efficient use of land, which could result in smaller networks of utilities and streets.
 - 6) Promote a creative approach to the use of land and related physical facilities that result in better design and development, with the inclusion of aesthetic amenities including an increased amount of landscaping.
 - 7) Provide an environment of stable character compatible with surrounding area, and combine and coordinate architectural styles, building forms, and building relationships with a possible mixing of different land uses in an innovative design.
 - 8) Provide an environment that encourages non-vehicular circulation.
 - 9) Provide for the prevention and/or control of soil erosion, surface flooding, and the preservation of subsurface water.
 - 10) Provide for more usable and suitably located recreation facilities, schools, and other public and private facilities.

1 11) Create a method for the permanent preservation of architectural and/or
2 historic landmarks.

3 12) Promote a land use which promotes the public health, safety, and
4 welfare. Within the planned area, a variety of land use types should be
5 designed, in an orderly relation to one another and to existing land uses, and
6 with due regard to comprehensive planning.

7 13) The unique and substantially different character of Planned Unit
8 Developments require different administrative processing as a “special
9 rezoning” in this ordinance. Planned Unit Developments are more complex
10 and of a different character than other zoning classifications, requiring the
11 establishment herein of specific and additional procedures, standards,
12 requirements, and exceptions to govern the recommendations of the Planning
13 & Zoning Commission and the action of the Parish Council.

14 14) Provide for infill development and adaptive reuse of abandoned or
15 blighted properties.

16 b) Interpretation.

17 1) The subdivision, development and use of land as an integral unit which
18 provides a mix of land uses, and may include for single-family residential,
19 multiple-family residential, educational, business, commercial, recreational,
20 park, and common open areas, is described as a Planned Unit Development.

21 2) In its establishment and authorization as a special zoning classification, The
22 Planned Unit Development may be exempted from the provisions of the
23 subdivision, site plan, and zoning ordinances of West Feliciana Parish to the
24 extent specified in this ordinance and in the final authorization of the PUD as
25 specified in an ordinance approved by the Parish Council.

26 c) For information concerning development standards, see section 135-94.
27

28 **Sec. 135-93. – Planned unit development standards**

- 1 a) The following table of minimum development standards and review criteria shall
 2 apply to all Planned Unit Developments and shall constitute minimum Planned
 3 Unit Development requirements

Table 135-93	
PUD Minimum Development Standards	
Issue	Standard
Site Area	5 or more acres
Prohibited Uses	Uses allowed only in X districts. Residential uses if any industrial uses are proposed.
Maximum Density	Determined by concept plan.
Minimum Lot Width	Determined by Development Plan
Minimum Lot Area	Determined by Development Plan 20,000 sq. ft.
Minimum Setbacks	Determined by Development Plan
Maximum Building Height	According to fire protection. 35 feet.
Common Open Space Required	15% < 50 ac. 18% 50-100 ac. 20% > 100 ac.
Green Open Space Required	50% of Common Open Space
Utilities	Underground
Signs	Determined by Development Plan

Parking	Section 135-115 Parking Shared parking may be used throughout the site.
Landscape	Chapter 115 Green Law Regulations

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

b) Common Open Space Requirements

- 1) The following uses may account for common open space with the stated limitations:
 - i) Parks and other greenbelt areas, whether publicly or privately owned, that are readily accessible must account for not less than 50% of the common open space.
 - ii) Surface drainage (including surface retention and detention) shall be natural or man-made features that enhance the property, increase its desirability to a community, or its marketability to the public. The following qualify:
 - (a) Lakes and ponds, including storm water wet detention basins, if they are designed so that a minimum of 20% of the abutting shoreline is made accessible for the common use of the development. The accessible path must be shown on the development map.
 - (b) Storm water dry retention basins of not less than one acre but may not exceed 25% of the common open space. Must be designed to provide for acceptable maintenance and upkeep of the detention basin.
 - iii) Golf courses may account for up to 50% of the common open space.
 - iv) Hard surface recreation areas such as recreational courts and pedestrian plazas may account for up to 25% of the common open space.
 - v) Servitudes with existing below ground utilities and/or facilities with a width of not less than 30 feet'
 - vi) Electrical transmission line servitudes with a width of not less than 150 feet in commercial areas only.

