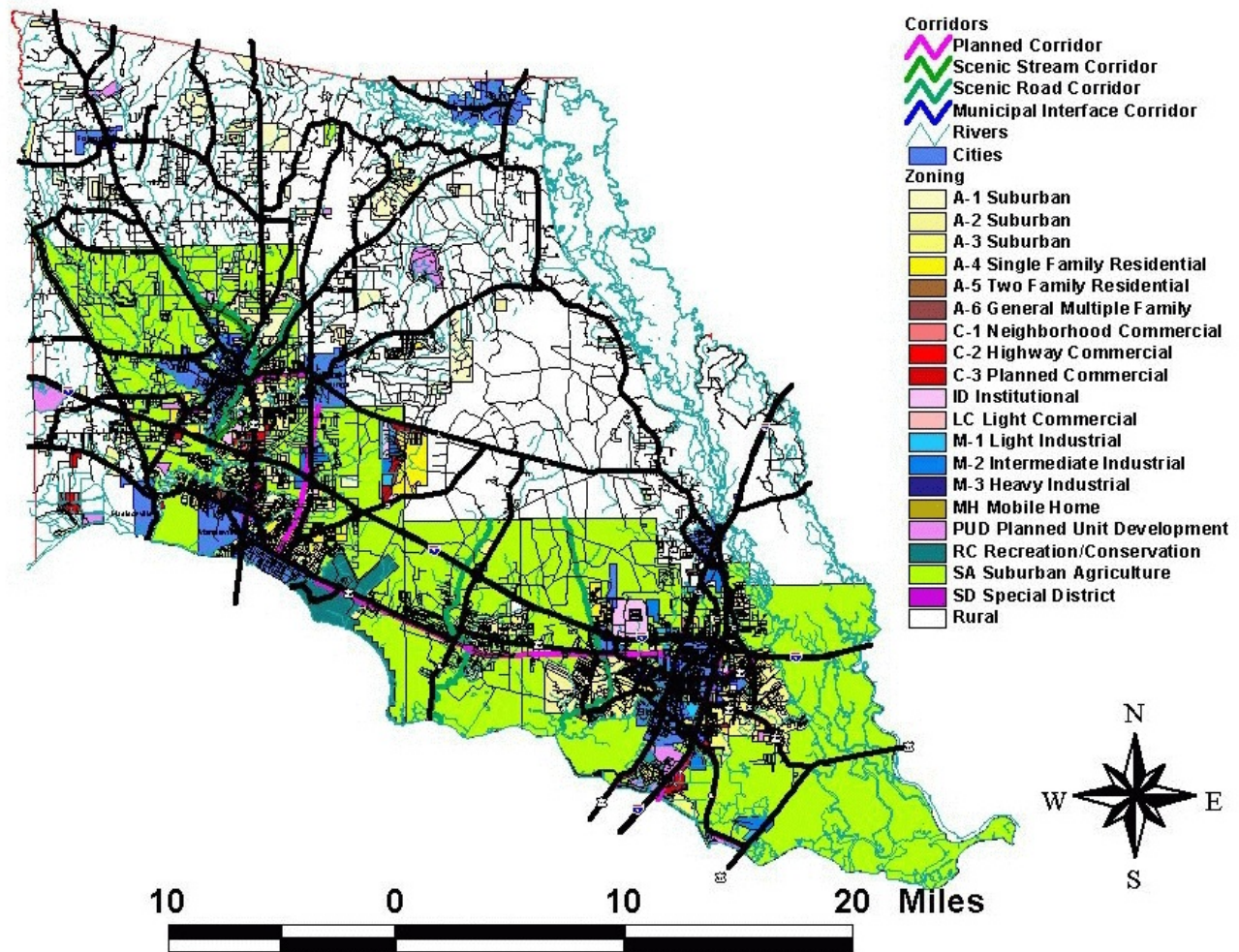


# St. Tammany Parish Land Use Regulation Zoning Ordinance No. 523



Revised:  
August 2008



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 ST. TAMMANY PARISH  
 (EXCLUDING INCORPORATED AREAS)  
 Revised August, 2008

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ST. TAMMANY PARISH  
LAND USE REGULATORY ORDINANCE NO. 523

OFFICIAL MEMBERS AS OF AUGUST, 2008

ST TAMMANY PARISH PRESIDENT

Kevin Davis

ST. TAMMANY PARISH COUNCIL

DISTRICT 1	Marty Dean
DISTRICT 2	Gary Cooper
DISTRICT 3	James A. Thompson, II
DISTRICT 4	R. Reid Falconer
DISTRICT 5	Marty Gould
DISTRICT 6	Rebecca Crawford-Howell
DISTRICT 7	Al Hamauei
DISTRICT 8	Chris Canulette
DISTRICT 9	E. L. Bellisario
DISTRICT 10	Henry Billiot
DISTRICT 11	Steve Stefancik
DISTRICT 12	Jerry Binder, Chairman
DISTRICT 13	Richard Artigue
DISTRICT 14	Ken Burkhalter

ST. TAMMANY PARISH ZONING COMMISSION

Mr. Emile Lombard  
Jay de la Houssaye  
Ray B. Willie, Jr.  
Martha J. Cazaubon  
Richard Dale Mackie  
Anthony Goff  
James "Jimmie" Davis, III  
John Sammons  
Dave Doherty, Jr.  
William "Bill" Matthews  
Karen Vander

## DEPARTMENT OF PLANNING

Sidney Fontenot, Director  
Cynthia W. Casnave, Assistant to Director  
Helen Lambert, Assistant Director  
Ron Keller, Senior Planner  
Carl "Chris" Cleland, Land Use Planner  
Kathie J. Jacobs, Land Use Planner  
Erin E. Frischhertz, Land Use Planner  
Nilka W. Turkin, Secretary  
Jamie Underwood, Secretary  
Leslie DeLatte, Secretary  
Joey Bivona, Supervisor, Code Enforcement  
Charles L. Vicknar, Code Enforcement  
John Dillon, Code Enforcement  
Wallace Burchfield, Code Enforcement  
Lawrence Pichon, Code Enforcement  
Terry Parta, Code Enforcement  
Keith Laborde, Code Enforcement  
Kelle Stevens, Code Enforcement  
Mark Ford, Operations Manager



## LAND USE ORDINANCE

### ST. TAMMANY PARISH PLANNING AREA

#### LOUISIANA

AN ORDINANCE, establishing the comprehensive land use regulations for the St. Tammany Parish Planning Area and providing for the administration, enforcement and amendment thereof, in accordance with the provisions of the authority granted by Act 518 of the 1954 session of the Louisiana Legislature.

#### ADOPTION

WHEREAS, the Police Jury deems it necessary for the purpose of promoting the health, safety, morals, and general welfare of the Parish to enact such an ordinance; and the Police Jury has appointed a Zoning Commission to recommend the boundaries of the various original districts and appropriate regulations to be enforced therein. The Zoning Commission has divided the parish into districts and has prepared regulations pertaining to such districts in accordance with a comprehensive plan designed to lessen congestion; prevent over crowding of land; protect from fire and panic; provide adequate light and air; avoid undue concentration of population; and to facilitate the adequate provision of transportation, water, sewerage, schools, parks, and other public requirements.

The Zoning Commission has given reasonable consideration, among other things, to the character of the districts and their peculiar suitability for particular uses, with a view to conserving the value of buildings and encouraging the most appropriate use of land throughout the parish. The Zoning Commission has made a preliminary report and held public hearings thereon; and submitted its final report to the Police Jury. The Jury has given due public notice of hearings relating to land use districts, regulations, and restrictions.

All requirements of Act No. 518, Louisiana Revised Statutes, with regard to the preparation of the report of the Zoning Commission and the subsequent action of the Police Jury have been met.

NOW, THEREFORE BE IT ENACTED BY THE POLICE JURY OF ST. TAMMANY PARISH, LOUISIANA AS AN ORDINANCE:

SECTION 1 - DISTRICTS

**SECTION 1.01 ESTABLISHMENT OF DISTRICTS**

1.0101 THE PARISH IS DIVIDED INTO SIX TYPES OF LAND USE DISTRICTS:

- R DISTRICTS - RURAL
- A DISTRICTS - RESIDENTIAL
- C DISTRICTS - COMMERCIAL
- M DISTRICTS - INDUSTRIAL
- PUD DISTRICTS - PLANNED
- R DISTRICTS - RECREATIONAL

1.0102 THE SIX TYPES OF DISTRICTS ARE FURTHER DIVIDED INTO THE FOLLOWING SPECIFIC DISTRICTS:

- R RURAL DISTRICT
- SA SUBURBAN AGRICULTURAL
- A-1 SUBURBAN
- A-2 SUBURBAN
- A-3 SUBURBAN
- A-4 SINGLE-FAMILY RESIDENTIAL
- A-5 TWO-FAMILY RESIDENTIAL DISTRICT
- A-6 THREE AND FOUR-FAMILY RESIDENTIAL DISTRICT
- PUD PLANNED UNIT DEVELOPMENT DISTRICTS
- LC LIGHT COMMERCIAL DISTRICT
- C-1 NEIGHBORHOOD COMMERCIAL DISTRICT
- C-2 HIGHWAY COMMERCIAL DISTRICT
- C-3 PLANNED COMMERCIAL DISTRICT
- M-1 LIGHT INDUSTRIAL DISTRICT
- M-2 INTERMEDIATE INDUSTRIAL DISTRICT
- M-3 HEAVY INDUSTRIAL DISTRICT
- RC RECREATIONAL/CONSERVATION DISTRICT
- MH MOBILE HOME DISTRICT
- ID INSTITUTIONAL DISTRICT
- RBG RIVERBOAT GAMING DISTRICT
- PCO PLANNED CORRIDOR OVERLAY
- GMA GROWTH MANAGEMENT AREA OVERLAY

AS SHOWN ON THE OFFICIAL LAND USE MAP, WHICH TOGETHER WITH ALL EXPLANATORY MATTER THEREON, IS HEREBY ADOPTED BY REFERENCE AND DECLARED TO BE A PART OF THIS ORDINANCE WHEN PROPERTY CERTIFIED AND ATTESTED.

1.0103 If, in accordance with the provisions of this ordinance and statutes, changes are made in district boundaries or other matters portrayed on the official land use map, such changes shall be made on the official land use map within ninety (90) days after such changes have been approved by the Police Jury, and attached to this ordinance. Each such change of the map shall be dated, signed and certified.

No change of any nature shall be made in this official land use map or matter shown thereon except in conformity with the procedure set forth in this ordinance. Any unauthorized changes of whatever kind, by any person or persons, shall be considered a violation of the ordinance and punishable under Part 3 of this ordinance.

The official land use map and Ordinance No. 523, inclusive of all amendments made thereto, shall be located in the offices of the St. Tammany Parish Department of Development and shall be the final authority as to the current land use status of land, buildings, and other structures in the Parish.

## **SECTION 1.02 RULES OF DISTRICT BOUNDARIES**

1.0201 Where uncertainties exist as "approximately following the center lines of streets, highways, or alleys", shall be construed to follow such center lines.

1.0202 Boundaries indicated as approximately following platted lot lines shall be construed to follow such lot lines.

1.0203 Boundaries indicated as approximately following town limits shall be construed as following town limits.

1.0204 Boundaries indicated as following railroad lines shall be construed to be midway between the tracks.

1.0205 Boundaries indicated as following shorelines shall be construed to follow such shorelines and, in the event of change in the shoreline, shall be construed as moving with the actual shoreline.

1.0206 Boundaries indicated as parallel to or extensions of features indicated in subsections 1 through 5 above shall be so construed. Distances not specifically indicated on the land use map shall be determined by the scale of map.

1.0207 Boundaries indicated following other boundary lines, water courses, and other natural topography features, shall be construed to be such commonly recognized features.

1.0208 Where street or property layout existing on the ground is at variance with that shown on the official land use map, or in other circumstances not covered by subsections 1 through 7 above, the Board of Adjustment shall interpret the district boundaries, provided such adjustment does not exceed one acre in area.

### **SECTION 1.03 APPLICATION OF DISTRICT REGULATIONS**

1.0301 No building, structure or land shall hereafter be used or occupied, and no building or structure or part thereof shall hereafter be erected, constructed, reconstructed or structurally altered unless in conformity with all of the regulations herein specified for the district in which it is located.

1.0302 No building or other structure shall hereafter be erected or altered:

1. to exceed the height;
2. to accommodate or house a greater number of families;
3. to occupy a greater percentage of lot area;
4. to have narrower or smaller rear yards, front yards, side yards or other open spaces than herein required or in any other manner contrary to the provisions of this ordinance.

1.0303 No part of a yard, or other open space, or off-street parking, or loading space required about or in connection with any building for the purpose of complying with this ordinance shall be included as part of a yard, open space or off-street parking or loading space similarly required for any other building, unless specifically allowed under district regulations.

1.0304 No yard or lot existing at the time of passage of this ordinance shall be reduced in size of area below the minimum requirements set forth herein. Yards of lots created after the effective date of this ordinance shall meet at least the minimum requirements established by this ordinance.

1.0305 Regulations of land underwater - All lands within the Parish which are underwater and are not shown as included within any district shall be subject to all the regulations of the district adjacent to the water area. If the water area adjoins two or more districts the boundaries of each district shall be construed to extend into the water area in a straight line.

1.0306 Location of streets and public ways - Whenever any street, alley, or public way is vacated by official action of the Police Jury the land use district adjoining each side of such street or way shall automatically extend to the center of same, and all area included therein shall then become subject to all appropriate regulations of the extended districts.

### **SECTION 1.04 PROTECTION OF MAJOR STREET RIGHTS-OF-WAY**

In computing the front and side yard, set back depths of every building or structure to be erected on any lot abutting on any street shown as designated major street on the major street plan or future land use plan showing major streets, the required set back, as hereafter shown, shall be increased by an amount equal to 50 feet or one half the right-of-way as specified on the major street plan when larger rights-of-ways are required. Such set backs shall be measured from the center line of the existing roadway.



## **SECTION 2 - SCHEDULE OF DISTRICT REGULATIONS ADOPTED**

Within the districts established by this ordinance the following regulations shall apply.



## **SECTION 2.01    R - RURAL DISTRICT**

### 2.0101    Purpose

The R-Rural District is established to permit agriculture uses, to encourage the maintenance of the rural countryside, to preserve forests and other undeveloped lands away from areas of population growth, and to allow residents to retain their traditional ways of life. The preferred land use in the district is agricultural, either active in the form of crops or passive in the form of forest management or pasture lands. Conditional uses, however, may be granted by the Zoning Commission. Permitted uses would include single-family residences and certain accessory structures and uses for the conduct of agriculture related business. However, any use not directly connected to these primary uses must be placed in a separate zoning district more representative of its purpose unless it is allowed as a Conditional Use.

### 2.0102    Permitted Uses

Only the following permitted uses shall be allowed in the R-Rural District and no structure or land shall be devoted to any use other than a use permitted hereunder with the exception of (a) uses lawfully established prior to the effective date of this ordinance; (b) Conditional Uses in compliance with the provisions of Section 2.0103; or (c) accessory uses in compliance with the provisions of Section 5.

#### A.    Agriculture Uses

1.    Farming, and any other agricultural use as defined in Section 10 of this ordinance.
2.    Agricultural buildings.
3.    Wholesale/Retail Greenhouses and Nurseries.
4.    Roadside Farm Stands.
5.    Dirt Hauling Equipment storage, including operable, licensed bobtail dump trucks, tractor trailers, and excavation equipment when stored on a operable, licensed transport vehicle, where the area utilized for storage is not more than 10% of the property. (Amended ZC#02-04-022 OCS# 02-0485 6/06/2002)

#### B.    Residential Uses

1.    One single-family dwelling unit(s) or one two- family attached (duplex) unit.
2.    Private Garages and Accessory Structures.
3.    One Garage Apartment or Guest House under 1,000 square feet of habitable floor space.
4.    Accessory single or multi-family farm tenant dwellings on un-subdivided farm land when residents are employed on the property and when gross density does not exceed one family per acre.
5.    One Mobile Home or Modular Home.
6.    Private landing strips or heliports.

#### C.    Public Educational Facilities (Amended 1/10/2002 OCS# 02-0426)

1.    Expansion of existing Public Elementary Schools within school boundaries

2. Expansion of existing Public Secondary Schools within school boundaries  
Similar and Compatible Uses

D. Miscellaneous Uses (Amended 1/29/04 ZC03-11-074 OCS#04-0809)

1. Garage Sales (See Section 3.03 Minimum Standards)

E. Other uses which are similar and compatible with the allowed uses of the Rural District as determined by the Director of Development acting in the capacity of Zoning Administrator.

2.0103 Conditional Uses (Amended 8/28/03 ZC03-06-038 OCS#03-0728)

Conditional Uses are prohibited unless application for the use has been processed by the Department of Development and such use has been favorably approved by the Zoning Commission. See Section 3.02 - Conditional Uses for the procedures and requirements that apply to Conditional Uses and Section 3.03 - Minimum Standards for minimum standards that apply to certain uses.

A. Permitted and Conditional Commercial Uses and service establishments normally allowed under LC Light Commercial and C-1 Neighborhood Commercial Districts, provided that the site is no larger than three (3) acres.

B. Permitted M-1 Light Industrial Uses less than three (3) acres.

C. Religious uses including churches, temples, synagogues, camps, convents and monasteries.

D. Land Reclamation in which either more than 1000 cubic yards of material consisting of dirt, soil, clay, sand and gravel including materials exempt from DEQ regulations, such as concrete, stumps, etc. or which in hauling trucks are in operation before the hours of 7:00 A.M. or after 5:00 P.M. (minimum standards apply).

E. Temporary Batch Plants and Construction Related Facilities for a single development.

F. On Site Real Estate Offices over 400 square feet.

G. Drilling rigs, temporary docking bays and crew boats for subsurface mineral deposits.

H. Non-profit/Family Cemeteries.

I. Tours of nature and recreational areas operated by private individuals.

J. Recreational facilities in association with recreational areas operated by private

individuals.

- K. Fire Stations
- L. Police Substations
- M. Public Educational Facilities (Amended 1/10/2002 OCS# 02-0426)
  - 1. New Public Elementary Schools
  - 2. New Public Secondary Schools
- N. Educational Facilities (Amended 1/10/2002 OCS# 02-0426)
  - 1. Private or Charter Elementary Schools
  - 2. Private or Charter Secondary Schools
- O. Home Occupation, Home Occupation Limited or Home Office over 400 sq. ft. but not to exceed 1,000 sq. ft.
- P. Bed & Breakfast (Amended 7/11/02 ZC02-05-028 OCS#02-0503)
- Q. Modification to Home Occupation, Home Occupation Limited or Home Office Minimum Standards.
- R. Composting Facility (Amended 7/19/01 ZC01-05-041 OCS#010341)
- S. Similar and Compatible Uses  
Other uses which are similar and compatible with the conditional uses of the R-Rural District as determined by the Director of Development acting in the capacity of Zoning Administrator.

#### 2.0104 Administrative Permits

The purpose of an Administrative Permit is to provide for a Staff review and approval of certain uses as set forth below:

- A. Outside the Growth Management Area Overlay, more than one single family residence per Zoning Parcel may be reviewed, provided however that the density requirements of one single family dwelling unit per 22,500 square feet are maintained.
- B. One Garage Apartment or Guest house under 1000 square feet of habitable floor space on lots of less than 40,000 square feet.
- C. On site Real Estate Sales Offices under 400 square feet.
- D. Seasonal Seafood Peddlers using temporary structures. State of Louisiana inland waters shrimping season(s) shall be considered as the seasons during which the regulations shall apply and inspectors may periodically check for conformance;

including temperature of seafood storage and waste disposal.

- E. Seasonal Produce stands other than seafood peddlers and Christmas tree sales, provided that the use is temporary and valid for a period not greater than 6 months. Concurrent permits for a single site may not extend this six month limit. For occupancy of a site on a permanent basis a conditional use permit is required. Signs are allowed provided they are professionally rendered and approved by the Department of Development.
- F. Fireworks sales using temporary structures during periods established by ordinance of the Police Jury except where prohibited by ordinance. Signs are allowed provided all are professionally rendered and approved by the Department of Development.
- G. Snowball Stands between April 1 and September 30.
- H. Fairs, festivals and assemblies associated with churches, schools, public lands or non-profit organizations.
  - 1. Fairs, festivals and assemblies are limited to a maximum - three day period annually.
  - 2. Total building area is limited to 5,000 square feet.
  - 3. No more than 200 vehicle trips per day are permitted.
- I. Agricultural and decorative ponds utilized exclusively by the resident and in which the excavated material is being removed or not being removed from the site not exceeding 1,000 cubic yards and in accordance with minimum standards as per Section 3.03 AT. (Amended 8/28/03 ZC03-06-038 OCS#03-0728)
- J. Community Homes for handicapped persons as defined in L.R.S. 28:477.
- K. Home Occupation, Home Occupation Limited or Home Office provided the area for the use does not exceed 400 sq. ft.
- L. Similar and Compatible Uses  
Other administrative uses which are similar and compatible with the administrative uses of the Rural District as determined by the Director of Development acting in the capacity of Zoning Administrator.

Fees are as set forth in Section 9.01.

2.0105 Prohibited Uses

- A. Junk or Salvage Yards.
- B. Landfills.
- C. Mobile Home Parks and Recreational Vehicle Parks.
- D. C-3 Planned Commercial Districts.
- E. Intermediate and Heavy Industrial Uses.
- F. Outdoor Advertising (Billboards)

- G. Any uses not outright or conditionally permitted herein.

2.0106 Site and Structure Provisions

- A. Minimum Lot Area (Amended 8/24/2000 OCS# 00-0181)
1. Agriculture Uses - There shall be no minimum lot size for agricultural uses.
  2. Other Uses - The minimum lot area for any use other than agricultural uses shall be twenty-two thousand five hundred (22,500) square feet.
- B. Minimum Area Regulations (Amended 8/24/2000 OCS# 00-0181)
1. Minimum Lot Size - The density shall be established as 1 dwelling unit per 22,500 square feet unless it is within an established subdivision of record, commonly referred to as older paper subdivision, established prior to the enactment of Subdivision Ordinance No. 499 dated May 21, 1970.
  2. Minimum Lot Width - The width of each zoning lot shall not be less than one hundred (100) feet.
  3. Front Yard - Residential structures shall be set back a minimum of forty (40) feet from the right-of-way of adjoining major or minor arterial and thirty (30) feet from the right-of-way of any public road. Agricultural uses require no front yard.
  4. Side Yard - Side yards shall be not less than thirty (30) feet from the right-of-way of any public road and fifteen (15) feet in all other instances. This setback shall apply to structures only.
  5. Rear Yard - All structures shall have a rear yard of not less than thirty (30) feet; however, agricultural uses require no rear yard.
  6. Conditional Use Setbacks are variable and shall be established by Development staff and the Zoning Commission at the Conditional Use hearing.
- C. Maximum Lot Coverage
1. Residential Uses - The lot coverage of all principle and accessory buildings on a zoning lot shall not exceed twenty-five (25) percent of the total area of the lot.
  2. Conditional Uses - The lot coverage of all principal and accessory buildings on a zoning lot shall not exceed forty (40) percent of the total area of the lot.
- D. Height Regulations
1. No building or dwelling for residential or business purposes shall exceed thirty-five (35) feet in height above the base flood elevation as set forth in Flood Hazard Ordinance 791.
  2. Uses incidental to farming, such as silos, windmills, etc., and any other non-habitable structure (e.g. radio, TV tower) may exceed this height limitation, provided, however, that there be one (1) foot setback for every one foot over forty-five (45) feet from existing dwellings and/or residences or property lines.
- E. Off Street Parking and Loading Requirements

Off-street parking and loading shall be provided as put forth in Section 4.

2.0107 District Standards

All uses of land and structures in the R-Rural District are subject to the general standards and regulations of this ordinance. In addition, all uses located in the R-Rural District shall be subject to the following standards.

A. Environmental Quality

1. Flood Zones - Construction of any structures or alteration of land which occurs in the 100-year flood zone as established by the Federal Emergency Management Agency shall require approval from the Parish Engineer prior to issuance of a building permit.
2. Tree Preservation, Landscaping and Screening - All Conditional Uses shall apply to the requirements as set forth in Section 5.16.

B. Utilities

1. Water - On lots without central water facilities, any well must be fifty (50) feet from any sewer disposal unit.
2. Street Improvements - Any roads or street constructed to serve four (4) or more residential units or any nonresidential use must meet standards set forth in the Subdivision Requirements.

C. Signs, Lighting and Landscaping (Amended 2/13/03 ZC02-06-040 OCS#03-0607)

1. Signs shall be subject to the provisions of Section 5.03.
2. Lighting shall be subject to the provisions of Section 5.05.
3. Landscaping shall be subject to the provisions of Section 5.16.

D. Impact on Natural and Scenic Rivers (Amended 4/16/04 ZC03-0-062 OCS#04-0848)

Whenever application is made for rezoning of property, to be granted a conditional use of property, or for a building permit for property that is situated along a waterway included in the Natural and Scenic Rivers System, or for the rezoning of property, conditional use of property or for a building permit application for property which has been determined to have the potential for an adverse impact on such waterways, or on any property situated thereon, in addition to complying with all other applicable provisions of the St. Tammany Parish Land Use Ordinance, the following provisions and requirements shall apply:

- 1) The applicant for rezoning shall comply with all rules and regulations governing the applicable zoning district.
2. The applicant for a conditional use permit shall comply with the minimum standards for conditional uses in Section 3.02.
- 3) The applicant for a building permit shall comply with all rules and

regulations governing the permitted use.

- 4) All applicants shall file a copy of all permits required by the state, a state agency and the federal government for development of properties affecting natural and scenic rivers.
- 5) Prior to any final decision on any application for a rezoning or for a permit for those activities that may have the potential for significant impact on such waterways or property, an evaluation shall be made of the impact that the activities may have on the unique character and value of such waterways and properties.
- 6) The evaluation and final determination on any such application by the reviewing authority should insure compatible uses and development of such property, so as to maintain the natural and physical features of the waterways that are included in the Natural and Scenic Rivers system and the aesthetic values of the property situated along and accessible to the natural and scenic rivers in St. Tammany Parish.



## SECTION 2.02 SA SUBURBAN AGRICULTURAL DISTRICT

### 2.0201 Purpose

This district is intended to create an environment that allows a mixture of agricultural uses and low density single-family residential development. The permitted uses, lot areas, setbacks, and other site and structure requirements are designed to encourage quality residential areas in a low density setting. To protect the character of this District, permitted uses are limited to single-family dwellings and certain agricultural, cultural, educational, religious, and public uses. (Amended 6/19/03 ZC03-04-024 OCS#03-0681)

### 2.0202 Permitted Uses

Only the following permitted uses shall be allowed in the SA Suburban Agriculture District and no structure or land shall be devoted to any other use other than a use permitted hereunder with the exception of (a) uses lawfully established prior to the effective date of this ordinance; (b) conditional uses in compliance with the provisions of Section 2.0203; or (c) accessory uses in compliance with the provisions of Section 5.

#### A. Residential Uses (Amended 8/24/2000 OCS# 00-0181)

1. One Single-Family Dwelling
2. ~~One Two-Family Attached Dwelling (Duplex)~~ (Amended 6/19/03 ZC03-04-024 OCS#03-0681)
2. Private Garages and Storage Buildings
3. One Garage Apartment or Guest House under 1,000 square feet of habitable floor
4. One Mobile Home or Modular Home per Zoning Lot on property located outside the Parish Growth Management Area Overlay identified in Section 2.23. (Amended 10/17/02 ZC02-08-051 OCS#02-0544)

#### B. Agricultural Uses

1. The following agricultural uses are permitted on lots with a minimum area of 5 acres of land:
  - a. Agricultural uses including buildings and structures as defined in Section 10, Agriculture and Agricultural Building or Structure.
  - b. Wholesale/Retail Greenhouses and Nurseries
  - c. Commercial Kennels
  - d. Commercial Horse Riding and Training Facilities
2. Household Agriculture

#### C. Cultural and Compatible Uses

1. Forests
2. Public and Private Parks
3. Botanical Gardens

#### D. Miscellaneous Uses

1. Community Central Water Treatment, Well, and Storage Facilities
2. Garage Sales (See Section 3.03 Minimum Standards) (Amended 1/29/04 ZC03-11-074 OCS#04-0809)

E. Similar and Compatible Uses

Other uses which are similar and compatible with the allowed uses of the SA District as determined by the Director of Planning acting in the capacity of Zoning Administrator. (Amended 6/19/03 ZC03-04-024 OCS#03-0681)

2.0203 Conditional Uses (Amended 8/28/03 ZC03-06-038 OCS#03-0728)

Conditional Uses are prohibited unless application for the use has been processed by the Department of Development and such use has been favorably approved by the Zoning Commission. See Section 3.02 - Conditional Uses for the procedures and requirements that apply to Conditional Uses and Section 3.03 - Minimum Standards for minimum parish requirements that apply to certain uses.

A. Residential Uses

1. Home Occupation, Home Occupation Limited or Home Office over 400 sq. ft. but not to exceed 1,000 sq. ft.
2. Modification to Home Occupation, Home Occupation Limited or Home Office Minimum Standards.
3. Bed & Breakfast (Amended 7/11/02 ZC02-05-028 OCS#02-0503)
4. One Mobile Home or Modular Home per Zoning lot on property located inside the Parish Growth Management Area Overlay identified in Section 2.23 (See Section 3.03.R - Minimum Standards) (Amended 01/17/02 ZC02-08-051 OCS#02-0544)

B. Agricultural Uses

1. Permitted Agricultural uses on lots with less than a minimum area of 5 acres of land.
2. Roadside Stands over 200 square feet adjacent to an existing agricultural use
3. Veterinarian Clinics and Hospitals

C. Religious Uses

1. Churches, Temples, and Synagogues
2. Any Secondary Building or Structures Necessary for a Religious Use, excluding Schools Grades 1 through 12
3. Monasteries
4. Convents

D. Educational Uses

1. Day-Care Centers
2. Nursery Schools

E. Health, Medical and Care Facilities

1. Convalescent Homes
  2. Day Care Homes
  3. Nursing Homes
- F. Public Cultural and Recreational Uses
1. Golf Courses and Practice Ranges
  2. Playgrounds
  3. Nature Preserves and Sanctuaries
  4. Swimming Pools
  5. Tours of nature and recreational areas operated by private individuals.
  6. Recreational facilities in association with recreational areas operated by private individuals.
- G. Public Utility Surface Structures
1. Electrical Substations
  2. Telephone Relay Facilities
  3. Utility Substations
  4. Waste-water Treatment Facilities
  5. Utility Distribution Systems
  6. Fire Stations
  7. Police Substations
- H. Miscellaneous
1. Temporary Batch Plants and Construction Related Facilities for a Single Development
  2. On Site Real Estate Sales Offices over 400 square feet
  3. Non-Profit Cemeteries and Mausoleums
  4. Excavation ponds in which either, more than 1000 cubic yards of material are removed or sold for profit or commercial hauling trucks are in operation before the hours of 7:00 A.M. or after 5:00 P.M.
  5. Land Reclamation in which either more than 1000 cubic yards of material consisting of dirt, soil, clay, sand and gravel not including materials exempt from DEQ regulations, such as concrete, stumps, etc. or which in hauling trucks are in operation before the hours of 7:00 A.M. or after 5:00 P.M. (minimum standards apply).
  6. Drilling rigs, temporary docking bays and crew boats for subsurface mineral deposits.
  7. Occasional Amusement Facilities
    1. Carnivals
    2. Circuses
    3. Outdoor Concerts
  8. Transmitter Towers
  9. Private landing strips and heliports.
  10. Fire Stations
- I. Similar and Compatible Uses  
Other uses which are similar and compatible with the Conditional Uses of the SA

Suburban Agriculture District as determined by the Director of Development acting in the capacity of Zoning Administrator.

2.0204 Administrative Permits

The purpose of an Administrative Permit is to provide for a Staff review of certain uses as set forth below:

- A. More than one single family dwelling unit per Zoning Parcel may be reviewed, provided however that the density and area requirements of one single family dwelling unit per Zoning Lot are shown on the site plan.
- B. One Garage Apartment or Guest House under 1000 square feet of habitable floor space on lots of less than 40,000 square feet.
- C. Home Occupation, Home Occupation Limited or Home Office provided the area for the use does not exceed 400 sq. ft.
- D. Roadside Stands under 200 square feet adjacent to an existing agricultural use.
- E. On Site Real Estate Sales Offices under 400 square feet.
- F. Subdivision Entrance Signs may be reviewed for appropriate location, size and construction methods.
- G. Seasonal Produce stands other than seafood peddlers and Christmas tree sales, provided that the use is temporary and valid for a permit period not greater than 6 months. Concurrent permits for a single site may not extend this six month limit. For occupancy of a site on a permanent basis, a conditional permit is required. Signs are allowed provided all are professionally rendered and approved by the Department of Planning. (Amended 12/21/2000 OCS# 00-0231)
- H. Snowball stands between April 1 and September 30.
- I. Fairs, festivals and assemblies associated with churches, schools, public lands or non-profit organizations.
  - 1. Fairs, festivals and assemblies are limited to a maximum - three day period annually.
  - 2. Total building area is limited to 5,000 square feet.
  - 3. No more than 200 vehicle trips per day are permitted.
- J. Pumping Stations
- K. Off-premise directional signs
- L. Private playgrounds

- M. Private Athletic Fields
- N. Private Swimming Pools associated with a subdivision
- O. Signs (Section 2.0206 applies)
- P. Agricultural and decorative ponds utilized exclusively by the resident and in which the excavated material is being removed or not being removed from the site not exceeding 1,000 cubic yards and in accordance with minimum standards as per Section 3.03 AT. (Amended 8/28/03 ZC03-06-038 OCS#03-0728)
- Q. Community Homes for handicapped persons as defined in L.R.S. 28:477.
- R. Similar and Compatible Uses  
Other uses administrative uses that are similar and compatible with the administrative uses of the SA District as determined by the Director of Development acting in the capacity of Zoning Administrator.

Fees are as set forth in Section 9.01.

#### 2.0205 Site and Structure Provisions

- A. Minimum Lot Area (Amended 8/24/2000 OCS# 00-0181)
  - 1. The lot area of each zoning lot occupied by a single dwelling unit shall not be less than twenty two thousand five hundred (22,500) square feet, except that public utility facilities may be located on a smaller lot with approval.
  - 2. The lot area of each zoning lot occupied by multiple dwelling units, including garage apartments or guest houses as permitted above, shall have a minimum lot size on no less than twenty two thousand five hundred (22,500) square feet per dwelling unit.
- B. Minimum Area Regulations
  - 1. Minimum Lot Width - The lot width of each zoning lot shall not be less than one hundred (100) feet.
  - 2. Front Yard - Front building lines shall conform to the average building lines established in a developed block. In all cases, this front building line shall be set back a minimum of twenty five feet from the front property line, unless abutting a major or minor arterial or collector, in which case the front yard shall be no less than forty (40) feet.
  - 3. Side Yard - There shall be two (2) side yards, one on each side of the building, having a minimum width of fifteen (15) feet each, plus one (1) additional foot for each foot in building height over twenty (20) feet above Base Flood Elevation.
  - 4. Rear Yard - There shall be a rear yard having a depth of not less than twenty-five (25) feet, plus one additional foot for every foot in building height over twenty (20) feet above Base Flood Elevation.

- C. Maximum Lot Coverage
  - 1. Residential Uses - The lot coverage of all principal and accessory buildings on a zoning lot shall not exceed twenty-five (25) percent of the total area of the lot.
  - 2. Non-Residential Uses - The lot coverage of all principal and accessory buildings on a zoning lot shall not exceed forty (40) percent of the total area of the lot.
  
- D. Height Regulations
  - 1. No building or dwelling for residential or business purposes shall exceed thirty-five (35) feet in height above Base Flood Elevation as set forth in Flood Ordinance 791.
  - 2. Uses incidental to farming, such as silos, windmills, etc. and any other non-habitable structure (e.g. radio, TV tower) may exceed this height limitation, provided, however, that there be one (1) foot setback for every foot over forty-five (45) feet from any existing dwellings or residences and/or property lines.
  
- E. Off Street Parking and Loading Requirements  
Off-street parking and loading shall be provided as put forth in Section 4.

2.0206 District Standards

All uses of land and structures in the SA District are subject to the general standards and regulations of this ordinance. In addition, all uses located in the SA Suburban Agriculture District shall be subject to the following standards:

- A. Environmental Quality
  - 1. Flood Zones - Construction of any structures of alteration of land which occurs in the 100-year flood zone as established by the Federal Emergency Management Agency shall require approval from the Parish Engineer prior to issuance of a building permit.
  - 2. Tree Preservation, Landscaping and Screening - All Conditional Uses shall apply to the requirements as set forth in Section 5.16.
  
- B. Signs, Lighting and Landscaping (Amended 2/13/03 ZC02-06-040 OCS#03-0607)
  - 1. Signs shall be subject to the provisions of Section 5.03.
  - 2. Lighting shall be subject to the provisions of Section 5.05.
  - 3. Landscaping shall be subject to the provisions of Section 5.16.
  
- C. Utilities
  - 1. Sewer
    - 1. Residential - On lots without central sewerage facilities, an individual sewer system must meet Department of Health and Human Resources standards and be approved by the Parish Health Department.

2. Non-Residential - On lots without central sewerage facilities, an individual sewer system must meet Department of Health and Human Resources standards and be approved by the Parish Health Department.
2. Water - On lots without central water facilities, any well must be fifty (50) feet from any sewer disposal unit.
3. Street Improvements - Any road or street constructed to serve four or more (4) residential units or any non-residential use must meet standards set forth in the Subdivision Regulations.

D. Impact on Natural and Scenic Rivers (Amended 4/16/04 ZC03-0-062 OCS#04-0848)

Whenever application is made for rezoning of property, to be granted a conditional use of property, or for a building permit for property that is situated along a waterway included in the Natural and Scenic Rivers System, or for the rezoning of property, conditional use of property or for a building permit application for property which has been determined to have the potential for an adverse impact on such waterways, or on any property situated thereon, in addition to complying with all other applicable provisions of the St. Tammany Parish Land Use Ordinance, the following provisions and requirements shall apply:

- 1) The applicant for rezoning shall comply with all rules and regulations governing the applicable zoning district.
- 2) The applicant for a conditional use permit shall comply with the minimum standards for conditional uses in Section 3.02.
- 3) The applicant for a building permit shall comply with all rules and regulations governing the permitted use.
- 4) All applicants shall file a copy of all permits required by the state, a state agency and the federal government for development of properties affecting natural and scenic rivers.
- 5) Prior to any final decision on any application for a rezoning or for a permit for those activities that may have the potential for significant impact on such waterways or property, an evaluation shall be made of the impact that the activities may have on the unique character and value of such waterways and properties.
- 6) The evaluation and final determination on any such application by the reviewing authority should insure compatible uses and development of such property, so as to maintain the natural and physical features of the waterways that are included in the Natural and Scenic Rivers system and the aesthetic values of the property situated along and accessible to the natural and scenic rivers in St. Tammany Parish.



**SECTION 2.03      A-1 SUBURBAN DISTRICT**

2.0301      Purpose

The A-1 Suburban District is intended to provide a single-family residential environment on large, multi-acre lots. The A-1 District is located primarily in less populated areas where central sewer and water systems do not exist and where the character of the area should be preserved through low densities. To protect the intention of the district, permitted activities are limited to single-family dwellings and certain specified agricultural, cultural, educational, religious and public uses. All strictly commercial uses are prohibited in the A-1 Suburban District.

2.0302      Permitted Uses

Only the following permitted uses shall be allowed in the A-1 Suburban District and no structure or land shall be devoted to any other use other than a use permitted hereunder with the exception of (a) uses lawfully established prior to the effective date of this ordinance; (b) conditional uses in compliance with the provisions of Section 2.0303 or (c) accessory uses in compliance with the provisions of Section 5.