1 vii) Dedicated recreational areas or school sites, excluding the area devoted
2 buildings.

3 viii) An existing building or buildings that have historical or cultural
4 significance may be in a common area space, however, the enclosed
5 building area may not be included in the common open space requirement.

6 ix) Common open space for the use of the public, if agreed to by the
7 appropriate governmental authority, in each case in an amount to be
8 determined by the Planning & Zoning Commission.

9 2) Common open space shall not include:

10 i) Yards that are not accessible for the common use of the development.

11 ii) Parking areas.

12 iii) Drives.

13 iv) Utilities with above ground improvements (except as noted above) or road
14 easements/servitudes.

15 v) Paved lakes, ponds, bayous, streams, or creeks.

16 vi) Structures (unless a part of the open space such as gazebos or as noted
17 above).

18 vii) Drainage ditches and canals.

19 viii) Areas reserved for the exclusive use and benefit of an individual tenant
20 or owner.

21 3) Common open space shall be permanently set aside for the sole benefit, use,
22 and enjoyment of present and future occupants of the PUD. This may be
23 accomplished through covenant, deed restriction, open space servitude, or
24 similar legal instrument.

25 i) The open space may be conveyed to a governmental agency for public use,
26 if agreed to by the agency.

1 4) In the event land shown on a final development plan as common open space
2 is dedicated to the Parish, the Parish Council may, but shall not be required
3 to, accept the open space provided:

4 i) Such land is accessible to the residents of the parish.

5 ii) There is no cost of acquisition other than the costs incidental to the transfer
6 of ownership.

7 iii) The parish agrees to and has access to maintain such lands.

8 c) Control of open space.

9 1) The common open space and associated facilities may be owned by an
10 association or maintenance association. The association shall be formed and
11 operated under the following provisions:

12 i) The applicant shall provide the articles and bylaws of the association and
13 the methods for maintaining the open space.

14 ii) The association shall be organized by the applicant and shall be operated
15 with a financial subsidy from the applicant before the sale of any lots
16 within the PUD.

17 iii) Membership in the association shall be mandatory for all purchasers of
18 property therein and their successors in title. The conditions and timing of
19 transferring control of the association from the applicant to the property
20 owners shall be identified.

21 iv) The association shall be responsible for maintenance, insurance, and taxes
22 on all common open space, enforceable by liens placed on the association
23 by the parish. The association may place liens on the property of its
24 members who fail to pay their association dues in a timely manner, as
25 provided in the association bylaws. Shares shall be defined in the bylaws.

26 v) The association shall always allow the property owners access to the
27 common open space of the PUD.

28 vi) The association shall be able to adjust the assessments to meet changing
29 needs.

1 d) General review criteria

2 1) Approval and recommendation of the Planning & Zoning Commission shall
3 be accompanied by a written report stating the reasons for approval of the
4 application, and specific evidence and facts showing that the proposed PUD
5 will not adversely affect the immediate vicinity. The Planning & Zoning
6 commission in its review of the proposed PUD shall consider, where
7 applicable:

8 i) The relation between the proposed development and surrounding uses, and
9 the effect of the proposed planned unit development plan upon the
10 comprehensive plan.

11 ii) The adequacy of existing and proposed streets, utilities, and other public
12 services to serve the development; and the location with respect to major
13 highways and major arterial streets so as not to create adverse major shifts
14 of traffic generation to intermediate collectors and/or minor streets; and
15 access of every dwelling unit or other uses within the planned unit
16 development to a public and/or private street via pedestrian ways, courts
17 or other access related servitudes or easements.

18 iii) The character, design, and appropriateness of the proposed land uses and
19 their adequacy to encourage desirable living conditions, to provide
20 separation and screening between uses where desirable, to preserve the
21 natural amenities of streams, wooded areas, and similar natural features
22 where possible, to provide adequate pedestrian circulation and access to
23 mass transit if available.

24 iv) The proposed location, arrangement density/intensity, and height of land
25 uses shall be compatible to existing or proposed dwellings within the
26 vicinity of the planned unit development or to the development of the
27 neighborhoods.

28 v) The suitability of the site for development in the manner proposed without
29 hazard to persons or property adjacent to the site, the use of flood hazard
30 areas if present for recreational areas, and no contribution to erosion or
31 other soil related damage. Soil conditions, drainage, vegetation cover and

- 1 topography shall be maximally utilized to fit the intended design of the
2 development.
- 3 vi) The requirement of common open spaces within the planned unit
4 development and the devotion of the development to active and passive
5 recreational purposes.
- 6 vii) The protection and preservation of any existing historic and
7 archaeological structures or sites into the design of the Planned unit
8 development.
- 9 viii) The greater protection and preservation of environmentally sensitive
10 and natural amenities areas within the Planned unit development, if any,
11 including, but not limited to, wetlands, problem soils, streams, creeks, old
12 growth wooded areas, and areas containing protected species.
- 13 ix) The internal compatibility of the land uses within the plan.
- 14 x) The external compatibility of the arrangement of the land uses within the
15 planned unit developments.
- 16 xi) The proposed planned unit development is consistent with the spirit and
17 intent of this section and represents an opportunity for improved or
18 innovative development for the community that could not be achieved
19 through conventional zoning.
- 20 xii) The promotion of the purposes set forth in Section 135-93, purpose.
- 21 e) Ownership and Control
- 22 1) All land included for purpose of development within planned unit
23 developments shall be owned by or be under the control of the applicant for
24 such zoning designation (including without limitation a purchase agreement,
25 option agreement, and/or development agreement), whether that applicant be
26 an individual, partnership, corporation (limited liability company, limited
27 liability partnership, trust), or groups of individuals, partnerships, or
28 corporations (limited liability company, limited liability partnerships and/or
29 trusts).

1 2) The applicant shall present proof of the unified control of the entire area
2 within the planned unit development and shall agree that if applicant proceeds
3 with the planned unit development applicant will do so in accordance with:

4 i) The concept plan adopted for the planned unit developments.

5 ii) Regulations existing when the amendment granting the planned unit
6 development was adopted.

7 iii) Such other conditions or modifications as may be attached to the rezoning
8 of the land to the planned unit developments.

9 f) Definitive covenants, grants, easements, dedications, and restrictions to be
10 imposed on the land, buildings, and structures including proposed easements for
11 public utilities and instruments relating to the use and maintenance of common
12 area and private streets shall consider access requirements of public vehicles for
13 maintenance purposes.

14 g) Additional Regulations for Phased Developments.

15 1) A PUD may be developed in phases or stages in accordance with the
16 following:

17 i) Boundaries: The boundaries of all proposed phases shall be shown on the
18 concept plan.

19 ii) Data: All data required for the project, as a whole, shall be given for each
20 phase shown on the concept plan.

21 iii) Improvements: The phasing plan shall be consistent with the traffic
22 circulation, drainage, common open space, and utilities plans for the entire
23 Planned unit development. Planned unit developments that are to be
24 developed in phases or stages shall be required to provide public
25 improvements, common open space, and other amenities attributed to such
26 phase at the same time as or before the construction of principal buildings
27 and structures associated with individual phases. The nature, type, and
28 number of public improvements, common open space, and other project
29 amenities provided during an individual phase of the project shall be

1 commensurate with and proportionate to the overall development of the
2 phase.

3 h) Review and Approval Process

4 1) The planned unit development approval process shall consist of the steps
5 described below. The approval authorities and timeframes within which the
6 various steps remain valid is as shown in Table 135-194 B, Planned
7 Development Approval Process.