A.      Residential Uses

1.      One Single-Family Dwelling
2.      Private Garages and Accessory Structures
3.      Garage Apartment or Guest House under 1,000 square feet of habitable floor space

B.      Miscellaneous Uses

1.      Community Central Water Treatment, Wall, and Storage Facilities
2.      Household Agriculture
3.      Garage Sales (See Section 3.03 Minimum Standards) (Amended 1/29/04 ZC03-11-074 OCS#04-0809)

C.      Similar & Compatible Uses

Other uses which are similar and compatible with the allowed uses of the A-1 Suburban District as determined by the Director of Development acting in the capacity of Zoning Administrator.

2.0303      Conditional Uses

Conditional Uses are prohibited unless application for the use has been processed by the Department of Development and such use has been favorably approved by the Zoning Commission. See Section 3.02 - Conditional Uses for the procedures and requirements that apply to Conditional Uses and Section 3.03 - Minimum Standards for minimum standards that apply to certain uses.

A.      Residential Uses

1.      One Mobile Home or Modular Home per Zoning lot (See Section 3.03 I -

Minimum Standards)

2. Home Occupation Limited and Home Office over 400 sq. ft. but not to exceed 1,000 sq. ft.
3. Home Occupation up 1,000 sq. ft.
4. Modification to Home Occupation, Home Occupation Limited or Home Office Minimum Standards.

B. Agricultural Uses

1. Agricultural Buildings and Structures
2. Cultivation of Garden Crops
3. Farms
4. Wholesale Greenhouses and Nurseries
5. Roadside Farm Stands over 200 square feet adjacent to an existing agricultural use

C. Religious Uses

1. Churches, Temples and Synagogues
2. Convents and Monasteries
3. Any secondary building or structure necessary for a Religious Use, excluding Schools Grades 1 through 12.

D. Educational Uses

1. Day-Care Centers
2. Nursery Schools

E. Health, Medical and Care Facilities

1. Convalescent Homes
2. Day Care Homes
3. Nursing Homes

F. Public Cultural and Recreational Uses

1. Horse Riding and Training Stables
2. Kennels
3. Golf Courses and Practice Ranges
4. Tours of nature and recreational areas operated by private individuals.
5. Recreational facilities in association with recreational areas operated by private individuals.

G. Public Utility Surface Structures

1. Electrical Substations
2. Telephone Relay Facilities
3. Utility Substations
4. Waste-Water Treatment Facilities
5. Utility Distribution Systems
6. Fire Stations
7. Police Substations

- H. Miscellaneous (Amended 8/28/03 ZC03-06-038 OCS#03-0728)
  - 1. Temporary Batch Plants and related Construction Facilities for a single development.
  - 2. On Site Real Estate Sales Office over 400 square feet
  
- I. Similar and Compatible Uses  
Other uses which are similar and compatible with the A-1 Suburban District's Conditional Uses as determined by the Director of Development acting in the capacity of Zoning Administrator.

2.0304 Administrative Permits

The purpose of an Administrative Permit is to provide for a Staff review of certain uses as set forth below:

- A. Home Occupation, Home Occupation Limited or Home Office provided the area for the used does not exceed 400 sq. ft.
  
- B. Roadside Stands under 200 square feet adjacent to an existing agricultural use.
  
- C. On Site Real Estate Sales Offices under 400 square feet.
  
- D. Subdivision Entrance Signs may be reviewed for appropriate location, size and construction methods.
  
- E. Fairs, festivals and assemblies associated with churches, schools public lands or non-profit organizations.
  - 1. Fairs, festivals and assemblies are limited to a maximum three days period annually.
  - 2. Total building area is limited to 5,000 square feet.
  - 3. No more than 200 vehicle trips per day are permitted.
  
- F. Pumping stations
  
- G. Day Care Homes
  
- H. Signs (Section 2.0306 -B applies)
  
- I. Private Cultural and Recreational Uses Associated with Subdivisions:
  - 1. Parks
  - 2. Botanical Gardens
  - 3. Playgrounds
  - 4. Nature Preserves and Sanctuaries
  - 5. Stables
  - 6. Tennis Courts
  - 7. Swimming Pools

8. Golf Courses and Related Uses

- J. Agricultural and decorative ponds utilized exclusively by the resident and in which the excavated material is being removed or not being removed from the site not exceeding 1,000 cubic yards and in accordance with minimum standards as per Section 3.03 AT. (Amended 8/28/03 ZC03-06-038 OCS#03-0728)
- K. Community Homes for handicapped persons as defined in L.R.S. 28:477.
- L. Other administrative uses which are similar and compatible with the A-1 Suburban District as determined by the Director of Development acting in the capacity of Zoning Administrator.

Fees are as set forth in Section 9.01.

2.0305 Site and Structure Provisions

A. Minimum Lot Area

- 1. Residential Uses - The lot area of each zoning lot shall not be less than five (5) acres.
- 2. Non-Residential Uses - The lot area of each zoning lot shall not be less than forty thousand (40,000) square feet, except that public utility facilities may be located on lots of lesser area with approval.

B. Minimum Area Regulations

- 1. Minimum Lot Width - The width of each zoning lot shall not be less than three hundred (300) feet.
- 2. Front Yard - Front building lines shall conform to the average building lines established in a developed block. In all cases, this front building line shall be set back a minimum of fifty (50) feet from the front property line.
- 3. Side Yard - There shall be two (2) side yards, one on each side of the building, having a minimum width of fifteen (15) feet each, plus one (1) additional foot for each foot in building height over twenty (20) feet above Base Flood Elevation.
- 4. Rear Yard - There shall be a rear yard having a depth of not less than twenty-five (25) feet, plus one additional foot, for every foot in building height over twenty (20) feet above Base Flood Elevation.

C. Maximum Lot Coverage

- 1. Residential Uses - The lot coverage of all principle and accessory buildings on a zoning lot shall not exceed fifteen (15) percent of the total area of the lot.
- 2. Non-Residential Uses - The lot coverage of all principal and accessory buildings on a zoning lot shall not exceed forty (40) percent of the total area of the lot.

D. Height Regulations

1. No building or dwelling for residential or business purposes shall exceed thirty-five (35) feet in height above the Base Flood Elevation as set forth in Flood Ordinance 791.
2. Uses incidental to farming, such as silos, windmills, etc. and any other non-habitable structure (e.g. radio, TV tower) may exceed this height limitation, provided, however, that there be one (1) foot setback for every one (1) foot over forty-five (45) feet from existing dwellings or residences and/or property lines.

E. Off- Street Parking and Loading Requirements

Off-street parking and loading shall be provided as put forth in Section 4.

2.0306 District Standards

All uses of land and structures in the A-1 Suburban District are subject to the general standards and regulations of this ordinance. In addition, all uses located in the A-1 Suburban District shall be subject to the following standards:

A. Environmental Quality

1. Flood Zones - Construction of any structures or alteration of land which occurs in the 100-year flood zone as established by the Federal Emergency Management Agency shall require approval from the Parish Engineer prior to issuance of a building permit.
2. Tree Preservation, Landscaping and Screening - All Conditional Uses shall apply to the requirements as set forth in Section 5.16 except for Agricultural Uses.

B. Signs, Lighting and Landscaping (Amended 2/13/03 ZC02-06-040 OCS#03-0607)

1. Signs shall be subject to the provisions of Section 5.03.
2. Lighting shall be subject to the provisions of Section 5.05.
3. Landscaping shall be subject to the provisions of Section 5.16.

C. Utilities

1. Sewer
  1. Residential - On lots without central sewerage facilities, an individual sewer system must meet Department of Health and Human Resources standards and be approved by the Parish Health Department.
  2. Non-Residential - On lots without central sewerage facilities, an individual sewer system must meet Department of Health and Human Resources standards and be approved by the Parish Health Department.
2. Water - On lots without central water facilities, any well must be fifty (50) feet from any sewer disposal unit.
3. Street Improvements - Any road or street constructed to serve four (4) or more residential units or any non-residential uses must meet standards set

forth in the Subdivision Regulations.

D. Impact on Natural and Scenic Rivers (Amended 4/16/04 ZC03-'0-062 OCS#04-0848)

Whenever application is made for rezoning of property, to be granted a conditional use of property, or for a building permit for property that is situated along a waterway included in the Natural and Scenic Rivers System, or for the rezoning of property, conditional use of property or for a building permit application for property which has been determined to have the potential for an adverse impact on such waterways, or on any property situated thereon, in addition to complying with all other applicable provisions of the St. Tammany Parish Land Use Ordinance, the following provisions and requirements shall apply:

- 1) The applicant for rezoning shall comply with all rules and regulations governing the applicable zoning district.
- 2) The applicant for a conditional use permit shall comply with the minimum standards for conditional uses in Section 3.02.
- 3) The applicant for a building permit shall comply with all rules and regulations governing the permitted use.
- 4) All applicants shall file a copy of all permits required by the state, a state agency and the federal government for development of properties affecting natural and scenic rivers.
- 5) Prior to any final decision on any application for a rezoning or for a permit for those activities that may have the potential for significant impact on such waterways or property, an evaluation shall be made of the impact that the activities may have on the unique character and value of such waterways and properties.
- 6) The evaluation and final determination on any such application by the reviewing authority should insure compatible uses and development of such property, so as to maintain the natural and physical features of the waterways that are included in the Natural and Scenic Rivers system and the aesthetic values of the property situated along and accessible to the natural and scenic rivers in St. Tammany Parish.

**SECTION 2.04      A-2 SUBURBAN DISTRICT**

2.0401      Purpose

The A-2 Suburban District is intended to provide a single family residential environment on large lots often served by public utility systems and other urban services. The A-2 District is located primarily in areas of substantial growth and population levels (GMA), but not adjacent to commercial or industrial uses. To protect the intention of the District, permitted activities are limited to single-family dwellings and certain specified agricultural, cultural, educational, religious and public uses. All strictly commercial uses are prohibited in the A-2 Suburban District.

2.0402      Permitted Uses

Only the following permitted uses shall be allowed in the A-2 Suburban District and no structure or land shall be devoted to any use other than a use permitted hereunder with the exception of (a) uses lawfully established prior to the effective date of the ordinance; (b) conditional uses in compliance with the provisions of Section 2.0403; or (c) accessory uses in compliance with the provisions of Section 5.

A.      Residential Uses

1.      One Single-Family Dwelling
2.      Private Garages and Accessory Structures

B.      Miscellaneous Uses (Amended 6/19/03 ZC03-04-021 OCS#03-0686)

1.      Community Central Water Treatment, Well, and Storage Facilities
2.      Garage Sales (See Section 3.03 Minimum Standards) (Amended 1/29/04 ZC03-11-074 OCS#04-0809)

C.      Similar & Compatible Uses

Other uses which are similar and compatible with the allowed uses of the A-2 Suburban District as determined by the Director of Development acting in the capacity of Zoning Administrator.

2.0403      Conditional Uses (Amended 8/28/03 ZC03-06-038 OCS#03-0728)

Conditional Uses are prohibited unless application for the use has been processed by the Department of Development and such use has been favorably approved by the Zoning Commission. See Section 3.02 - Conditional Uses for the procedures and requirements that apply to Conditional Uses and Section 3.03 - Minimum Standards for minimum standards that apply to certain uses.

A.      Residential Uses

1.      Garage Apartment or Guest House under 1,000 square feet of habitable floor space
2.      One Mobile Home or Modular Home per Zoning lot (See Section 3.03 - Minimum Standards)

- 3. Modification to Home Office and Home Occupation Limited Standards.
- B. Religious Uses
  - 1. Churches, Temples, and Synagogues
  - 2. Convents and Monasteries
  - 3. Any Secondary Building or Structure necessary for a Religious Use, excluding Schools Grades 1 through 12
- C. Educational Uses
  - 1. Day-Care Centers
  - 2. Nursery Schools
- D. Health, Medical and Care Facilities
  - 1. Convalescent Homes
  - 2. Day Care Homes
  - 3. Nursing Homes
- E. Public Cultural and Recreational Uses
  - 1. Horse Riding and Training Stables
  - 2. Kennels
  - 3. Golf Courses and Practice Ranges
  - 4. Tours of nature and recreational areas operated by private individuals.
  - 5. Recreational facilities in association with recreational areas operated by private individuals.
  - 6. Household Agriculture (Amended 6/19/03 ZC03-04-021 OCS#03-0686)
- F. Public Utility Surface Structures
  - 1. Electrical Substations
  - 2. Telephone Relay Facilities
  - 3. Utility Substations
  - 4. Waste-water Treatment Facilities
  - 5. Utility Distribution Systems
  - 6. Fire Stations
  - 7. Police Substations
- G. Miscellaneous
  - 1. Temporary Batch Plants and related construction facilities for a single development.
  - 2. On-Site Real Estate Sales Office over 400 square feet.
- H. Similar and Compatible Uses  
 Other uses which are similar and compatible with the A-2 Suburban District's Conditional Uses as determined by the Director of Development acting in the capacity of Zoning Administrator.

2.0404 Administrative Permits

The purpose of an Administrative Permit is to provide for a Staff review of certain uses

as set forth below:

- A. Home Office and Home Occupation Limited.
- B. On Site Real Estate Sales Offices under 400 square feet.
- C. Subdivision Entrance Signs may be reviewed for appropriate location, size and construction methods.
- D. Fairs, festivals and assemblies associated with churches, schools, public lands or non-profit organizations.
  - 1. Fairs, festivals and assemblies are limited to a maximum three day period annually.
  - 2. Total building area is limited to 5,000 square feet.
  - 3. No more than 200 vehicle trips per day are permitted.
- E. Pumping Stations
- F. Day Care Homes
- G. Private Cultural and Recreational Uses Associated with Subdivisions:
  - 1. Parks
  - 2. Botanical Gardens
  - 3. Playgrounds
  - 4. Nature Preserves and Sanctuaries
  - 5. Stables
  - 6. Tennis Courts
  - 7. Swimming Pools
  - 8. Golf Courses and Related Uses.
- H. Signs (Section 2.0406 B applies).
- I. Community Homes for handicapped persons as defined in L.R.S. 28:477.
- J. Agricultural and decorative ponds utilized exclusively by the resident and in which the excavated material is being removed or not being removed from the site not exceeding 1,000 cubic yards and in accordance with minimum standards as per Section 3.03 AT. (Amended 8/28/03 ZC03-06-038 OCS#03-0728)
- K. Other administrative uses which are similar and compatible with the A-2 Suburban District as determined by the Director of Development acting in the capacity of Zoning Administrator.

Fees are as set forth in Section 9.01.

2.0405 Site and Structure Provisions

- A. Minimum Lot Area

1. Residential Uses - The lot area of each zoning lot shall be not less than 40,000 square feet.
2. Non-Residential Uses - The lot area of each zoning lot shall not be less than forty thousand (40,000) square feet, except that public utility facilities may be located on lots of lesser area with approval.

B. Minimum Area Regulations

1. Minimum Lot Width - The lot width of each zoning lot shall not be less than one hundred fifty (150) feet.
2. Front Yard - Front building lines shall conform to the average building lines established in a developed block, in all cases, this front building line shall be set back a minimum of fifty (50) feet from the front of the property line.
3. Side Yard - There shall be two side yards, one on each side of the building, having a minimum width of fifteen (15) feet each, plus one (1) additional foot for every foot in building height over twenty (20) feet above Base Flood Elevation.
4. Rear Yard - There shall be a rear yard having a depth of not less than twenty-five (25) feet, plus one (1) additional foot for every foot in building height over twenty (20) feet above Base Flood Elevation.

C. Maximum Lot Coverage

1. Residential Uses - The lot coverage of all principal and accessory buildings on a zoning lot shall not exceed twenty-five (25) percent of the total area of the lot.
2. Non-Residential Uses - The lot coverage of all principal and accessory buildings on a zoning lot shall not exceed forty (40) percent of the total area of the lot.

D. Height Regulations

No building or dwelling for residential or business purposes shall exceed thirty-five (35) feet in height above the base flood elevation as established in Flood Ordinance 791

E. Off- Street Parking and Loading Requirements

Off-street parking and loading shall be provided as put forth in Section 4.

2.0406 District Standards

All uses of land and structures in the A-2 Suburban District are subject to the general standards and regulations of this ordinance. In addition, all uses located in the A-2 Suburban District shall be subject to the following standards:

A. Environmental Quality

1. Flood Zones - Construction of any structures or alteration of land which occurs in the 100-year flood zone as established by the Federal Emergency Management Agency shall require approval from the Parish Engineer prior to issuance of a building permit.

2. Tree Preservation, Landscaping and Screening - All Conditional Uses shall apply to the requirements as set forth in Section 5.16 except for Agricultural Conditional Uses.

B. Signs, Lighting and Landscaping (Amended 2/13/03 ZC02-06-040 OCS#03-0607)

1. Signs shall be subject to the provisions of Section 5.03.
2. Lighting shall be subject to the provisions of Section 5.05.
3. Landscaping shall be subject to the provisions of Section 5.16.

C. Utilities

1. Sewer
  - a. Residential - On lots without central sewerage facilities, an individual sewer system must meet Department of Health and Human Resources standards and be approved by the Parish Health Department.
  - b. Non-Residential - On lots without central sewerage facilities, an individual sewer system must meet Department of Health and Human Resources standards and be approved by the Parish Health Department.
2. Water - On lots without central water facilities, any well must be fifty (50) feet from any sewer disposal unit.
3. Street Improvements - Any road or street constructed to serve four (4) or more residential uses must meet standards set forth in the Subdivision Requirements.

D. Impact on Natural and Scenic Rivers (Amended 4/16/04 ZC03-0-062 OCS#04-0848)

Whenever application is made for rezoning of property, to be granted a conditional use of property, or for a building permit for property that is situated along a waterway included in the Natural and Scenic Rivers System, or for the rezoning of property, conditional use of property or for a building permit application for property which has been determined to have the potential for an adverse impact on such waterways, or on any property situated thereon, in addition to complying with all other applicable provisions of the St. Tammany Parish Land Use Ordinance, the following provisions and requirements shall apply:

- 1) The applicant for rezoning shall comply with all rules and regulations governing the applicable zoning district.
- 2) The applicant for a conditional use permit shall comply with the minimum standards for conditional uses in Section 3.02.
- 3) The applicant for a building permit shall comply with all rules and regulations governing the permitted use.
- 4) All applicants shall file a copy of all permits required by the state, a state agency and the federal government for development of properties affecting

natural and scenic rivers.

- 5) Prior to any final decision on any application for a rezoning or for a permit for those activities that may have the potential for significant impact on such waterways or property, an evaluation shall be made of the impact that the activities may have on the unique character and value of such waterways and properties.
- 6) The evaluation and final determination on any such application by the reviewing authority should insure compatible uses and development of such property, so as to maintain the natural and physical features of the waterways that are included in the Natural and Scenic Rivers system and the aesthetic values of the property situated along and accessible to the natural and scenic rivers in St. Tammany Parish

**SECTION 2.05      A-3 SUBURBAN DISTRICT**

2.0501      Purpose

The A-3 Suburban District is intended to provide a single-family residential environment on moderate sized lots which are served by central utility systems and other urban services. The A-3 District is located in areas appropriate for urbanized single family development, primarily in a GMA, and in areas convenient to commercial and employment centers. To protect the intention of the District, permitted activities are limited to single-family dwellings and certain specified cultural, educational, religious and public uses. All strictly commercial uses are prohibited in the A-3 District.

2.0502      Permitted Uses

Only the following permitted uses shall be allowed in the A-3 Suburban District and no structure or land shall be devoted to any other use other than a use permitted hereunder with the exception of (a) uses lawfully established prior to the effective date of this ordinance; (b) conditional uses in compliance with the provisions of Section 2.0503; or (c) accessory uses in compliance with the provisions of Section 5.

A.      Residential Uses

1.      One Single Family Dwelling
2.      Private Garages and Accessory Structures

B.      Miscellaneous Uses

1.      Community Central Water Treatment, Well, and Storage Facilities
2.      Garage Sales (See Section 3.03 Minimum Standards) (Amended 1/29/04 ZC03-11-074 OCS#04-0809)

C.      Similar & Compatible Uses

Other uses which are similar and compatible with the allowed uses of the A-3 District as determined by the Director of development acting in the capacity of Zoning Administrator.

2.0503      Conditional Uses (Amended 8/28/03 ZC03-06-038 OCS#03-0728)

Conditional Uses are prohibited unless application for the use has been processed by the Department of Development and such use has been favorably approved by the Zoning Commission. See Section 3.02 - Conditional Uses for the procedures and requirements that apply to Conditional Uses and Section 3.03 Minimum Standards for minimum standards that apply to certain uses.

A.      Residential Uses

1.      One Mobile Home or Modular Home per Zoning lot (See Section 3.03 - Minimum Standards)
2.      Modification to Home Office and Home Occupation Limited Standards.

- B. Religious Uses
  - 1. Churches, Temples, and Synagogues
  - 2. Convents and Monasteries
  - 3. Any Secondary Building or Structure necessary for a Religious Use, excluding Schools Grades 1 through 12
  
- C. Educational Uses
  - 1. Day-Care Centers
  - 2. Nursery Schools
  
- D. Health, Medical and Care Facilities
  - 1. Convalescent Homes
  - 2. Day Care Homes
  - 3. Nursing Homes
  
- E. Public Cultural and Recreational Uses
  - 1. Horse Riding and Training Stables
  - 2. Kennels
  - 3. Golf Courses and Practice Ranges
  - 4. Tours of nature and recreational areas operated by private individuals.
  - 5. Recreational facilities in association with recreational areas operated by private individuals.
  
- F. Public Utility Surface Structures
  - 1. Electrical Substations
  - 2. Telephone Relay Facilities
  - 3. Utility Substations
  - 4. Waste-water Treatment Facilities
  - 5. Utility Distribution Systems
  - 6. Fire Stations
  - 7. Police Substations
  
- G. Miscellaneous
  - 1. Temporary Batch Plants and related construction facilities for a single development
  - 2. On Site Real Estate Sales Office over 400 square feet
  - 3. Household Agriculture on sites with a minimum lot size of one (1) acre.
  
- H. Similar and Compatible Uses  
 Other uses which are similar and compatible with the A-3 Suburban District's Conditional Uses as determined by the Director of Development acting in the capacity of Zoning Administrator.

2.0504 Administrative Permits

The purpose of an Administrative Permit is to provide for a Staff review of certain uses as set forth below:

- A. Home Office and Home Occupation Limited.
- B. On Site Real Estate Sales Offices under 400 square feet.
- C. Subdivision Entrance Signs may be reviewed for appropriate location, size and construction methods.
- D. Fairs, festivals and assemblies associated with churches, schools, public lands or non-profit organizations.
  - 1. Fairs, festivals, and assemblies are limited to a maximum three day period annually.
  - 2. Total building area is limited to 5,000 square feet.
  - 3. No more than 200 vehicle trips per day are permitted.
- E. Pumping Stations
- F. Private Cultural and Recreational Uses Associated with Subdivisions:
  - 1. Parks
  - 2. Botanical Gardens
  - 3. Playgrounds
  - 4. Nature Preserves and Sanctuaries
  - 5. Stables
  - 6. Tennis Courts
  - 7. Swimming Pools
  - 8. Golf Courses and Related Uses
- G. Signs (Section 2.506-B applies)
- H. Community Homes for handicapped persons as defined in L.R.S. 28:477.
- I. Agricultural and decorative ponds utilized exclusively by the resident and in which the excavated material is being removed or not being removed from the site not exceeding 1,000 cubic yards and in accordance with minimum standards as per Section 3.03 AT. (Amended 8/28/03 ZC03-06-038 OCS#03-0728)
- J. Similar & Compatible Uses  
Other administrative uses which are similar and compatible with the A-3 District as determined by the Director of Development acting in the capacity of Zoning Administrator.

Fees are as set forth in Section 9.01.

2.0505 Site and Structure Provisions

- A. Minimum Lot Area
  - 1. Residential - The lot area of each zoning lot shall not be less than twenty-thousand (20,000) square feet per family unit.

2. Non-Residential Uses - The lot area of each zoning lot shall not be less than forty thousand (40,000) square feet, except that public utility facilities may be located on lots of lesser area with approval.

B. Minimum Area Regulations

1. Minimum Lot Width - The lot width of each zoning lot shall not be less than one hundred (100) feet.
2. Front Yard - Front building lines shall conform to the average building lines established in a developed block. In all cases, this front building line shall be set back a minimum of thirty (30) feet from the front property line.
3. Side Yard - There shall be at least two (2) side yards, one on each side of the building, having a minimum width of ten (10) feet, plus one (1) additional foot for each foot in building height over twenty (20) feet above Base Flood Elevation.
4. Rear Yard - There shall be a rear yard having a depth of not less than twenty-five (25) feet, plus one additional foot for every foot in building height over twenty (20) feet above Base Flood Elevation.

C. Maximum Lot Coverage

1. Residential Uses - The lot coverage of all principal and accessory buildings on a zoning lot shall not exceed forty (40) percent of the total area of the lot.
2. Non-Residential Uses - The lot coverage of all principal and accessory buildings on a zoning lot shall not exceed forty (40) percent of the total area of the lot.

D. Height Regulations

No building or dwelling for residential or business purposes shall exceed thirty-five (35) feet in height above base flood elevation as set forth in Flood Ordinance 791.

E. Off-Street and Loading Parking Requirements

Off Street Parking shall be provided as put forth in Section 4.

2.0506 District Standards

All uses of land and structures in the A-3 Suburban District are subject to the general standards and regulations of this ordinance. In addition, all uses located in the A-3 Suburban District shall be subject to the following standards:

A. Environmental Quality

1. Flood Zones - Construction of any structures of alteration of land which occurs in the 100-year flood zone as established by the Federal Emergency Management Agency shall require approval from the Parish Engineer prior to issuance of a building permit.
2. Tree Preservation, Landscaping and Screening - All Conditional Uses shall apply to the requirements as set forth in Section 5.16.

- B. Signs, Lighting and Landscaping (Amended 2/13/03 ZC02-06-040 OCS#03-0607)
1. Signs shall be subject to the provisions of Section 5.03.
  2. Lighting shall be subject to the provisions of Section 5.05.
  3. Landscaping shall be subject to the provisions of Section 5.16.

C. Utilities

1. Water and Sewer - Residential and Non-Residential Uses - Central water and sewerage facilities shall be provided where applicable as per St. Tammany Subdivision Regulations Ordinance No. 499.
2. Street Improvement - Any road or street constructed to serve four (4) or more residential units or any non-residential uses must meet standards set forth in the Subdivision Regulations.

D. Impact on Natural and Scenic Rivers (Amended 4/16/04 ZC03-0-062 OCS#04-0848)

Whenever application is made for rezoning of property, to be granted a conditional use of property, or for a building permit for property that is situated along a waterway included in the Natural and Scenic Rivers System, or for the rezoning of property, conditional use of property or for a building permit application for property which has been determined to have the potential for an adverse impact on such waterways, or on any property situated thereon, in addition to complying with all other applicable provisions of the St. Tammany Parish Land Use Ordinance, the following provisions and requirements shall apply:

- 1) The applicant for rezoning shall comply with all rules and regulations governing the applicable zoning district.
- 2) The applicant for a conditional use permit shall comply with the minimum standards for conditional uses in Section 3.02.
- 3) The applicant for a building permit shall comply with all rules and regulations governing the permitted use.
- 4) All applicants shall file a copy of all permits required by the state, a state agency and the federal government for development of properties affecting natural and scenic rivers.
- 5) Prior to any final decision on any application for a rezoning or for a permit for those activities that may have the potential for significant impact on such waterways or property, an evaluation shall be made of the impact that the activities may have on the unique character and value of such waterways and properties.
- 6) The evaluation and final determination on any such application by the reviewing authority should insure compatible uses and development of such property, so as to maintain the natural and physical features of the waterways that are included in the Natural and Scenic Rivers system and

the aesthetic values of the property situated along and accessible to the natural and scenic rivers in St. Tammany Parish.

**SECTION 2.06      A-4 SINGLE-FAMILY RESIDENTIAL DISTRICT**

2.0601      Purpose

The A-4 District is intended to provide single-family residential dwellings in a setting of moderate urban density as within a GMA. Central utility systems, convenience to commercial and employment centers and efficient access to major transportation routes are locational characteristics of this District. To protect the intention of the District, permitted activities are limited to single-family dwellings and certain specified cultural, educational, religious and public uses. All strictly commercial uses are prohibited in the A-4 District.

2.0602      Permitted Uses

Only the following permitted uses shall be allowed in the A-4 Single-Family Residential District and no structure or land shall be devoted to any other use other than a use permitted hereunder with the exception of (a) uses lawfully established prior to the effective date of this ordinance; (b) conditional uses in compliance with the provisions of Sections 2.0603; or (c) accessory uses in compliance with the provisions of Section 5.

A.      Residential Uses

1.      One Single-Family Dwelling
2.      Private Garages and Accessory Structures

B.      Miscellaneous Uses

1.      Community Central Water Treatment, Well, and Storage Facilities
2.      Garage Sales (See Section 3.03 Minimum Standards) (Amended 1/29/04 ZC03-11-074 OCS#04-0809)

C.      Similar & Compatible Uses

Other uses which are similar and compatible with the allowed uses of the A-4 District as determined by the Director of Development acting in the capacity of Zoning Administrator.

2.0603      Conditional Uses (Amended 8/28/03 ZC03-06-038 OCS#03-0728)

Conditional Uses are prohibited unless application for the use has been processed by the Department of Development and such use has been favorably approved by the Zoning Commission. See Section 3.02 - Conditional Uses for the procedures and requirements that apply to Conditional Uses and Section 3.03 - Minimum Standards for minimum standards that apply to certain uses.

A.      Residential Uses

1.      Single Family Cluster Housing (Zero Lot Line)
2.      One Mobile Home or Modular Home per Zoning lot (See Section 3.03 - Minimum Standards)
3.      Modification to Home Office and Home Occupation Limited Standards.

- B. Religious Uses
  - 1. Churches, Temples and Synagogues
  - 2. Convents and Monasteries
  - 3. Any Secondary Building or Structure necessary for a Religious Use, excluding Schools Grades 1 through 12
  
- C. Educational Uses
  - 1. Day-Care Centers
  - 2. Nursery Schools
  
- D. Health, Medical and Care Facility
  - 1. Convalescent Homes
  - 2. Day Care Homes
  - 3. Nursing Homes
  
- E. Public Cultural and Recreational Uses
  - 1. Horse Riding and Training Stables
  - 2. Kennels
  - 3. Golf Courses and Practice Ranges
  - 4. Tours of Nature and Recreational areas operated by private individuals
  - 5. Recreational Facilities in association with recreational areas operated by private individuals
  
- F. Public Utility Surface Structures
  - 1. Electrical Substations
  - 2. Telephone Relay Facilities
  - 3. Utility Substations
  - 4. Waste-Water Treatment Facilities
  - 5. Fire stations
  - 6. Police Substations
  
- G. Miscellaneous
  - 1. Temporary Batch Plants and related construction facilities for a single development
  - 2. On Site Real Estate Sales Office over 400 square feet
  
- H. Accessory Uses
  - 1. Parking Lots associated with an adjacent business. (Amended 10/17/02 ZC02-10-071 OCS#02-0558)
  
- I. Similar and Compatible Uses

Other uses which are similar and compatible with the Conditional Uses of the A-4 Single Family Residential District as determined by the Director of Development acting in the capacity of Zoning Administrator.

2.0604 Administrative Permits

The purpose of an Administrative Permit is to provide for a Staff review of certain uses as set forth below:

- A. Home Office and Home Occupation Limited.
- B. On Site Real Estate Sales Offices under 400 square feet.
- C. Subdivision Entrance Signs may be reviewed for appropriate location, size and construction methods.
- D. Fairs, festivals and assemblies associated with churches, schools public lands or non-profit organizations.
  - 1. Fairs, festivals, and assemblies are limited to a maximum three day period annually.
  - 2. Total building area is limited to 5,000 square feet.
  - 3. No more than 200 vehicle trips per day are permitted.
- E. Pumping Stations
- F. Private Cultural and Recreational Uses Associated with Subdivisions.
  - 1. Parks
  - 2. Botanical Gardens
  - 3. Playgrounds
  - 4. Nature Preserves and Sanctuaries
  - 5. Stables
  - 6. Tennis Courts
  - 7. Swimming Pools
  - 8. Golf Courses and Related Uses
- G. Signs (Section 2.606-B applies)
- H. Community Homes for handicapped persons as defined in L.R.S. 28:477.
- I. Agricultural and decorative ponds utilized exclusively by the resident and in which the excavated material is being removed or not being removed from the site not exceeding 1,000 cubic yards and in accordance with minimum standards as per Section 3.03 AT. (Amended 8/28/03 ZC03-06-038 OCS#03-0728)
- J. Similar and Compatible Uses  
Other administrative uses which are similar and compatible with the A-4 Single Family Residential District as determined by the Director of Development acting in the capacity of Zoning Administrator.

Fees are as set forth in Section 9.01.

2.0605 Site and Structure Provisions

A. Minimum Lot Area

1. Residential Uses - The lot area of each zoning lot shall be not less than (12,500) square feet, except for single family cluster developments (Zero Lot Line) for which the lot area of each zoning lot shall not be less than (10,500) square feet.
2. Non-Residential Uses - The lot area of each zoning lot shall not be less than forty thousand (40,000) square feet, except that public utility facilities may be located on lots of lesser area with approval.
3. Open Space - A minimum of twenty-five (25) percent of the gross area of each tract of land in a Single Family Cluster Development (Zero Lot Line) must be reserved and dedicated for public or common use. Improved drainage facilities, lakes, streets and other impermeable surfaced areas and any other unusable land may not be included in determining the required open space for the Development.

B. Minimum Area Regulations

1. Minimum Lot Width - The Lot width of each zoning lot shall not be less than ninety (90) feet, except for Single Family Cluster Developments (Zero Lot Line) for which the lot area of each zoning lot shall not be less than seventy-five (75) feet.
2. Front Yard - Front building lines shall conform to the average building lines established in a developed block, in all cases, this front building line shall be set back a minimum of thirty (30) feet from the front property Line.
3. Side Yard - There shall be two (2) side yards, one on each side of the building, having a minimum width of ten (10) feet each, plus one (1) additional foot for each one (1) foot in building height over twenty (20) feet above Base Flood Elevation. For Single Family Cluster Developments (Zero Lot Line) there shall be at least one (1) side yard, having a minimum width of twenty five (25) feet, plus one (1) additional foot for each foot in building height over twenty (20) feet above Base Flood Elevation. However, for structures located on corner lots, there shall be a side yard setback from the side street of not less than twenty (20) feet.
4. Rear Yard - There shall be a rear yard having a depth of not less than twenty five (25) feet, plus one (1) additional foot for every one (1) foot in building height over twenty (20) feet above Base Flood Elevation.

C. Maximum Lot Coverage

1. Residential Uses - The lot coverage of all principal and accessory buildings on a zoning lot shall not exceed fifty (50) percent of the total area of the lot. For Single Family Cluster Developments, (Zero Lot Line), the lot coverage of all principal and accessory buildings on a zoning lot shall not exceed seventy (70) percent of the total area of the lot.
2. Non-Residential Uses - The Lot coverage of all principal and accessory buildings on a zoning lot shall not exceed forty (40) percent of the total area of the lot.

D. Height Regulations

No building or dwelling for residential or business purposes shall exceed thirty-five (35) feet in height above base flood elevation as established in Flood Ordinance 791.

- E. Off-Street Parking and Loading Requirements  
Off-street parking and loading shall be provided as put forth in Section 4.

2.0606 District Standards

All uses of land and structures in the A-4 Single-Family Residential District area subject to the general standards and regulations of this ordinance. In addition, all uses located in the A-4 District shall be subject to the following standards:

A. Environmental Quality

1. Flood Zones - Construction of any structures or alteration of land which occurs in the 100-year flood zone as established by the Federal Emergency Management Agency shall require approval from the Parish Engineer prior to issuance of a building permit.
2. Tree Preservation, Landscaping and Screening - All Conditional Uses shall apply to the requirements as set forth in Section 5.16.

B. Signs, Lighting and Landscaping (Amended 2/13/03 ZC02-06-040 OCS#03-0607)

1. Signs shall be subject to the provisions of Section 5.03.
2. Lighting shall be subject to the provisions of Section 5.05.
3. Landscaping shall be subject to the provisions of Section 5.16.

C. Utilities

1. Water and Sewer - Residential and Non-Residential Uses - Central water and sewerage facilities shall be provided where applicable as per St. Tammany Subdivision Regulations Ordinance No. 499.
2. Street Improvements - Any road or street constructed to serve four (4) or more residential units or any non-residential use must meet standards set forth in the Subdivision Regulations.

D. Impact on Natural and Scenic Rivers (Amended 4/16/04 ZC03-0-062 OCS#04-0848)

Whenever application is made for rezoning of property, to be granted a conditional use of property, or for a building permit for property that is situated along a waterway included in the Natural and Scenic Rivers System, or for the rezoning of property, conditional use of property or for a building permit application for property which has been determined to have the potential for an adverse impact on such waterways, or on any property situated thereon, in addition to complying with all other applicable provisions of the St. Tammany Parish Land Use Ordinance, the following provisions and requirements shall apply:

- 1) The applicant for rezoning shall comply with all rules and regulations governing the applicable zoning district.

- 2) The applicant for a conditional use permit shall comply with the minimum standards for conditional uses in Section 3.02.
- 3) The applicant for a building permit shall comply with all rules and regulations governing the permitted use.
- 4) All applicants shall file a copy of all permits required by the state, a state agency and the federal government for development of properties affecting natural and scenic rivers.
- 5) Prior to any final decision on any application for a rezoning or for a permit for those activities that may have the potential for significant impact on such waterways or property, an evaluation shall be made of the impact that the activities may have on the unique character and value of such waterways and properties.
- 6) The evaluation and final determination on any such application by the reviewing authority should insure compatible uses and development of such property, so as to maintain the natural and physical features of the waterways that are included in the Natural and Scenic Rivers system and the aesthetic values of the property situated along and accessible to the natural and scenic rivers in St. Tammany Parish.

**SECTION 2.07      A-5 TWO FAMILY RESIDENTIAL DISTRICT**

2.0701      Purpose

The A-5 District is intended to provide a greater density of residential use by permitting the placement of two-family dwelling units without the more intense uses of general multi-family districts. This District is to primarily be located in a GMA and be characterized by central utility systems, convenience to commercial and employment centers, and efficient access to major transportation routes. To protect the intention of the District, permitted activities are limited to residential dwellings of one or two units and certain specified cultural, educational, religious and public uses. All strictly commercial uses are prohibited in the A-5 District.

2.0702      Permitted Uses

Only the following permitted uses shall be allowed in the A-5 Two-Family Residential District and no structure or land shall be devoted to any other use other than a use permitted hereunder with the exception of (a) uses lawfully established prior to the effective date of this ordinance; (b) Conditional Uses in compliance with the provisions of Section 2.0703; or (c) accessory uses in compliance with the provisions of Section 5.

A.      Residential Uses

1.      One Single-Family Dwelling
2.      Two-Family Dwellings
3.      Private Garages and Accessory Structures.

B.      Miscellaneous Uses

1.      Community Central Water Treatment, Well and Storage Facilities
2.      Garage Sales (See Section 3.03 Minimum Standards) (Amended 1/29/04 ZC03-11-074 OCS#04-0809)

C.      Similar & Compatible Uses

Other uses which are similar and compatible with the allowed uses of the A-5 District as determined by the Director of Development acting in the capacity of Zoning Administrator.

2.0703      Conditional Uses (Amended 8/28/03 ZC03-06-038 OCS#03-0728)

Conditional Uses are prohibited unless application for the use has been processed by the Department of Development and such use has been favorably approved by the Zoning Commission. See Section 3.02 - Conditional Uses for the procedures and requirements that apply to Conditional Uses and Section 3.03 - Minimum Standards for minimum standards that apply to certain uses.