Table 135-93 B		
PUD Approval Process		
	Concept Plan	Development Plan
Initial Period	12 Months	36 Months
• Approval Authority	• Parish Council	• Parish Council
Extension Period	12 Months	12 Months
• Approval Authority	• Parish Council	• Parish Council

8
9 The Planning Director may extend the period of validity of a plan within a planned
10 unit development for one additional year upon receiving a written request describing
11 any extenuating circumstances beyond the control of the developer, provided such
12 request is received during the period of validity.

13 2) Pre-Application Conference

14 i) The pre-application conference shall be held with the Planning Director
15 for the purpose of exchanging information, providing guidance to the
16 applicant, and determining the eligibility of the request for consideration
17 as a planned unit development. A request for a pre-application conference
18 shall be made to the Planning Director. The applicant shall submit copies
19 of a conceptual plan, showing the location of the property, boundaries,

1 significant natural features, vehicular and pedestrian circulation, and land
2 use(s) for the entire site, at least ten days in advance of the pre-application
3 conference. The Planning Director shall advise the applicant of the
4 conformance of the conceptual plan with the requirements of a planned
5 unit development. No formal action will be taken at a pre-application
6 conference, nor will statements made at the pre-application conference be
7 considered legally binding commitments.

8 3) Concept Plan

9 i) Following the pre-application conference, an applicant may submit a
10 completed application for concept plan approval to the Planning Director.
11 The concept plan shall follow the procedures for approval of planning
12 items before the Planning Commission and zoning cases before the Parish
13 Council. Where the planned unit development is to be developed in phases,
14 the concept plan that is presented for review and approval shall be the
15 concept plan for the entire development and shall identify the proposed
16 phasing.

17 ii) A concept plan shall be valid for one year from the date of the Parish
18 Council approval, unless, during that year period, a final development plan
19 for all or a portion of the property is submitted and then approved by the
20 Parish Council.

21 iii) Provided that the concept plan has not expired, the period of validity of an
22 approved concept plan may be extended one time for up to 12 months as
23 shown in Table 135-93 B, Planned Development Approval Process, by the
24 Parish Council.

25 iv) If the applicant fails to timely submit a final development plan for all or a
26 portion of the property, or obtain an extension, the previously approved
27 concept plan shall be determined to be invalid, but the PUD zoning district
28 shall remain.

29 4) Final Development Plan

30 Construction may take place within a planned development only following approval
31 of a final development plan for the area.

1 i) PUD Final Development Plans

2 (a) A final development plan, showing substantial compliance with the
3 approved concept plan shall follow the procedure for items going to the
4 Planning Commission and the Parish Council with a public hearing at
5 each.

6 (b) Upon approval of the final development plan, construction may proceed
7 for public and/or approved private roads, utility installations, common
8 open space, recreational facilities, governmental structures, and similar
9 uses provided that a preliminary subdivision plat and construction plans
10 have also been approved for the development.

11 (c) If the PUD includes the division of property into lots, the final
12 development plan shall be approved concurrently with the preliminary
13 plat. The applicant shall submit all required land division documents in
14 accordance with the requirements of the Subdivision Ordinance
15 (Chapter 130).

16 (d) Subdivisions of property within a PUD after concept plan approval, but
17 prior to final development plan approval, shall meet the zoning
18 requirements of the most restrictive zoning district allowed for each
19 designated use for that portion of the concept plan. These subdivisions
20 shall require Parish Council approval but will not allow development
21 or building permit approval until a Final development plan is approved.

22 (e) Final development plans shall expire three years from the date of Parish
23 Council approval. The applicant may request an extension from the
24 Parish Council for not more than one year if the previously approved
25 development plan has not expired.