A.      Residential Uses

1.      Modification to Home Office and Home Occupation Limited Standards.
2.      One Mobile Home or Modular Home per Zoning lot (See Section 3.03 -

Minimum Standards)

- B. Religious Uses
  - 1. Churches, Temples and Synagogues
  - 2. Convents and Monasteries
  - 3. Any Secondary Buildings or Structure Necessary for a Religious Use, excluding Schools Grades 1 through 12
  
- C. Educational Uses
  - 1. Day Care Centers
  - 2. Nursery Schools
  
- D. Health, Medical and Care Facilities
  - 1. Convalescent Home
  - 2. Day Care Homes
  - 3. Nursing Home
  - 4. Retirement Centers
  
- E. Public Cultural and Recreational Uses
  - 1. Horse Riding and Training Stables
  - 2. Kennels
  - 3. Golf Courses and Practice Ranges
  - 4. Tours of Nature and Recreational areas operated by private individuals
  - 5. Recreational facilities in association with recreational areas operated by private individuals
  
- F. Public Utility Surface Structures
  - 1. Electrical Substations
  - 2. Telephone Relay Facilities
  - 3. Utility Substations
  - 4. Waste-Water Treatment Facilities
  - 5. Utility Distribution Systems
  - 6. Fire stations
  - 7. Police Substations
  
- G. Miscellaneous
  - 1. Temporary Batch Plants and related construction facilities for a single development.
  - 2. On Site Real Estate Sales Office over 400 square feet.
  
- H. Accessory Uses
  - 1. Parking Lots associated with an adjacent business. (Amended 10/17/02 ZC02-10-071 OCS#02-0558)
  
- I. Similar and Compatible Uses

Other uses which are similar and compatible with the Conditional Uses of the A-5 Two Family Residential District as determined by the Director of Development

acting in the capacity of Zoning Administrator.

2.0704 Administrative Permits

The purpose of an Administrative Permit is to provide for a Staff review of certain uses as set forth below:

- A. On Site Real Estate Sales Offices under 400 square feet.
- B. Subdivision Entrance Signs may be reviewed for appropriate location, size and construction methods.
- C. Fairs, festivals and assemblies associated with churches, schools public lands or non-profit organizations.
  - 1. Fairs, festivals, and assemblies are limited to a maximum three day period annually.
  - 2. Total building area is limited to 5,000 square feet.
  - 3. No more than 200 vehicle trips per day are permitted.
- D. Pumping Stations
- E. Private Cultural and Recreational Uses Associated with Subdivisions:
  - 1. Parks
  - 2. Botanical Gardens
  - 3. Playgrounds
  - 4. Nature Preserves and Sanctuaries
  - 5. Stables
  - 6. Tennis Courts
  - 7. Swimming Pools
  - 8. Golf Courses and Related Uses
- F. Signs (Section 2.0707-B applies)
- G. Home Office and Home Occupation Limited.
- H. Community Homes for handicapped persons as defined in L.R.S. 28:477.
- I. Agricultural and decorative ponds utilized exclusively by the resident and in which the excavated material is being removed or not being removed from the site not exceeding 1,000 cubic yards and in accordance with minimum standards as per Section 3.03 AT. (Amended 8/28/03 ZC03-06-038 OCS#03-0728)
- J. Similar and Compatible Uses  
Other administrative uses which are similar and compatible with the A-5 Two Family Residential District as determined by the Director of Development acting in the capacity of Zoning Administrator.

Fees are as set forth in Section 9.01.

2.0705 Site and Structure Provisions

A. Minimum Lot Area

1. Residential Uses - The lot area of each zoning lot shall be not less than twelve thousand five hundred (12,500) square feet, with a minimum required lot area of six thousand two hundred and fifty (6,250) square feet per dwelling unit.
2. Non-Residential Uses - The lot area of each zoning lot shall not be less than forty thousand (40,000) square feet, except that public utility facilities may be located on lots of lesser area with approval.

B. Minimum Area Regulations

1. Minimum Lot Width - The lot width of each zoning lot shall not be less than ninety (90) feet.
2. Front Yard - Front building lines shall conform to the average building lines established in a developed block, in all cases, this front building line shall be setback a minimum of forty (40) feet from the property line.
3. Side Yard - There shall be two (2) side yards, one on each side of the building, having a minimum width of ten (10) feet each, plus one (1) additional foot for each foot in building height over twenty (20) feet above Base Flood Elevation. However, for structures located on corner lots, there shall be a side yard setback from the side street of not less than ten (10) feet.
4. Rear Yard - There shall be a rear yard having a depth of not less than twenty five (25) feet, plus one (1) additional foot for every one (1) foot in building height over twenty (20) feet above Base Flood Elevation.

C. Maximum Lot Coverage

1. Residential Uses - The lot coverage of all principle and accessory buildings on a zoning lot shall not exceed fifty (50) percent of the total area of the lot.
2. Non-Residential Uses - The lot coverage of all principle and accessory buildings on a zoning Lot shall not exceed forty (40) percent of the total area of the lot.

D. Height Regulations

No building or dwellings for residential or business purposes shall exceed thirty-five (35) feet in height above base flood elevation as set forth in Flood Ordinance 791.

E. Off-Street Parking and Loading Requirements

Off-street parking and loading shall be provided as put forth in Section 4.

2.0706 District Standards

All uses of land and structures in the A-5 Two Family Residential District are subject to

the general standards and regulations of this ordinance. In addition, all uses located in the A-5 District shall be subject to the following standards:

A. Environmental Quality

1. Flood Zones - Construction of any structures or alteration of land which occurs in the 100-year flood zone as established by the Federal Emergency Management Agency shall require approval from the Parish Engineer prior to issuance of a building permit.
2. Tree Preservation, Landscaping and Screening - All uses shall apply to the requirements as set forth in Section 5.16.

B. Signs, Lighting and Landscaping (Amended 2/13/03 ZC02-06-040 OCS#03-0607)

1. Signs shall be subject to the provisions of Section 5.03.
2. Lighting shall be subject to the provisions of Section 5.05.
3. Landscaping shall be subject to the provisions of Section 5.16.

C. Utilities

1. Sewer - All uses, residential and nonresidential must be provided with central sewerage systems.
2. Water - All uses, residential and non-residential must be provided with central water systems.
3. Street Improvements - Any road or street constructed to serve four (4) or more residential units or any non-residential use must meet standards set forth in the Subdivision Regulations.

D. Impact on Natural and Scenic Rivers (Amended 4/16/04 ZC03-0-062 OCS#04-0848)

Whenever application is made for rezoning of property, to be granted a conditional use of property, or for a building permit for property that is situated along a waterway included in the Natural and Scenic Rivers System, or for the rezoning of property, conditional use of property or for a building permit application for property which has been determined to have the potential for an adverse impact on such waterways, or on any property situated thereon, in addition to complying with all other applicable provisions of the St. Tammany Parish Land Use Ordinance, the following provisions and requirements shall apply:

- 1) The applicant for rezoning shall comply with all rules and regulations governing the applicable zoning district.
- 2) The applicant for a conditional use permit shall comply with the minimum standards for conditional uses in Section 3.02.
- 3) The applicant for a building permit shall comply with all rules and regulations governing the permitted use.
- 4) All applicants shall file a copy of all permits required by the state, a state agency and the federal government for development of properties affecting

natural and scenic rivers.

- 5) Prior to any final decision on any application for a rezoning or for a permit for those activities that may have the potential for significant impact on such waterways or property, an evaluation shall be made of the impact that the activities may have on the unique character and value of such waterways and properties.
- 6) The evaluation and final determination on any such application by the reviewing authority should insure compatible uses and development of such property, so as to maintain the natural and physical features of the waterways that are included in the Natural and Scenic Rivers system and the aesthetic values of the property situated along and accessible to the natural and scenic rivers in St. Tammany Parish.

**SECTION 2.08      A-6 GENERAL MULTIPLE FAMILY RESIDENTIAL DISTRICT**

2.0801      Purpose

The A-6 District is intended to provide medium to high density residential development in an urbanized location where it may serve as a transitional district between less intense commercial or industrial environments. This District is to be served by central utility systems, be convenient to commercial and employment centers, and have easy access to thoroughfares and collector streets. To protect the intentions of the District, permitted activities are limited to residential uses, both private and public, and certain specified cultural, educational, religious and public uses. All strictly commercial uses are prohibited in the A-6 District.

2.0802      Permitted Uses

Only the following permitted uses shall be allowed in the A-6 General Multiple Family Residential District and no structure or land shall be devoted to any other use other than a use permitted hereunder with the exception of (a) uses lawfully established prior to the effective date of this ordinance; (b) conditional uses in compliance with the provisions of Section 2.0803 or (c) accessory uses in compliance with the provisions of Section 5.

A.      Residential Uses

1.      Two, Three and Four Family Dwellings
2.      Multiple Family Dwellings & Condominiums
3.      Townhouses & Condominiums as otherwise provided herein
4.      Nursing Homes
5.      Private Garages and Accessory Structures

B.      Miscellaneous Uses

1.      Community Central Water Treatment, Well and Storage Facilities
2.      Garage Sales (See Section 3.03 Minimum Standards) (Amended 1/29/04 ZC03-11-074 OCS#04-0809)

C.      Similar and Compatible Uses

Other uses which are similar and compatible with the Permitted Uses of the A-6 District as determined by the Director of Development acting in the capacity of Zoning Administrator.

2.0803      Conditional Uses (Amended 8/28/03 ZC03-06-038 OCS#03-0728)

Conditional Uses are prohibited unless application for the use has been processed by the Department of Development and such use has been favorably approved by the Zoning Commission. See Section 3.02 - Conditional Uses for the procedures and requirements that apply to Conditional Uses and Section 3.03 - Minimum Standards for minimum standards that apply to certain uses.

A.      Residential Uses

1. Boarding & Lodging Houses
  2. Apartment Hotels
  3. Single Family Residence
  4. One Mobile Home or Modular Home per zoning lot (See Section 3.03 - Minimum Standards)
  5. Modification to Home Office and Home Occupation Limited Standards.
- B. Commercial Uses
1. Retail Uses occupying single structures of fifteen hundred (1500) square feet or less and intended to serve only a localized multifamily development.
  2. Laundromat
- C. Professional Uses - Limited to 3,000 square feet
1. Law Offices
  2. Architecture or Engineering Offices
  3. Accountant Offices
  4. Real Estate Offices
  5. Insurance Offices
  6. Doctor, Dentist or Chiropractor Offices
  7. Similar Professional Offices
- D. Religious Uses
1. Churches, Temples and Synagogues
  2. Convents and Monasteries
  3. Any Secondary Building or Structure necessary for a Religious Use, excluding Schools Grades 1 through 12
- E. Educational Uses
1. Day-Care Centers
  2. Nursery Schools
- F. Health, Medical and Care Facilities
1. Convalescent Homes
  2. Day Care Homes
  3. Retirement Centers
  4. Hospices
- G. Public Cultural and Recreational Uses
1. Horse Riding and Training Stables
  2. Kennels
  3. Golf Courses and Practice Ranges
  4. Tours of Nature and Recreational areas operated by private individuals
  5. Recreational facilities in association with recreational areas operated by private individuals
- H. Public Utility Surface Structures
1. Electrical Substations

2. Telephone Relay Facilities
3. Utility Substations
4. Waste-Water Treatment Facilities
5. Utility Distribution Systems
6. Fire stations
7. Police Substations

I. Miscellaneous

1. Temporary Batch Plants and related construction facilities for a single development
2. On Site Real Estate Sales Office over 400 square feet

J. Accessory Uses

1. Parking Lots associated with an adjacent business. (Amended 10/17/02 ZC02-10-071 OCS#02-0558)

K. Similar and Compatible Uses

Other uses which are similar and compatible with the Conditional Uses of the A-6 General Multiple Family District as determined by the Director of Development acting in the capacity of Zoning Administrator.

2.0804 Administrative Permits

The purpose of an Administrative Permit is to provide for a Staff review of certain uses as set forth below:

- A. On Site Real Estate Sales Offices under 400 square feet.
- B. Subdivision Entrance Signs may be reviewed for appropriate location, size and construction methods.
- C. Fairs, festivals and assemblies associated with churches, schools public lands or non-profit organizations
  1. Fairs, festivals, and assemblies are limited to a maximum three day period annually.
  2. Total building area is limited to 5,000 square feet.
  3. No more than 200 vehicle trips per day are permitted.
- D. Pumping Stations
- E. Private Cultural and Recreational Uses in association with subdivision or apartment complexes:
  1. Parks
  2. Botanical Gardens
  3. Playgrounds
  4. Nature Preserves and Sanctuaries
  5. Stables

- 6. Tennis Courts
  - 7. Swimming Pools
  - 8. Golf Courses and Related Uses
- F. Signs (Section 2.806-B applies)
- G. Home occupations may be allowed that are clearly incidental and secondary to the property or apartment as a residence, provided, however, that: these uses are conducted entirely on the property and by the lessee with permission of the property owner; no more that fifteen percent (15%) of the apartment can be uses for the home occupation; no more the one (1) person who is not related to the resident family by be engaged in the operation of such a business; limited retail sales; no outdoor storage; no more than 15 vehicle trips per day; no more than seven (7) vehicles related to the home occupation on site at any one time. Vehicles may not utilize parking designed specifically for residences of the apartments.
- H. Community Homes for handicapped persons as defined in L.R.S. 28:477.
- I. Agricultural and decorative ponds utilized exclusively by the resident and in which the excavated material is being removed or not being removed from the site not exceeding 1,000 cubic yards and in accordance with minimum standards as per Section 3.03 AT. (Amended 8/28/03 ZC03-06-038 OCS#03-0728)
- J. Home Office and Home Occupation Limited.
- K. Other Uses which are similar and compatible with the A-6 General Multiple Family Residential District Administrative Uses as determined by the Director of Development acting in the capacity of Zoning Administrator.

Fees are as set forth in Section 9.01.

2.0805 Site and Structure Provisions

A. Minimum Lot Area

1. Residential Uses - The Minimum lot area for each zoning lot shall conform to the following:

Two-Family Dwellings:	3,600 Square Feet Per Family Unit
Three-Family Dwellings:	2,500 Square Foot Per Family Unit
Four-Family Dwellings:	2,000 Square Feet Per Family Unit
Five-Family Dwellings:	1,750 Square Feet Per Family Unit
Six to Twelve Units:	1,700 Square Feet Per Family Unit
Thirteen to Twenty Units:	1,600 Square Feet Per Family Unit

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Twenty of More Units: 1,500 Square Feet Per Family Unit

2. Non-Residential Uses - The lot area of each zoning lot shall not be less than six thousand (6,000) square feet, except that public utility facilities may be located on a lot of lesser area with approval.

B. Minimum Area Regulations

1. Front Yard - Front building lines shall conform to the average building lines established in a developed block; in all cases, this front building line shall be set back a minimum of twenty-five (25) feet from the front of the property line.
2. Side Yard - There shall be two (2) side yards, one on each side of the building, having a minimum width of five (5) feet each, plus one (1) additional foot for each one (1) foot in building height over twenty-five (25) feet above base flood elevation. However, for structures located on corner lots, there shall be a side yard setback from the side street of not less than ten (10) feet.
3. Rear Yard - There shall be a rear yard having a depth of not less than twenty-five (25) feet, plus one additional foot for every twenty-five (25) feet above base flood elevation.

C. Maximum Lot Coverage

1. Residential Uses - The lot coverage of all principal and accessory buildings on a zoning lot shall not exceed fifty (50) percent of the total area of the lot.
2. Non-Residential Uses - The lot coverage of all principal and accessory buildings on a zoning lot shall not exceed forty (40) percent of the total area of the lot.

D. Height Regulations

No building or dwelling for residential or business purposes shall exceed thirty-five (35) feet in height above base flood elevation as set forth in Flood Hazard Ordinance 791.

E. Off Street Parking and Loading Requirements

Off-street parking and loading areas shall be provided as put forth in Section 4.

2.0806 District Standards

All use of land and structures in the A-6 District are subject to the general standards and regulations of this ordinance. In addition, all uses located in the A-6 District shall be subject to the following standards:

A. Environmental Quality

1. Flood Zones - Construction of any structures or alteration of land which occurs in the 100-year flood zone as established by the Federal Emergency Management Agency shall require approval from the Parish Engineer prior to issuance of a building permit.
2. Tree Preservation, Landscaping and Screening - All uses shall apply to the requirements as set forth in Section 5.16.

B. Signs, Lighting and Landscaping (Amended 2/13/03 ZC02-06-040 OCS#03-0607)

1. Signs shall be subject to the provisions of Section 5.03.
2. Lighting shall be subject to the provisions of Section 5.05.
3. Landscaping shall be subject to the provisions of Section 5.16.

C. Utilities

1. Sewer - All structures must be served by central sewerage systems.
2. Water - All structures must be served by central water systems.
3. Street Improvements - Any road or street constructed to serve four (4) or more residential units or any non-residential use must meet standards set forth in the Subdivision Regulations.

D. Impact on Natural and Scenic Rivers (Amended 4/16/04 ZC03-0-062 OCS#04-0848)

Whenever application is made for rezoning of property, to be granted a conditional use of property, or for a building permit for property that is situated along a waterway included in the Natural and Scenic Rivers System, or for the rezoning of property, conditional use of property or for a building permit application for property which has been determined to have the potential for an adverse impact on such waterways, or on any property situated thereon, in addition to complying with all other applicable provisions of the St. Tammany Parish Land Use Ordinance, the following provisions and requirements shall apply:

- 1) The applicant for rezoning shall comply with all rules and regulations governing the applicable zoning district.
- 2) The applicant for a conditional use permit shall comply with the minimum standards for conditional uses in Section 3.02.
- 3) The applicant for a building permit shall comply with all rules and regulations governing the permitted use.
- 4) All applicants shall file a copy of all permits required by the state, a state agency and the federal government for development of properties affecting natural and scenic rivers.
- 5) Prior to any final decision on any application for a rezoning or for a permit for those activities that may have the potential for significant impact on such waterways or property, an evaluation shall be made of the impact that the

activities may have on the unique character and value of such waterways and properties.

- 6) The evaluation and final determination on any such application by the reviewing authority should insure compatible uses and development of such property, so as to maintain the natural and physical features of the waterways that are included in the Natural and Scenic Rivers system and the aesthetic values of the property situated along and accessible to the natural and scenic rivers in St. Tammany Parish.



## **SECTION 2.09      PUD PLANNED UNIT DEVELOPMENT DISTRICT**

### **2.0901   Purpose**

The purpose of the Planned Unit Development District (PUD) is to encourage flexibility in the development of land, creative design, more orderly development and to promote and preserve the scenic features of the site. The following criteria represent the objectives of the PUD.

1.      Environmentally sensitive design that is of a higher quality than would be possible under the regulations otherwise applicable to the property.
2.      Diversification in the uses permitted and variation in the relationship of uses, open space and the setbacks and height of structures in developments intended as cohesive, unified projects.
3.      Functional and beneficial uses of open space areas.
4.      Preservation of natural features of a development site.
5.      Creation of a safe and desirable living environment for residential areas characterized by a unified building and site development program.
6.      Rational and economically sound development in relation to public services.
7.      Efficient and effective traffic circulation, both within and adjacent to the development site.
8.      Creation of a variety of housing compatible with surrounding neighborhoods to provide a greater choice of types of environment and living units.

### **2.0902      General Standards and Criteria      (Amended 7/6/06 ZC05-09-067 OCS#06-1324)**

In order for the Zoning Commission and Police Jury to make competent and definitive decisions concerning a Planned Unit Development's proper makeup, the following general standards and criteria shall be applicable:

#### **A.      Physical Characteristics of the Site:**

The site should be suitable for development in the manner proposed without hazard to persons or property adjacent to the site, should encourage use of flood hazard areas if present for recreational areas and should not promote erosion or other soil related damage. Soil conditions, drainage, vegetative cover and topography should be maximally utilized to fit the intended design of the development. Any structure proposed to be built in the flood hazard areas must be constructed in accordance with all other applicable regulations, including, but not limited to, the flood and fill regulations set forth in St. Tammany Parish Code

of Ordinances, Chapter 7 Drainage and Flood Control, and in Subdivision Regulatory Ordinance 499, Sections 40-037.04 and 40-037.05.

B. Relation to Major Transit Routes:

PUD's shall be properly located with respect to interstate, major highways and major arterial streets so as not to create major shifts of traffic generation to intermediate collectors and or minor streets.

C. Internal Planned Unit Development Parameters:

1. Every dwelling unit or other use within the PUD shall have direct access to a public or private street via pedestrian ways, courts or other access related easements. It should not be construed that access for permitted uses must front on a dedicated street.
2. If lots and or parcels are created within the boundaries of the PUD, no minimum size or yards shall be required.
3. Open spaces shall be required within the PUD and shall be devoted to active and passive recreational purposes. Examples of recreational activities commonly found within a PUD include: playgrounds, swimming pools, club houses, golf courses, waterways and or beach frontage and nature trails. Parking areas, access easements and drainage ditches shall not be counted as open space within a PUD.
4. Central sewerage and water systems shall be provided to all uses within this district when densities exceed more than one (1) unit per acre or when residential uses are located on lots of less than one (1) acre in size.