26 5) Changes to an Approved Planned Development

27 i) Types of Changes

28 There are three types of changes:

- 1 (a) Major Change -- one that will have significant impacts on the approved
2 uses within the development, on the site surrounding the development,
3 or greater than 10% density change.
- 4 (b) Minor Change – one that will have significant impact on the layout of
5 the development.
- 6 (c) Administrative Change – one that will not alter the basic design and
7 character of the development, nor any specified conditions imposed as
8 part of the original approval.
- 9 ii) Applications for Changes
- 10 (a) The owner(s) of record of the property affected by the proposed change
11 shall file an application for an Administrative or Minor Change with
12 the Planning Director that shall contain the reason for the change and
13 the anticipated impacts on the development.
- 14 (b) Applications for Major Changes must be submitted to the Planning
15 Administrator, who shall submit such application with a
16 recommendation for consideration by the Parish Council.
- 17 iii) Appeal of Classification
- 18 (a) The applicant may appeal the decision by the Planning Director as to
19 the classification of a proposed change to the Parish Council.
- 20 iv) Major Changes
- 21 (a) Major changes include, but are not limited to:
- 22 1. An increase in density or intensity of any permitted land use,
23 including the number of housing units, by more than ten percent
24 from what was originally approved in the concept plan.
- 25 2. In residential areas, a change in the mix of single family and multi-
26 family structures by more than ten percent from what was originally
27 approved in the concept plan.

- 1 3. An increase in the amount of land in nonresidential uses by more
2 than ten percent from what was originally approved in the concept
3 plan.
- 4 4. Involve any use not specified on the approved concept plan.
- 5 5. Substantial and material reduction in the amenities proffered by the
6 applicant.

7 v) Minor Changes

- 8 (a) Minor changes are any change not determined to be a major or
9 administrative change.

10 vi) Administrative Changes

- 11 (a) Administrative changes include, but are not limited to:

- 12 1. Change in the location or size of open space, if the overall amount
13 of common open Space acreage does not decrease by more than ten
14 percent, and the Planning Director determines that the quality and
15 functionality of the revised common open space is the same or
16 better. The Planning Director may not approve a revision that
17 includes the deletion of an open space within 500 feet of an area that
18 is part of a final plat in a residential area.
- 19 2. Change in the location or type of a drainage or water quality control,
20 if the Planning Director determines that:
 - 21 (i) The basic layout of the PUD remains the same.
 - 22 (ii) The revised location or type of control functions as well as the
23 previous location or type of control if there are no objections
24 from the Department of Development.
- 25 3. Change in the locations of major utility facilities and easements, if
26 the Planning Director determines that the revised locations are more
27 appropriate or functional, if there are no objections from the
28 Department of Development.

- 1 4. Change in a preliminary architectural standard, if the Planning
2 Director determines that the revised standard is consistent with the
3 architectural character of the PUD.
- 4 5. Reduction of the size of any building.
- 5 6. Movement of buildings and/or signs by no more than 25 feet, but in
6 no event in required buffers and/or setbacks.
- 7 7. Landscaping approved in the final development plan that is replaced
8 by similar landscaping to an equal or greater extent.
- 9 8. Internal rearrangement of a parking lot that does not affect the
10 number of parking spaces or alter access locations or design.
- 11 9. Changes to the internal road network, if there are no new external
12 connections created and there are no objections from the
13 Department of Transportation and Development.
- 14 10. Changes required or requested by the Parish or other State or Federal
15 authorities in order to conform to other laws or regulations.
- 16 11. The addition of phasing to a previously approved concept plan.

17 6) Permits

- 18 i) No building permit for a structure other than a temporary contractor's
19 office or temporary storage building shall be issued for a lot or parcel
20 within an approved planned unit development prior to a determination by
21 the Fire Marshal or designee that adequate fire protection and access for
22 construction needs exists. No occupancy permit for a structure other than
23 a temporary contractor's office or other approved temporary building shall
24 be issued for a structure on a lot or parcel within an approved Planned unit
25 development prior to final inspection and approval of all required
26 improvements which will serve such lot or parcel to the satisfaction of the
27 Director of the Department of Development and the Building Official.

28
29 7) The Approved Final Development Plan.

1 i) Development restrictions and/or conditions, as required by the Planning
2 Commission and/or Parish Council, shall be recorded by the applicant with
3 the Clerk of Court of West Feliciana Parish within fifteen days of the date
4 of the final approval of the Concept plan and/or the Final development plan
5 by the Parish Council. Certified copies of these documents shall also be
6 filed with the Office of the Planning Director. The applicant shall record
7 development restrictions and other required documents, which pertain to a
8 subdivision within the approved Final development plan, with the Clerk of
9 Court of West Feliciana Parish within fifteen days of the signing of the
10 final plat.

11 8) Maintaining the Final Development Plan

12 i) Ownership and Maintenance of Public Spaces.

13 (a) Provision shall be made for the ownership and maintenance of public
14 thoroughfares, squares, parks, open spaces, and other public spaces in
15 a PUD by dedication to the Parish and/or Association(s).

16 ii) Construction

17 (a) Construction may take place only within such portion(s) of a PUD for
18 which a current final development plan is in effect.

19 iii) Development Schedule.

20 (a) The development schedule shall contain the following information:

- 21 1. The order of construction of the proposed stages delineated in the
22 final development plan.
- 23 2. The proposed date for the beginning of construction of each stage.
- 24 3. The proposed date for the completion of construction of each stage.
- 25 4. The proposed schedule for the construction and improvement of
26 common areas within each stage including any accessory buildings.

27 iv) Enforcement of the Development Schedule.

28 (a) The construction and provision of all common open spaces, public
29 facilities, and infrastructure which are shown on the final development

1 plan shall proceed at no slower a rate than the construction of dwelling
2 units or structures of a commercial nature. The Planning Commission
3 may, at any time, compare the actual development accomplished with
4 the approved development schedule. If the Planning Commission finds
5 that the rate of construction of dwelling units or commercial structures
6 is substantially greater than the rate at which common open spaces and
7 public facilities and infrastructure have been constructed and provided,
8 then either or both of the following actions may be taken:

9 1. The Planning Commission may cease to approve any additional
10 Final development plans for subsequent phases.

11 2. The Building Official may discontinue issuance of building permits.

12 (b) In any instance where the above actions are taken, the Planning
13 Commission shall gain assurance that the relationship between the
14 construction of dwellings or structures of a commercial nature and the
15 provision of common open spaces and public facilities and
16 infrastructure are brought into adequate balance prior to the
17 continuance of construction.

18 9) Relation to Zoning Districts

19 i) An approved PUD shall be considered a separate zoning district in which
20 the concept plan in combination with the final development plan, as
21 approved, establish the restrictions and regulations according to which
22 development shall occur, and may depart from the normal standards and
23 requirements of the other sections of the Unified Development Code to the
24 extent provided herein.

25
26 **Sec. 135-94. – List of permitted uses in commercial, industrial, professional,
27 special, and planned unit development districts.**

28 The following table indicates seven categories of uses: (1) residential; (2) civic; (3)
29 office; (4) retail; (5) service; (6) manufacturing, and (7) rural. Within each category,
30 specific uses are listed and indicated as either allowed, allowed subject to special

1 conditions, or allowed by special exception. If there is a blank space under the
 2 district heading, then the use is prohibited in that district.

3

4 **Table 135-94 Commercial, Industrial, and Special Uses**

Uses Categories/ Specific Uses	NC	NC.A	NO	GO	LC	LC.A	HC	HC.A	CW	M1	M2	PUD	X	SRV	S1	Notes	
Dwelling																	
Single-family	○	○	○	○	○	○	○	○	○	○	○	Uses in the PUD District shall be specified					
Two-family	○				○	○	○	○	○	○	○						
Townhouse	○				○	○	○	○	○	○	○						
Zero Lot Line																	
Multiple-family/Apartment				●													
Manufactured Homes							○									☺	
Accessory Building																	
Accessory Dwelling																	
Boarding/Lodging House																	
Congregate Care Facility	●		●	●	●		●										
Group Home	☺						●										
Civic																	
Airports											●				☺		
Cemetery/Columbarium/Mausoleum					○	○	○								☺		
Churches/Clubs/Fraternal Organizations	○	○		○	○	○	○	○	○	○	○				☺		