Septic tanks and individual water wells are prohibited in PUD developments.

D. Impact on Natural and Scenic Rivers (Amended 4/16/04 ZC03-'0-062 OCS#04-0848)

Whenever application is made for rezoning of property to PUD that is situated along a waterway included in the Natural and Scenic Rivers System, or for the rezoning of property to PUD for property which has been determined to have the potential for an adverse impact on such waterways, or on any property situated thereon, in addition to complying with all other applicable provisions of the St. Tammany Parish Land Use Ordinance, the following provisions and requirements shall apply:

- 1) The applicant for rezoning shall comply with all rules and regulations governing the PUD zoning district.
- 2) The applicant shall file a copy of all permits required by the state, a state

agency and the federal government for development of properties affecting natural and scenic rivers.

- 3) Prior to any final decision on any application for a rezoning that may have the potential for significant impact on such waterways or property, an evaluation shall be made of the impact that the activities may have on the unique character and value of such waterways and properties.
- 4) The evaluation and final determination on any such application by the reviewing authority should insure compatible uses and development of such property, so as to maintain the natural and physical features of the waterways that are included in the Natural and Scenic Rivers system and the aesthetic values of the property situated along and accessible to the natural and scenic rivers in St. Tammany Parish.

2.0903 Plan Approval:

- A. Prior to submitting a PUD rezoning petition, an informal pre-application conference with designated staff from the Parish Department of Development shall be required. The purpose of this conference shall be to discuss PUD parameters and to bring the overall petition as nearly as possible into conformity with Parish regulations.

Following the PUD pre-application conference, a Conceptual Plan shall be submitted with the rezoning application. This plan shall provide the following information:

1. The title of the project and the names of the project planner and developer.
2. A legal description of the property including Township, Section and Range.  
(Revised ZC00-005, OCS 2039 5/4/2000)
3. Plat indicating scale, date, north arrow, and general vicinity map indicating existing land uses within 500 feet of all boundaries of the proposed PUD shall be designated. This plat shall include all existing physical features such as existing streets, buildings, water courses, easements, soil conditions, vegetative cover and topography.
4. Site information including the following criteria shall be provided:
  - a. Boundaries of the property involved,
  - b. Average size and maximum number of lots, (Revised ZC00-005, OCS 2039 5/4/2000)
  - c. Parcels or sites to be developed or occupied by buildings,
  - d. The general location and maximum amount of area to be developed for parking,
  - e. The general location of areas to be devoted to open space, including those areas to be dedicated or conveyed for parks, playgrounds or

- school sites,
  - f. Public building(s) and other common use areas,
  - g. The approximate location of ingress, egress and access streets,
  - h. The approximate location of pedestrian and vehicular ways, and
  - i. The extent of landscaping and planting.
  - j. Location and/or source of water and sewer facilities, (Revised ZC00-005, OCS 2039 5/4/2000)
  - k. Front, side and rear yard setback lines. (Revised ZC00-005, OCS 2039 5/4/2000)
5. Tabulation of the maximum square footage of each use.
  6. The proposed maximum height of any building or structure.
  7. Maximum total land area, Minimum public and private open space, streets, off-street parking and loading areas.

Breakdown by percent of total land area devoted to each use such as:

- a. Residential uses
- b. commercial uses
- c. industrial uses
- d. open-space

- (1.) Active recreation shall include such comparable uses as playgrounds, ball fields, swimming pools, tennis courts and other similar and comparable uses approved by the St. Tammany Parish Department of Planning; (Amended 1/17/03 ZC02-08-058 OCS#02-0594)
- (2.) Passive recreation shall include such comparable uses as picnic areas, nature trails, and other similar and comparable uses approved by Parish Department of Planning; (Amended 1/17/03 ZC02-08-058 OCS#02-0594)
- (3.) A minimum of 15% open space shall be required for all PUD's less than 10 acres and 25% for all PUD's greater than 10 acres and in no case shall the open space be less than 1/4 acre and 50 feet in width. (Revised ZC00-005, OCS 2039 5/4/2000).  
A minimum of fifteen percent (15%) open-space shall be required for all Planned Unit Developments containing a land area of ten (10) acres or less and twenty five percent (25%) open-space shall be required for all Planned Unit Developments greater than ten (10) acres provided that no more than fifty percent (50%) of the required greenspace shall be satisfied using Limited Use Land (herein defined). Limited Use Land shall mean land which is inundated by water for a period of greater than four (4) months within each calendar year. Two (2) acres of Limited Use Land are required to satisfy one (1) acre of required open space. (Amended 1/17/03 ZC02-08-058 OCS#02-0594)

- e. access parking and loading areas
  - f. location of the existing and proposed easements to the extent they are reasonably ascertainable with the understanding that the future easements may be needed based on more complete engineering studies. (Revised ZC00-005, OCS 2039 5/4/2000)
8. If the Planned Unit Development is proposed to be constructed in phases, indicate proposed development scheduling in detail including:
    - a. The approximate date when construction of each phase of the project can be expected to begin; and
    - b. The order in which the phases of the project will be built.
  9. Restrictive Covenants including the assurance of maintenance of common areas and the continued protection of the PUD. The Department of Planning must review and approve the Restrictive Covenants prior to recordation thereof with the Clerk of Court. (Revised ZC00-005, OCS 2039 5/4/2000)
  10. Circulation element indicating the proposed principal movement of vehicles, goods and pedestrians.
  11. Environmental Assessment Data Form (signed and dated). (Revised ZC00-005, OCS 2039 5/4/2000)
  12. Initial wetland delineation as determined by a qualified wetlands consultant. (Revised ZC00-005, OCS 2039 5/4/2000)
  13. Flood Zone demarcation lines (indicate FIRM Map and panel number). (Revised ZC00-005, OCS 2039 5/4/2000)
  14. Documents indicating ultimate disposal of surface drainage. (Revised ZC00-005, OCS 2039 5/4/2000)
  15. The Zoning Commission or the Police Jury may require additional material such as plans, maps, aerial photographs, studies and reports which may be needed in order to make the necessary findings and determinations that the applicable Parish standards and guidelines have been achieved.
- B. The Zoning Commission shall forward a recommendation to approve or deny the PUD to the St. Tammany Parish Police Jury after the required public hearing. The Zoning Commission reserves the right to add stipulations and conditions to its approval and shall determine if the applicant has met all or part of the PUD parameters including:
1. The tract for the proposed PUD is suitable in terms of its relationships to the Parish Comprehensive Plan and that the areas surrounding the proposed PUD can continue to be developed in coordination and substantial compatibility with the PUD proposed.

2. That the desirable modifications of general zoning or PUD regulations as applied to the particular case, justify such modifications of regulations and at least an equivalent degree the regulations modified, based on the design and amenities incorporated in the site development plan.\
  3. That increased open space over conventional development is provided for the occupants of the proposed PUD and the general public, and desirable natural features indigenous to the site and considered in the development plan presented.
- C. Binding Nature of approval for PUD  
All terms, conditions, safeguards, and stipulations made at the time of approval for PUD shall be binding upon the applicant or any successors in interest. Deviations from approved plans or failure to comply with any requirements, conditions, or safeguards shall constitute a violation of these zoning regulations.
1. Tentative-Preliminary-Final Development Plans  
Plans for development of land approved for PUD shall be processed in accordance with the procedures established by the St. Tammany Parish Subdivision Regulations (Ordinance No. 499) - if required.
  2. Final Development Plan  
After approval of the Conceptual Development Plan by the Police Jury the applicant shall submit a Final Plan to the Department of Development indicating all terms, conditions, safeguards and stipulations required by the Zoning Commission and the Police Jury.

2.0904 Appeals

Any applicant or owner of property may appeal to the Police Jury from any recommendation of the Zoning Commission or from any conditions the Commission imposes or fails to impose in its recommendations, by filing a written notice of appeal with the Department of Development within fifteen (15) days after the date of the close of the public hearing on the requested Planned Unit Development. If the applicant files a notice of appeal; a conceptual site plan incorporating any and all conditions that are not being appealed shall be filed with the Department of Development within thirty (30) days after the date of the close of the public hearing on the requested planned development or the application shall be deemed withdrawn. Upon receipt of the revised plan, the appeal shall be placed on the next Police Jury regarding the appeal shall be incorporated into the ordinance enacting the Planned Unit Development.

2.0905 Amendment to the Planned Unit Development

Amendments to the PUD shall be classified as either major or minor in character.

- A. Major amendments to the PUD shall require the developer to submit revised plans to the Department of Development. Upon review of the proposed amendments

to the PUD by the staff, a public hearing shall be established for the review of the changes by the Zoning Commission. The Zoning Commission shall have the authority to review and approve all major changes to the PUD.

Public advertisement shall be required at least fifteen (15) days prior to the meeting date and shall run in the official journal of the Parish at least twice during that time period.

Furthermore, the developer shall pay additional fees for procurement of his proposed PUD changes. The additional fees shall be established by the Department of Development upon initial review of the proposed amendments.

Major changes to the PUD plan include:

1. The use of the land,
  2. The use, bulk and location of significant buildings and structures,
  3. The quantity, quality and location of open spaces; and
  4. Intensity of use and or the change or density.
- B. Minor amendments to the PUD shall be construed as all other changes not considered major amendments. Minor amendments change shall be submitted for review by the Department of Development and may be put into effect only after a letter of no objection is filed and submitted from the Department of Development to the Chairman of the Zoning Commission.



**SECTION 2.10      LC LIGHT COMMERCIAL DISTRICT**

2.1001      Purpose

The LC District is intended primarily for professional and business offices, medical and public institutional uses as well as limited retail and specialty commercial uses with activities conducted during normal daytime working hours.

2.1002      Permitted Uses

Only the following permitted uses shall be allowed in the LC Light Commercial District and no structure or land shall be erected, structurally altered, or enlarged for any other than a use permitted hereunder with the exception of (a) uses lawfully established prior to the effective date of this ordinance; (b) conditional uses in compliance with the provisions of Section 2.1003; or (c) accessory uses in compliance with the provisions of Section 5. See Section 3.03 - Minimum Standards for minimum standards that apply to certain uses.

A.      Office and Professional Uses

The following office and professional uses shall be located in buildings of 3,000 square feet of floor space or less. However, if more than one use occupies a building, the entire building can have no more than 9,000 square feet of floor space.

- 
1.      Law Offices
  2.      Architecture or Engineering Offices
  3.      Accountant Offices
  4.      Real Estate Offices
  5.      Insurance Offices
  6.      Business Offices
  7.      Daytime Doctor, Dentist and Chiropractor Offices
  8.      Other Professional Offices

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B.      Specialty Retail and Service Uses (Amended 11/01/07 ZC07-09-054 OCS#07-1706)

The following retail and service uses shall be located in buildings of 3,000 square feet of floor space or less.

1.      Specialty Retail Shops for the sale of books, educational and/or arts and crafts supplies, florists, gifts, antiques and clothing.
2.      Photographic Studios
3.      Dance Studios
4.      Music Studios
5.      Learning Center with a maximum of 15 students

C. Miscellaneous Uses

1. Rest, Nursing and Convalescent Homes
2. Day Care Centers
3. Nursery Schools
4. Mobile Homes or modular buildings designed for business purposes

D. Residential Uses

1. Single Family Detached Residences with a maximum of two (2) dwelling units per 45,000 square feet or a two-family attached dwelling units (Duplex) per 45,000 square feet.
2. Dwelling units located above the first floor designed for business uses. Dwelling units shall not exceed one story.

E. Similar and Compatible Uses

Other uses which are similar and compatible with the Permitted Uses of the LC Light Commercial District as determined by the Director of Development acting in the capacity of Zoning Administrator.

2.1003 Conditional Uses

Conditional Uses are prohibited unless application for the use has been processed by the Department of Development and such use has been favorably approved by the Zoning Commission. See Section 3.02 - Conditional Uses for the procedures and requirements that apply to Conditional Uses and Section 3.03 - Minimum Standards for minimum standards that apply to certain uses.

A. Medical Uses

1. Drug Stores
2. Medical laboratories related to an adjacent medical facility, not greater than 3,000 square feet.
3. Hospices

B. Public Uses

1. Community Centers
2. Recreational Facilities
3. Fire stations
4. Police Stations
5. Public Utility Facilities

C. Residential Uses

1. Single Family Residences with densities greater than two dwelling

- units per 45,000 square feet.
- 2. Units that exceed one story in height located above any first floor designed for business uses.
- 3. Mobile Home used for residential purposes.

D. Miscellaneous Uses

- 1. Mobile Homes designed for residential use but utilized for purposes other than residential.
- 2. Churches, Temples and Synagogues
- 3. Internally illuminated signs which blink, flash or change intensity of color

E. Accessory Uses

- 1. Parking Lots associated with an adjacent business. (Amended 10/17/02 ZC02-10-071 OCS#02-0558)

F. Similar and Compatible Uses

Other uses which are similar and compatible with the Conditional Uses of the Light Commercial District as determined by the Director of Development acting in the capacity of Zoning Administrator.

2.1004 Administrative Permits

A. Fairs, festivals and assemblies associated with churches, schools public lands or non-profit organizations.

- 1. Fairs, festivals, and assemblies are limited to a maximum three day period annually.
- 2. Total building area is limited to 5,000 square feet.
- 3. No more than 200 vehicle trips per day are permitted.

B. Snowball stands between April 1 and September 30.

C. Off premise directional signs (Minimum Standards Apply)

D. Similar and Compatible Uses

Other administrative uses which are similar and compatible with the LC Light Commercial District as determined by the Director of Development acting in the capacity of Zoning Administrator.

Fees are as set forth in 9.01.

2.1005 Site and Structures Regulations

A. Minimum Lot Area

1. Non-Residential - The lot area for each zoning lot shall be twelve thousand five hundred (12,500) square feet.

**B. Minimum Area Regulations**

1. Minimum Lot Width - For each zoning lot provided with central water and sewerage facilities, the minimum lots width shall not be less than sixty (60) feet. For each zoning lot without either central water or sewerage facilities, the minimum lot width shall be eighty (80) feet.
2. Front Yard - Front building lines shall conform to the average building lines in a developed block, but in no case shall it be less than fifteen (15) feet from the property line and to the rear of the street planting area, plus one (1) additional foot for each foot in building height over twenty-five (25) feet above Base Flood Elevation. On corner or through lots, the required front yard will be provided on both streets. Where off-street parking facilities are provided in the front yard, the minimum building setback shall be determined in accordance with the following table. All setbacks shall be measured from the right-of-way line of the street or road.

MINIMUM SETBACK IN ADDITION TO LANDSCAPE REQUIREMENTS FOR COMMERCIAL BUILDINGS WITH OFF-STREET PARKING BETWEEN THE FRONT FACADE AND THE STREET RIGHT-OF-WAY LINE.

	Type of Parking				
	Parallel	30°	45°	60°	90°
Sidewalk plus one row of parking and one driving lane	28'	32'	37'	44'	48'
Sidewalk plus two rows of parking and one driving lane	40'	45'	50'	59'	79'
Sidewalk plus two rows of parking and two driving lanes	50'	55'	60'	69'	89'

3. Side Yard - No side yard shall be required , except as outlined under Section 2.1005, when common or party walls adjoin buildings on two zoning lots. However, when a side yard is provided, it must be a minimum of three (3) feet.
4. Rear Yard - No rear yard is required for non-residential uses except as outlined under Section 2.1005. However, when a rear yard is provided, it must be a minimum of three (3) feet. A rear yard shall be provided for residential uses located above the first floor, such yard to be not less than thirty (30) feet in depth.

C. Maximum Lot Coverage

The lot coverage of all principal and accessory buildings on a zoning lot shall not exceed fifty (50) percent of the total area of the lot. However, parking and landscape requirements for the intended use must be met in all instances. Therefore, maximum lot coverage may in some cases be less.

D. Height Regulations

No building or structure shall exceed thirty-five (35) feet in height above Base Flood Elevation as set forth in Flood Hazard Ordinance 791.

E. Off-Street Parking & Loading Zone Requirements

Off-street parking & loading zones will be provided as put forth in Section 4.

2.1006 Transitional Yards

Where a LC District adjoins a residential district, transitional yards shall be provided in accordance with the following regulations:

- A. Where lots in a LC District front on a street and at least eighty (80) percent of the frontage directly across the street between two (2) consecutive intersecting streets is in a residential district, the setback regulations for the residential district shall apply to the said lots in the commercial district.
- B. In a LC District, where a side lot line coincides with a side or rear lot line of property in an adjacent residential district, a yard shall be provided along such side lot line. Such yard shall be equal in dimension to the minimum side yard which would be required under this ordinance for a residential use on the adjacent property in the residential district.
- C. In a LC District, where a rear lot line coincides with a rear or side lot line of property in an adjacent residential district, a yard shall be provided along such rear lot line. Such yard shall be equal in dimensions to the minimum rear yard which would be required under this ordinance for a residential use on the adjacent property in the residential district.
- D. In a LC District, where the extension of a front or side lot line coincides with the front line of an adjacent lot located in a residential district, a yard equal in depth to the minimum setback required by this ordinance on such adjacent lot in the residential district shall be provided along such front or side lot line for a distance of at least 25 feet, including the width of any intervening alley from such lot in the residential district.

2.1007 District Standards

All uses of land structures in the LC Light Commercial District are subject to the general standards and regulations of this ordinance. In addition, all uses located in this District shall be subject to the following standards.

A. Environmental Quality

1. Flood Zones - Construction of any structures of alteration of land which occurs in the 100-year flood zone as established by the Federal Emergency Management Agency shall require approval from the Parish Engineer prior to issuance of a building permit.
2. Tree Preservation, Landscaping and Screening - All uses shall apply to requirements as set forth in Section 5.16.

B. Signs, Lighting and Landscaping (Amended 2/13/03 ZC02-06-040 OCS#03-0607)

1. Signs shall be subject to the provisions of Section 5.03.
2. Lighting shall be subject to the provisions of Section 5.05.
3. Landscaping shall be subject to the provisions of Section 5.16.

C. Utilities

1. Sewer - If an available public central system adjoins the property and is within 300 feet of the proposed use, the system must be utilized. All private systems must be approved by the State Health Department before issuance of a building permit.
2. Water - Any private water well must be located a minimum of fifty (50) feet from any sewer disposal unit.
3. Street Improvements - Any road or street constructed to serve any zoning lot for any use must meet standards set forth in the Subdivision Regulations.

D. Fire Marshall Approval

A certificate attesting to the State Fire Marshall's approval of plans for all construction and improvements as per the State Fire Code must be provided to the Department of Permits and Inspections prior to issuance of a building permit.

E. Impact on Natural and Scenic Rivers (Amended 4/16/04 ZC03-0-062 OCS#04-0848)

Whenever application is made for rezoning of property, to be granted a conditional use of property, or for a building permit for property that is situated along a waterway included in the Natural and Scenic Rivers System, or for the rezoning of property, conditional use of property or for a building permit application for property which has been determined to have the potential for an adverse impact

on such waterways, or on any property situated thereon, in addition to complying with all other applicable provisions of the St. Tammany Parish Land Use Ordinance, the following provisions and requirements shall apply:

- 1) The applicant for rezoning shall comply with all rules and regulations governing the applicable zoning district.
- 2) The applicant for a conditional use permit shall comply with the minimum standards for conditional uses in Section 3.02.
- 3) The applicant for a building permit shall comply with all rules and regulations governing the permitted use.
- 4) All applicants shall file a copy of all permits required by the state, a state agency and the federal government for development of properties affecting natural and scenic rivers.
- 5) Prior to any final decision on any application for a rezoning or for a permit for those activities that may have the potential for significant impact on such waterways or property, an evaluation shall be made of the impact that the activities may have on the unique character and value of such waterways and properties.
- 6) The evaluation and final determination on any such application by the reviewing authority should insure compatible uses and development of such property, so as to maintain the natural and physical features of the waterways that are included in the Natural and Scenic Rivers system and the aesthetic values of the property situated along and accessible to the natural and scenic rivers in St. Tammany Parish.