Community Parks/Open Spaces and Related Facilities	•		•	•	•	•	•	•	•	•	•				
Convention Center							•	•	•	•	•				
Governmental Facilities	•	•	•	•	•	•	•	•	•	•	•				
Hospital/Nursing Home/Convalescent Care	•			•	•		•		•	•	•				
Museum															
Parking Lots					•	•	•	•	•	•	•	•	•		
Philanthropic Organization	•			•	•	•	•	•	•	•	•				
Public and Private Schools	•			•	•		•		•	•	•			Э	
Public Parks/Open Spaces and related Facilities	•		•	•	•	•	•	•	•	•	•				
Public Utilities and Services										•	•	•		Э	
Recycling Centers/Collection	○				○		○			•	•	•		Э	
Sanitary Landfills														Э	
Utility/Communication Towers														Э	
Office															
Customary Home Occupations	•		•	•	•	•	•	•	•	•	•	•	•		
Construction Offices with Equipment								•	•	•	•	•			

Theater							●	●	●	●	●					
Theater (with alcohol)						○		○								
Travel Trailer/Recreational Vehicle Park							○		○	○	○	●	☞			
Warehouse									●	●	●					
Manufacturing																
Bottle Gas Storage & Distribution										●	●	●				
Cabinet Making/Millwork							●		●	●	●					
Food Processing													☞			
General											○		☞			
Light										○	○					
Limited										○	○	○		☞		
Railroads and Railroad Siding							●	●	●	●	●		☞			
Sand and Gravel Mining																
Rural																
Agricultural Pursuits																
Gardens																

- 1
- 2 ● Permitted subject to general ordinance standards and conditions
- 3 ○ Permitted subject to conditions listed in the ordinance
- 4 ☞ Permitted only on appeal and subject to special use and conditional use.
- 5
- 6

1 **Sec. 135-95. – Lot and structure requirements for commercial, industrial, and**
 2 **special districts.**

3 The following table indicates the lot and structure requirements in commercial,
 4 industrial, and special districts:

5 **Table 135-95 Commercial, industrial, and special district lot and**
 6 **structure Requirements**

Commercial, Industrial, and Special Districts															
Requirements	NC	NC.A	NO	GO	LC	LC.A	HC	HC.A	CW	M1	M2	PUD	X	SRV	S1
Minimum lot area (ft ² *1000) or area	15	15	7.5	7.5	20	20	20	20	4 ac.	1 ac.	2 ac.	4 ac.		4 ac.	20
Maximum lot coverage by principal building and accessory structures %	50	50	50	50	50	50	50	50	50	50	50		50	50	50
Maximum Building Area (ft ² *1000)	2.5	2.5	5	5	20	20	30	30	50				2.5		
Minimum lot frontage (ft)	100	100	75	75	100	150	100	100	100	100	150		100	100	100
Minimum front setback from street centerline:	75	75	75	75	75	75	75	75	75	75	75		75	75	75
Arterial street	.35	125	125	125	125	125	125	125	125	125	125		125	125	125
Collector street	90	90	90	90	90	90	90	90	90	90	90		90	90	90

Minimum setback from rear property line	20	20	20	20	20	20	20	20	20	20	20	20		20	20	20
Minimum setback from side property line	20	20	20	10	30	40	30	30	40	30	40			20	20	20
Maximum building height	50	50	35	50	50	50	50	50	50	50	100			50	35	35
Maximum eave height	30	30	30	30	30		30	30								
Special requirements:																
Gasoline pumps setback	30				30		30									

- 1 All uses of a business nature shall be conducted only between the hours of 7:00 a.m.
- 2 and 11:00 p.m. in the C-1 district.
- 3 Any outside storage is prohibited in the C-1 district.
- 4 Alternate maximum eave height up to 50 feet may be allowed with written
- 5 permission from the district fire chief. Additional fire protection measures will be
- 6 required with allowed alternate height requests.

7
8

9 Section 2 - This ordinance shall take effect five (5) days after its publication in the
10 Official Journal.

11

12 Introduced by: Parish President Kenneth Havard at the special meeting of the
13 West Feliciana Parish Council on the 15th day of July, 2021.