## **SECTION 2.11      C-1 NEIGHBORHOOD COMMERCIAL DISTRICT**

### **2.1101      Purpose**

The C-1 District is intended to provide for necessary commercial uses of a convenience nature within residential areas. These uses are intended to be facilities serving the everyday needs of the surrounding neighborhood rather than the surrounding community. These uses should be distend to the extent possible to allow for convenient pedestrian circulation, common parking and a village-type atmosphere. Uses which may create noise, odors, hazards, unsightliness, or which may generate excessive traffic should not be located in this District. The residential character of the area surrounding this district shall be of primary consideration when Conditional Uses or exceptions to these regulations are reviewed.

### **2.1102      Permitted Uses**

Only the following permitted uses shall be allowed in the C-1 Neighborhood Commercial District and no structure or land shall be erected, structurally altered, or enlarged for any other than a use permitted hereunder with the exception of (a) uses lawfully established prior to the effective date of this ordinance; (b) conditional uses in compliance with the provisions of Section 2.1103; or (c) accessory uses in compliance with the provisions of Section 5. See Section 3.03 - Minimum Standards for minimum standards that apply to certain uses.

#### **A.      Retail and Service Uses**

The following general retail and service uses shall be located in buildings of 3,000 square feet of floor space or less. However, if more than one use occupies a building, the entire building can have no more than 9,000 square feet of floor space.

1.      Antique Shops
2.      Art and School Supply Stores
3.      Art Galleries
4.      Bakeries
5.      Branch Banks and Financial Institutions
6.      Barber and Beauty Shops
7.      Book or Stationery Stores
8.      Utility Collection Offices
9.      Custom Dressmaking and Sewing Shops
10.     Florists
11.     Delicatessens
12.     Garden Supply Centers & Greenhouses
13.     Gift Shops
14.     Hardware Stores
15.     Hobby Shops
16.     Ice Cream Shops

17. Interior Decorating Shops
18. Jewelry Stores
19. Photography Shops & Studios
20. Restaurants
21. Shoe Stores and Repair Shops
22. Sporting Goods Stores
23. Toy Stores
24. Wearing Apparel Shops

B. Offices

1. Law Offices
2. Architecture or Engineering Offices
3. Accountant Offices
4. Real Estate Offices
5. Insurance Offices
6. Doctor, Dentist or Chiropractor Offices
7. Other Professional Offices

C. Residential Uses

1. Inns or Guest Houses of ten (10) guest rooms or less.
2. Single Family Detached Residences with a maximum of two (2) dwelling units per 45,000 square feet or a two-family attached dwelling units (Duplex) per 45,000 square feet.
3. Dwelling units located above the first floor designed for business uses. Dwelling units shall not exceed one story.

D. Public Educational Facilities (Amended 1/10/2002 OCS# 02-0426)

1. Public Elementary Schools
2. Public Secondary Schools

E. Miscellaneous Uses

1. Churches, Temples and Synagogues
2. Day-Care Centers, Nursery schools, pre-schools and kindergartens (See Section 3.03 - Minimum Standards)

F. Similar and Compatible Uses

Other uses which are similar and compatible with the Permitted Uses of the C-1 Neighborhood Commercial District as determined by the Director of Development acting in the capacity of Zoning Administrator.

2.1103 Conditional Uses

Conditional Uses are prohibited unless application for the use has been processed by the Department of Development and such use has been favorably approved by the Zoning Commission. See Section 3.02 - Conditional Uses for the procedures and requirements that apply to Conditional Uses and Section 3.03 - Minimum Standards for minimum standards that apply to certain uses.

A. Retail and Service Uses

1. Restaurants greater than 3,000 square feet.
2. Restaurants with Lounge
3. Convenience Stores under 2,000 square feet
4. Drug Stores
5. Dry Cleaning, Laundries and Self-Service Laundries
6. Food Stores under 3,000 square feet
7. Drive-In Banking
8. Automobile Service Stations
9. Farmers Market
10. Retail establishments greater than 3,000 square feet, but less than 9,000 square feet gross in area. (Ord. Cal. No. 2019 5/11/2000)
11. Any other retail establishment not specifically permitted herein but which has economic compatibility with established uses on adjoining premises and which meets the intent and purpose of this District.

B. Public Uses

1. Police and Fire Stations
2. Public Utility Facilities
3. Post Office

C. Public Cultural and Recreational Uses

1. Horse Riding and Training Stables
2. Kennels
3. Golf Courses and Practice Ranges
4. Community Center
3. Parks and Playgrounds
4. Sports or Gymnasiums
5. Athletic Fields

D. Educational

1. Private or Charter Elementary Schools (Amended 1/10/2002 OCS# 02-0426)
2. Institution of Fine Arts
3. Adult Education Classes

E. Medical

1. Clinics, limited to 25 out-patients or less
2. Veterinary Clinics

F. Accessory Uses

1. Any use normally and customarily incidental to any use permitted under Section 2.1102.
2. Temporary Buildings for Construction Purposes
3. Parking Lots not associated with an adjacent business.
4. Parking Lots associated with an adjacent business. (Amended 10/17/02 ZC02-10-071 OCS#02-0558)

G. Residential Uses

1. Single Family Residences with densities greater than two dwelling units per 45,000 square feet.
2. Units that exceed one story in height located above any first floor designed for business uses.
3. Mobile Home used for residential purposes.

H. Miscellaneous Uses

1. Mobile Homes designed for residential purposes but utilized for non-residential purposes.
2. Clubs, Lodges, Fraternal & Religious Institutions
3. Meeting Halls
4. Outdoor Amusement
  - i) Circuses
  - ii) Carnivals
5. Internally illuminated signs which flash, blink or change intensity or color
6. Mini Warehousing (Amended 5/14/03 ZC03-03-017 OCS#03-0675)
7. Outdoor Storage Yard. Minimum standards for a contractor's storage yard will apply. (Amended 5/14/03 ZC03-03-017 OCS#03-0675)

I. Similar and Compatible Uses

Other uses which are similar and compatible with the Conditional Uses of the C-1 Neighborhood Commercial District as determined by the Director of Development acting in the capacity of Zoning Administrator.

2.1104 Administrative Permits

Purpose

This Section is designed to allow flexible seasonal uses. A staff review will be required to oversee hours of operation, parking requirements.

## Allowable Administrative Permits

- A. Snowball Stands between April 1 and September 30.
- B. Christmas Tree Sales between November 1 and January 1.
- C. Fairs, festivals and assemblies associated with churches, schools public lands or non-profit organizations.
  - 1. Fairs, festivals, and assemblies are limited to a maximum three day period annually.
  - 2. Total building area is limited to 5,000 square feet.
  - 3. No more than 200 vehicle trips per day are permitted.
- D. Off-premise directional signs
- E. Similar and Compatible Uses with the Administrative Uses of the C-1 Neighborhood Commercial District as determined by the Director of Development acting in the capacity of Zoning Administrator.

Fees are as set forth in Section 9.01.

### 2.1105 Site and Structures Regulations

#### A. Minimum Lot Area

- 1. Non-Residential - The lot area for each zoning lot shall be twenty thousand (20,000) square feet.

#### B. Minimum Area Regulations

- 1. Minimum Lot Width - For each zoning lot provided with central water and sewerage facilities, the minimum lots width shall not be less than sixty (60) feet. For each zoning lot without either central water or sewerage facilities, the minimum lot width shall be eighty (80) feet.
- 2. Front Yard - Front building lines shall conform to the average building lines in a developed block, but in no case shall it be less than fifteen (15) feet from the property line and to the rear of the street planting area, plus one (1) additional foot for each foot in building height over twenty-five (25) feet above Base Flood Elevation. On corner or through lots, the required front yard will be provided on both streets. Where off-street parking facilities are provided in the front yard, the minimum building setback shall be determined in accordance with the following table. All setbacks shall be measured from the right-of-way line of the street or road.

MINIMUM SETBACK IN ADDITION TO LANDSCAPE REQUIREMENTS FOR COMMERCIAL BUILDINGS WITH OFF-STREET PARKING BETWEEN THE FRONT FACADE AND THE STREET RIGHT-OF-WAY LINE.

	Type of Parking				
	Parallel	30°	45°	60°	90°
Sidewalk plus one row of parking and one driving lane	28'	32'	37'	44'	48'
Sidewalk plus two rows of parking and one driving lane	40'	45'	50'	59'	79'
Sidewalk plus two rows of parking and two driving lanes	50'	55'	60'	69'	89'

3. Side Yard - No side yard shall be required, except as outlined under Section 2.1106, when common or party walls adjoin buildings on two zoning lots. However, when a side yard is provided, it must be a minimum of three (3) feet.
4. Rear Yard - No rear yard is required for non-residential uses except as outlined under Section 2.1106. However, when a rear yard is provided, it must be a minimum of three (3) feet. A rear yard shall be provided for residential uses located above the first floor, such yard to be not less than thirty (30) feet in depth.

C. Maximum Lot Coverage

The lot coverage of all principal and accessory buildings on a zoning lot shall not exceed fifty (50) percent of the total area of the lot. However, parking and landscape requirements for the intended use must be met in all instances. Therefore, maximum lot coverage may in some cases be less.

D. Height Regulations

No building or structure shall exceed thirty-five (35) feet in height above Base Flood Elevation as set forth in Flood Hazard Ordinance 791.

E. Off-Street Parking & Loading Zone Requirements

Off-street parking & loading zones will be provided as put forth in Section 4.

2.1106 Transitional Yards

Where a C-1 District adjoins a residential district, transitional yards shall be provided in

accordance with the following regulations:

- A. Where lots in a C-1 District front on a street and at least eighty (80) percent of the frontage directly across the street between two (2) consecutive intersecting streets is in a residential district, the setback regulations for the residential district shall apply to the said lots in the commercial district.
- B. In a C-1 District, where a side lot line coincides with a side or rear lot line of property in an adjacent residential district, a yard shall be provided along such side lot line. Such yard shall be equal in dimension to the minimum side yard which would be required under this ordinance for a residential use on the adjacent property in the residential district.
- C. In a C-1 District, where a rear lot line coincides with a rear or side lot line of property in an adjacent residential district, a yard shall be provided along such rear lot line. Such yard shall be equal in dimensions to the minimum rear yard which would be required under this ordinance for a residential use on the adjacent property in the residential district.
- D. In a C-1 District, where the extension of a front or side lot line coincides with the front line of an adjacent lot located in a residential district, a yard equal in depth to the minimum setback required by this ordinance on such adjacent lot in the residential district shall be provided along such front or side lot line for a distance of at least 25 feet, including the width of any intervening alley from such lot in the residential district.

2.1107 District Standards

All uses of land structures in the C-1 Neighborhood Commercial District are subject to the general standards and regulations of this ordinance. In addition, all uses located in this District shall be subject to the following standards.

- A. Environmental Quality
  - 1. Flood Zones - Construction of any structures of alteration of land which occurs in the 100-year flood zone as established by the Federal Emergency Management Agency shall require approval from the Parish Engineer prior to issuance of a building permit.
  - 2. Tree Preservation, Landscaping and Screening - All uses shall apply to requirements as set forth in Section 5.16.
- B. Signs, Lighting and Landscaping (Amended 2/13/03 ZC02-06-040 OCS#03-0607)
  - 1. Signs shall be subject to the provisions of Section 5.03.
  - 2. Lighting shall be subject to the provisions of Section 5.05.
  - 3. Landscaping shall be subject to the provisions of Section 5.16.
- C. Utilities

1. Sewer - If an available public central system adjoins the property and is within 300 feet of the proposed use, the system must be utilized. All private systems must be approved by the State Health Department before issuance of a building permit.
2. Water - Any private water well must be located a minimum of fifty (50) feet from any sewer disposal unit.
3. Street Improvements - Any road or street constructed to serve any zoning lot for any use must meet standards set forth in the Subdivision Regulations.

D. Fire Marshall Approval

A certificate attesting to the State Fire Marshall's approval of plans for all construction and improvements as per the State Fire Code must be provided to the Department of Permits and Inspections prior to issuance of a building permit.

E. Impact on Natural and Scenic Rivers (Amended 4/16/04 ZC03-0-062 OCS#04-0848)

Whenever application is made for rezoning of property, to be granted a conditional use of property, or for a building permit for property that is situated along a waterway included in the Natural and Scenic Rivers System, or for the rezoning of property, conditional use of property or for a building permit application for property which has been determined to have the potential for an adverse impact on such waterways, or on any property situated thereon, in addition to complying with all other applicable provisions of the St. Tammany Parish Land Use Ordinance, the following provisions and requirements shall apply:

- 1) The applicant for rezoning shall comply with all rules and regulations governing the applicable zoning district.
- 2) The applicant for a conditional use permit shall comply with the minimum standards for conditional uses in Section 3.02.
- 3) The applicant for a building permit shall comply with all rules and regulations governing the permitted use.
- 4) All applicants shall file a copy of all permits required by the state, a state agency and the federal government for development of properties affecting natural and scenic rivers.
- 5) Prior to any final decision on any application for a rezoning or for a permit for those activities that may have the potential for significant impact on such waterways or property, an evaluation shall be made of the impact that the activities may have on the unique character and value of such waterways and properties.

- 6) The evaluation and final determination on any such application by the reviewing authority should insure compatible uses and development of such property, so as to maintain the natural and physical features of the waterways that are included in the Natural and Scenic Rivers system and the aesthetic values of the property situated along and accessible to the natural and scenic rivers in St. Tammany Parish.



## **SECTION 2.12      C-2 HIGHWAY COMMERCIAL DISTRICT**

### **2.1201      Purpose**

The C-2 District is intended to provide adequate space in appropriate locations along major streets and thoroughfares for various types of business uses, thereby protecting and strengthening the economic base of the Parish. These uses should include the retailing of major goods and services, general office facilities, and public functions that would serve a community area of several neighborhoods. Development of uses in this District characteristically occupies a larger area than in the Neighborhood District because it is intended to serve a greater population and to offer a wider range of services. Orientation and expansion of this District should desirably occur as an increase in depth rather than as a strip-like extension along the street or thoroughfare.

### **2.1202      Permitted Uses**

Only the following permitted uses shall be allowed in the C-2 Highway Commercial District and no structure or land shall be erected, structurally altered, or enlarged for any use other than a use permitted hereunder with the exception of (a) uses lawfully established prior to the effective date of this ordinance; (b) conditional uses in compliance with the provisions of Sections 2.1203; or (c) accessory uses in compliance with the provisions of Section 5. See Section 3.03 - Minimum Standards for minimum standards that apply to certain uses.

#### **A.      Retail and Service Uses**

1. Any retail or service use which is a permitted use in the C-1 District.
2. Automotive Service, Stations, Centers, and Sales
3. Automotive Parts Stores
4. Business College or Business Schools operated as a business enterprise
5. Catering Establishments
6. Department Stores
7. Convenience Stores
8. Drive-in Restaurants
9. Drive-in Banks
10. Funeral Homes and mausoleums
11. Indoor Recreations Establishments, such as bowling alleys, skating rinks and movie theaters.
12. Instruction of Fine Arts
13. Mobile Home Sales
14. Physical Culture & Health Establishments
15. Enclosed plumbing, electrical and home building supply showrooms and sales centers with associated assembly processes
16. Printing, lithography and publishing establishments
17. Public or Private Auditoriums
18. Restaurants and Restaurants with Lounges
19. Wholesale merchandise broker/agent including associated offices and storage facilities. Any warehousing uses provided shall not exceed 3,000

square feet. However, if more than one use occupies a building, the entire building shall not exceed 9,000 square feet gross floor area.

20. Drug Stores
21. Dry Cleaning, Laundries and Self-Service Laundries
22. Food stores
23. Liquor Stores
24. Car Wash
25. Public parking lots and garages (See Section 3.03 - Minimum Standards and Section 4 - Parking Regulations)
26. Marinas
27. Warehouse and distribution centers and associated uses such as offices and retail sales with a maximum of combined uses totaling 9,000 square feet or less of gross floor area.
28. Research and testing laboratories

B. Offices

1. Any private office use which is a permitted use in the C-1 District
2. Medical Clinics
3. General, multi-use office buildings of less than forty thousand (40,000) square feet.

C. Residential Uses

1. Single family dwelling units above the first floor in a building designed for business uses. Dwelling units shall not exceed one story in height.
2. Single Family Detached residence with a maximum of two (2) dwelling units per 45,000 square feet or a two-family attached units (Duplex) per 45,000 square feet.

D. Public Educational Facilities (Amended 1/10/2002 OCS# 02-0426)

1. Public Elementary Schools
2. Public Secondary Schools

E. Miscellaneous

1. Post Office
2. Radio and Television Studios and Broadcasting Stations
3. Clubs, Lodges, Fraternal & Religious Institutions, Meeting Halls
4. Public Service Facilities, including electric distributing substations, fire or police stations, telephone exchange and similar uses
5. Veterinary Clinics
6. Day-Care Centers, Nursery schools, pre-schools and kindergartens (See Section 3.03 - Minimum Standards)
7. Parcel post delivery stations
8. Mobile homes or modular buildings designed for business uses

F. Similar and Compatible Uses

Other uses which are similar and compatible with the Permitted Uses of the C-2 Highway Commercial District as determined by the Director of Development acting in the capacity of Zoning Administrator.

2.1203 Conditional Uses

Conditional Uses are prohibited unless application for the use has been processed by the Department of Development and such use has been favorably approved by the Zoning Commission. See Section 3.02 - Conditional Uses for the procedures and requirements that apply to Conditional Uses and Section 3.03 - Minimum Standards for minimum standards that apply to certain uses.

A. Retail and Service Uses

1. Nightclubs, bars and lounges
2. Farmer's Market
3. Funerary Crematoriums, Cemeteries
4. Entertainment which typically consists of live or programmed performances
5. Drive-in Movie Theaters
6. Bus, Truck or other transportation terminals
7. Any other retail establishment not specifically permitted herein but which has economic compatibility with established uses on adjoining premises and which meets the intent and purpose of this District
8. Storage facilities associated with insurance companies or related offices for wrecked or impounded vehicles (Minimum standards apply)
9. Commercial Recreation - excluding riverboat gaming and associated facilities
10. Passengers Transportation Terminals
11. Autobody Shops (Minimum Standards apply)
12. Mini-Warehouses
13. Outdoor storage yards and lots and contractor's storage yards in conjunction with an affiliated office provided that this provision shall not permit wrecking yards or yards used in whole or in part for a scrap or salvage operation. Minimum standards for contractor's yards apply.
14. New construction of uses which have an area of over 20,000 Square Feet.  
(Amended 07/11/2002 ZC#02-06-037 OCS# 02-0497-A)
15. Warehouse and distribution centers and associated uses such as offices and retail sales with a maximum of combined uses between 9,000 square feet and 20,000 square feet of gross floor area. (Amended 10/16/2003 OCS# 03-0772)

B. Public Uses

1. Museums and Libraries
2. Governmental Offices
3. Police and Fire Stations

4. Public Utility Facilities
- C. Public Cultural and Recreational Uses
1. Horse Riding and Training Stables
  2. Kennels
- D. Educational
1. Private or Charter Elementary Schools (Amended 1/10/2002 OCS# 02-0426)
  2. Private or Charter Secondary Schools (Amended 1/10/2002 OCS# 02-0426)
  3. Institution of Fine Arts
  4. Adult Education Classes
  5. Vocational Schools
- E. Medical
1. Veterinary Hospitals
  2. Hospitals
  3. Out-Patient Surgical and Treatment Centers
  4. Psychiatric, Mental Health and similar centers
  5. Hospices
  6. Methadone Centers and Clinics not operated wholly within a public or private hospital. (Amended 10/19/2000 OCS# 00-0206)
- F. Accessory Uses
1. Any use normally and customarily incidental to any use permitted under Section 2.1202
  2. Temporary Buildings for Construction Purposes
- G. Miscellaneous Uses.
1. Outdoor Advertising (Billboards)
  2. Heliports
  3. Light welding shops less than 3,000 square feet
  4. Mobile Homes designed for residential purposes but utilized for non-residential purposes
  5. Internally illuminated signs which blink, flash or change intensity of color
- H. Residential Uses
1. Single Family Residences with densities greater than two (2) dwelling units per 45,000 square feet.
  2. Dwelling units that exceed one story in height located above any first floor designed for business uses.

3. Mobile Homes used for residential purposes.
4. Institutional housing
5. Hotels and Motels of 150 or less rooms
6. Apartment-Hotels
7. Bed & Breakfast (Amended 7/11/02 ZC02-05-028 OCS#02-0503)

I. Similar and Compatible Uses

Other uses which are similar and compatible with the Conditional Uses of the C-2 Highway Commercial District as determined by the Director of Development acting in the capacity of Zoning Administrator.

2.1204 Administrative Permits

Purpose

This Section is designed to allow flexible seasonal uses. A Staff review will be required to oversee hours of operation, parking requirements.

1. Snowball Stands between April 1 and September 30
2. Christmas Tree Sales between November 1st and January 1st
3. Firework Sales during periods established by ordinance of the Police Jury except where prohibited by ordinance.
4. Outdoor Amusement Facilities
  - a. Carnivals
  - b. Circuses
  - c. Outdoor Concerts
5. Seasonal Seafood Peddlers using temporary structures. State of Louisiana inland waters shrimping season(s) shall be considered as the seasons during which the seasonal permits may be issued. Board of Health regulations shall apply and inspectors may periodically check for conformance; including temperature of seafood storage and waste disposal.
6. Seasonal Produce stands other than seafood peddlers and Christmas tree sales, provided that the use is temporary and valid for a period not greater than 6 months. Concurrent permits for a single site may not extend this a six month limit. Signs are allowed provided they are professionally rendered and approved by the Department of Development.
7. Fairs, festivals and assemblies associated with churches, schools, public lands or non-profit organizations.
  - a. Fairs, festivals and assemblies that are limited to a maximum - three day period annually.
  - b. Total building area is limited to 5,000 square feet.
  - c. No more than 200 vehicle trips per day are permitted.
8. Off-premise directional signs
9. Stands other than Seasonal Seafood and Christmas tree sales, provided

the use is a seasonal temporary and valid for a period not greater than six (6) months

10. Similar and Compatible uses which are similar and compatible with the C-2 Highway Commercial District as determined by the Director of Development acting in the capacity of Zoning Administrator.

Fees are as set forth in Section 9.01.

2.1205 Site and Structure Regulations

A. Minimum Lot Area

The lot area for each zoning lot shall be not less than thirty thousand (30,000) square feet.

B. Minimum Area Regulations

1. Minimum Lot Width - For each zoning lot provided with central water and sewerage facilities, the minimum lot width shall not be less than seventy-five (75) feet. For each zoning lot without either central water or sewerage facilities, the minimum lot width shall be one hundred (100) feet.
2. Front Yard - Front building lines shall conform to the average building lines in a developed block, but in no case shall it be less than fifteen (15) feet from the property line and to the rear of the street planting area, plus one (1) additional foot for each foot in building height over twenty-five (25) feet above Base Flood Elevation. On corner or through lots, the required front yard will be provided on both streets. Where off-street parking facilities are provided in the front yard, the minimum building set-back shall be determined in accordance with the following table. All set-backs shall be measured from the right-of-way line of the street or road.

MINIMUM SETBACK IN ADDITION TO LANDSCAPE REQUIREMENTS FOR COMMERCIAL BUILDINGS WITH OFF-STREET PARKING BETWEEN THE FRONT FACADE AND THE STREET RIGHT-OF-WAY LINE.

	<u>Type of Parking</u>				
	Parallel	30°	45°	60°	90°
Sidewalk plus one row of parking and one driving lane	28'	32'	37'	44'	48'
Sidewalk plus two rows of parking and one driving lane	40'	45'	50'	59'	79'

Sidewalk plus two rows of parking and two driving lanes	50'	55'	60'	69'	89'
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3. Side Yard - No side yard shall be required, except as outlined under Section 2.1206, when common or party walls adjoin buildings on two zoning lots. However, when a side yard is provided, it must be a minimum of three (3) feet.
4. Rear Yard - No rear yard is required except as outlined under Section 2.1206. However, when a rear yard is provided, it must be a minimum of three (3) feet.

C. Maximum Lot Coverage

1. The lot coverage of all principal and accessory buildings on a zoning lot shall not exceed fifty (50) percent of the total area of the lot. However, parking and landscape requirements for the intended use must be met in all instances. Therefore, maximum lot coverage may in some cases be less.

D. Height Regulation

No building or structure shall exceed forty-five (45) feet in height above Base Flood Elevation as set forth in Flood Hazard Ordinance 791.

E. Off-Street Parking & Loading Zone

Off-Street Parking & Loading Zones shall be provided as put forth in Section 4.

2.1206 Transitional Yards

Where a C-2 District adjoins a residential district, transitional yards shall be provided in accordance with the following regulations.

- A. Where lots in a C-2 District front on a street and at least eighty (80) percent of the frontage directly across the street between two (2) consecutive intersecting streets is in a residential district, the setback regulations for the residential district shall apply to the said lots in the commercial district, or as in Section 2.1205, whichever is greater.
- B. In a C-2 District, where a side lot line coincides with a side or rear lot line of property in an adjacent residential district, a yard shall be provided along such side lot line. Such yard shall be equal in dimension to the minimum side yard which would be required under this ordinance for a residential use on the adjacent property in the residential district.

- C. In a C-2 District, where a rear lot line coincides with a rear or side lot line of property in an adjacent residential district, a yard shall be provided along such rear lot line. Such yard shall be equal in dimension to the minimum rear yard which would be required under this ordinance for a residential use on the adjacent property in the residential district.
- D. In a C-2 District, where the extension of a front or side lot line coincides with the front lot line of an adjacent lot located in a residential district, a yard equal in depth to the minimum setback required by this ordinance on such adjacent lot in the residential district shall be provided along such front or side lot line for a distance of at least 25 feet, including the width of any intervening alley from such lot in the residential district.

2.1207 District Standards

All uses of land structures in the C-2 Highway Commercial District are subject to the general standards and regulations of this ordinance. In addition, all uses located in this District shall be subject to the following standards:

A. Environmental Quality

- 1. Flood Zones - Construction of any structures or alteration of land which occurs in the 100-year flood zone as established by the Federal Emergency Management Agency shall require approval from the Parish Engineer prior to issuance of a building permit.
- 2. Tree Preservation, Landscaping and Screening - All uses shall apply to the requirements as set forth in Section 5.16.

B. Signs, Lighting and Landscaping (Amended 2/13/03 ZC02-06-040 OCS#03-0607)

- 1. Signs shall be subject to the provisions of Section 5.03.
- 2. Lighting shall be subject to the provisions of Section 5.05.
- 3. Landscaping shall be subject to the provisions of Section 5.16.

C. Utilities

- 1. Sewer - If an available public central system adjoins the property and is within 300 feet of the proposed use, the system must be utilized. All private systems must be approved by the State Health Department before issuance of a building permit.
- 2. Water - Any private water well must be located a minimum of fifty (50) feet from any sewer disposal system.
- 3. Street Improvements - Any road or street construction to serve any zoning lot for any use must meet standards set forth in the Subdivision Regulations.

D. Fire Marshall Approval

A certification attesting to the State Fire Marshall's approval of plans for all construction and improvements as per the State Fire Code must be provided to the Department of Permits and Inspections prior to issuance of a building permit.

E. Impact on Natural and Scenic Rivers (Amended 4/16/04 ZC03-0-062 OCS#04-0848)

Whenever application is made for rezoning of property, to be granted a conditional use of property, or for a building permit for property that is situated along a waterway included in the Natural and Scenic Rivers System, or for the rezoning of property, conditional use of property or for a building permit application for property which has been determined to have the potential for an adverse impact on such waterways, or on any property situated thereon, in addition to complying with all other applicable provisions of the St. Tammany Parish Land Use Ordinance, the following provisions and requirements shall apply:

- 1) The applicant for rezoning shall comply with all rules and regulations governing the applicable zoning district.
- 2) The applicant for a conditional use permit shall comply with the minimum standards for conditional uses in Section 3.02.
- 3) The applicant for a building permit shall comply with all rules and regulations governing the permitted use.
- 4) All applicants shall file a copy of all permits required by the state, a state agency and the federal government for development of properties affecting natural and scenic rivers.
- 5) Prior to any final decision on any application for a rezoning or for a permit for those activities that may have the potential for significant impact on such waterways or property, an evaluation shall be made of the impact that the activities may have on the unique character and value of such waterways and properties.
- 6) The evaluation and final determination on any such application by the reviewing authority should insure compatible uses and development of such property, so as to maintain the natural and physical features of the waterways that are included in the Natural and Scenic Rivers system and the aesthetic values of the property situated along and accessible to the natural and scenic rivers in St. Tammany Parish.



## **SECTION 2.13      C-3 PLANNED COMMERCIAL CENTER DISTRICT**

### **2.1301 Purpose**

The purpose of the C-3 District is to provide for higher intensity commercial uses and developments which provide a mix of commercial, office, miscellaneous service activities, light industrial and multi-family residential uses. This District is located particularly at the intersection of a major arterial and another major or a minor arterial and only by special permit issued in accordance with this Section. Because this District is intended to serve a number of communities, the impact of any proposed development should be carefully studied as to its effect on traffic patterns and surrounding land use. A site large enough to accommodate internal traffic flows, parking, buffer and landscape, and a variety of uses and building types is a characteristic of this District. The C-3 District is intended to provide flexibility in meeting the needs of both the public and private sectors for large scale commercial development.

### **2.1302 Permitted Uses**

At the time application is made for a special permit for the C-3 District, a list of the proposed types of uses shall be submitted. Uses that are permitted in the District shall be determined on a case basis but in general shall include the following:

1. Any use permitted in the C-1 or C-2 Districts, provided the minimum area requirements for the C-3 District are met.
2. Hotels, Motels and Convention Centers.
3. High-rise office and residential buildings.
4. Enclosed light manufacturing, assembly service, repair, and/or warehousing provided they do not exceed 50 percent of the developed floor areas of all structures located in the District.
5. Amusement Parks, Golf Courses and similar recreation facilities.
6. College, Universities, Trade Schools and Research Centers.
7. Public Utility Facilities.
8. Shopping malls.
9. Parking lots and decks.
10. Mixed use centers, including residential uses provided they do not exceed 20 percent of the developed floor area of all structures located in the District .
11. Lounges, nightclub, bars.

### **2.1302A Prohibited Uses**

The following uses are prohibited from operating within a C-3 Planned Commercial Center District:

1. Any seasonal and/or temporary use which has not received all appropriate approvals from St. Tammany Parish through the Conditional Use Process.
2. Fireworks manufacturing, storage or sales.

### **2.1302.01 Conditional Uses (Amended ZC00-054 OCS00-0164 7/6/2000)**

Conditional Uses are prohibited unless application for the use has been processed by the Department of Planning and such use has been favorably approved by the

Zoning Commission. See Section 3.02 - Conditional Uses for the procedures and requirements that apply to Conditional Uses and Section 3.03 - Minimum Standards for minimum standards that apply to certain uses.

- A. Adult Uses - Establishments consisting of, including, or having the characteristics of any of the following:

Adult Theaters, Adult Cabarets, Adult Stores, -Massage Parlors, and Escort Agencies, See Section 10 - Definitions.

## 2.1303 Procedure and Regulations

### Plan Approval:

- A. Prior to submitting a C-3 Planned Commercial rezoning petition, an informal pre-application conference with designated staff from the Parish Department of Development shall be required. The purpose of this conference shall be to discuss C-3 parameters and to bring the overall petition as nearly as possible into conformity with Parish regulations.

Following the pre-application conference, a Conceptual Plan shall be submitted with the rezoning application. This plan shall provide the following information:

1. The title of the project and the names of the project planner and developer.
2. Plat indicating scale, date, north arrow, and general vicinity map indicating existing land uses within 500 feet of all boundaries of the proposed PUD shall be designated. This plat shall include all existing physical features such as existing streets, buildings, water courses, easements, soil conditions, vegetative cover and topography.
3. Site information including the following criteria shall be provided:
  1. Boundaries of the property involved,
  2. Maximum number of lots,
  3. Parcels or sites to be developed or occupied by buildings,
  4. The general location and maximum amount of area to be developed for parking,
  5. The general location of areas to be devoted to open space, including those areas to be dedicated or conveyed for parks, playgrounds or school sites,
  6. Public building(s) and other common use areas,
  7. The approximate location of ingress, egress and access streets,
  8. The approximate location of pedestrian and vehicular ways,
  9. The extent of landscaping and planting
  10. Total gross floor area.
4. Tabulation of the maximum square footage of each use.
5. The proposed maximum height of any building or structure.
6. Maximum total land area, Minimum public open space, streets, off-street parking and loading areas.

Breakdown by percent of total land area devoted to each use such as:

1. commercial uses
2. industrial uses
3. open-space
4. access parking and loading areas
5. drainage easements
7. If the Planned Commercial Development is proposed to be constructed in phases, indicate proposed development scheduling in detail including:
  1. The approximate date when construction of each phase of the project can be expected to begin; and
  2. The order in which the phases of the project will be built.
  3. A statement of the types of business and uses proposed, the general market area proposed to be served, and such information as may be available concerning anticipated lessees and tenants.
8. Circulation element indicating the proposed principal movement of vehicles, goods and pedestrians.
9. The Zoning Commission or the Police Jury may require additional material such as plans, maps, aerial photographs, studies and reports which may be needed in order to make the necessary findings and determinations that the applicable Parish standards and guidelines have been achieved.

B. The Zoning Commission shall forward a recommendation to approve or deny the C-3 Planned Commercial District to the St. Tammany Parish Police Jury after the required public hearing. The Zoning Commission reserves the right to add stipulations and conditions to its approval and shall determine if the applicant has met all or part of the required parameters including:

1. The tract for the proposed zoning is suitable in terms of its relationships to the Parish Comprehensive Plan and that the areas surrounding the proposed zoning can continue to be developed in coordination and substantial compatibility with the proposed C-3 Planned Commercial District.
2. That the desirable modifications of general zoning regulations as applied to the particular case, justify such modifications of regulations and at least an equivalent degree the regulations modified, based on the design and amenities incorporated in the site development plan.
3. That increased open space over conventional development is provided for the occupants of the proposed zoning and the general public, and desirable natural features indigenous to the site and considered in the development plan presented.

C. Binding Nature of approval for the C-3 Planned Commercial District

All terms, conditions, safeguards, and stipulations made at the time of approval for the zoning shall be binding upon the applicant or any successors in interest. Deviations from approved plans or failure to comply with any requirements, conditions, or safeguards shall constitute a violation of these zoning regulations.

1. Tentative-Preliminary-Final Development Plans  
Plans for development of land approved for zoning shall be processed in accordance with the procedures established by the St. Tammany Parish Subdivision Regulations (Ordinance No. 499) - if required.
2. Final Development Plan  
After approval of the Conceptual Development Plan by the Police Jury the applicant shall submit a Final Plan to the Department of Development indicating all terms, conditions, safeguards and stipulations required by the Zoning Commission and the Police Jury.

2.1304 Appeals

Any applicant or owner of property may appeal to the Police Jury from any recommendation of the Zoning Commission or from any conditions the Commission imposes or fails to impose in its recommendations, by filing a written notice of appeal with the Department of Development within fifteen (15) days after the date of the close of the public hearing on the requested zoning. If the applicant files a notice of appeal; a conceptual site plan incorporating any and all conditions that are not being appealed shall be filed with the Department of Development within thirty (30) days after the date of the close of the public hearing on the requested planned development or the application shall be deemed withdrawn. Upon receipt of the revised plan, the appeal shall be placed on the next Police Jury regarding the appeal shall be incorporated into the ordinance enacting this planned district.

2.1305 Amendment to the Planned Commercial District

Amendments to the C-3 Planned Commercial District shall be classified as either major or minor in character.

- A. Major amendments to the zoning shall require the developer to submit revised plans to the Department of Development. Upon review of the proposed amendments to the zoning by the staff, a public hearing shall be established for the review of the changes by the Zoning Commission. The Zoning Commission shall have the authority to review and approve all major changes to the C-3 Planned Commercial District.

Public advertisement shall be required at least fifteen (15) days prior to the meeting date and shall run in the official journal of the Parish at least twice during that time period.

Furthermore, the developer shall pay additional fees for procurement of his proposed zoning changes. The additional fees shall be established by the Department of Development upon initial review of the proposed amendments.

Major changes to the zoning plan include:

1. The use of the land,
2. The use, bulk and location of significant buildings and structures,
3. The quantity, quality and location of open spaces; and

- 4. Intensity of use and or the change or density.
- B. Minor amendments to the zoning shall be construed as all other changes not considered major amendments. Minor amendments change shall be submitted for review by the Department of Development and may be put into effect only after a letter of no objection is filed and submitted from the Department of Development to the Chairman of the Zoning Commission.

2.1306 Site and Structure Regulations

- A. Minimum Lot Area  
The minimum area for each C-3 District zoning district shall be not less than five (5) acres. The minimum allowable width for each District site shall be two hundred and fifty (250) feet, which must front a major arterial or service road of a controlled access freeway. In addition, each site must also have a frontage width of not less than two hundred and fifty (250) feet on a minor arterial.
- B. Front, Side, and Rear Yards
  - 1. No building or structure shall be within fifty (50) feet of the right-of-way of any arterial highway and no roadway or parking area shall be erected or maintained within twenty-five (25) feet of the outside edge of the nearest paved traffic land of any arterial highway.
  - 2. No building shall be erected within fifty (50) feet of any residential boundary line and a buffer strip not less than twenty-five (25) feet wide shall be provided along any residential boundary line abutting and boundary line of a C-3 District. Such buffer strip shall be sodded, planted and shrubbed in such a manner as to form a green area.
  - 3. All setbacks apply to structures of forty-five (45) feet in height or less and set back requirements shall increase one (1) foot for each two (2) feet in building height over forty-five (45) feet.
- C. Maximum Lot Coverage  
Not less than twenty-five (25) percent of the gross area of the District shall be common open space. Each zoning lot in the District must have not less than thirty (30) percent of the footprints of all buildings on the lot devoted to private open space, except that the amount of private open space may be reduced below the required thirty (30) percent if the equivalent amount of reduced private open area is provided as common open area contiguous to the same lot.
- D. Off-Street Requirements  
Off-street parking and loading zones shall be provided as put forth in Section 4 except that there shall be at a minimum five (5) spaces for every one-thousand (1,000) square feet of gross floor area for the entire zoning district.

2.1306 District Standards

- A. Design

A Planned Commercial Center shall be laid out and developed as a unit in accordance with an integrated overall design. The location, arrangement, size and number of buildings, parking areas, walks, lighting, signs and appurtenant facilities shall be adjusted to the surrounding land uses, and any part of a planned business center not used for buildings, other structures, parking and loading areas, or access ways shall be landscaped with grass, trees, shrubs, or pedestrian walks.

B. Environmental Quality

Flood Zones - Construction of any structures or alteration of land which occurs in the 100-year flood zone as established by the Federal Emergency Management Agency shall require approval from the Parish Engineer prior to issuance of a building permit.

C. Signs, Lighting and Landscaping (Amended 2/13/03 ZC02-06-040 OCS#03-0607)

1. Signs shall be subject to the provisions of Section 5.03.
2. Lighting shall be subject to the provisions of Section 5.05.
3. Landscaping shall be subject to the provisions of Section 5.16.

D. Fire Marshall Approval

A certification attesting to the State Fire Marshall's approval of plans for all construction and improvements as per the State Fire Code must be provided to the Department of Permits and Inspections prior to issuance of a building permit.

E. Impact on Natural and Scenic Rivers (Amended 4/16/04 ZC03-'0-062 OCS#04-0848)

Whenever application is made for rezoning of property, to be granted a conditional use of property, or for a building permit for property that is situated along a waterway included in the Natural and Scenic Rivers System, or for the rezoning of property, conditional use of property or for a building permit application for property which has been determined to have the potential for an adverse impact on such waterways, or on any property situated thereon, in addition to complying with all other applicable provisions of the St. Tammany Parish Land Use Ordinance, the following provisions and requirements shall apply:

- 1) The applicant for rezoning shall comply with all rules and regulations governing the applicable zoning district.
- 2) The applicant for a conditional use permit shall comply with the minimum standards for conditional uses in Section 3.02.
- 3) The applicant for a building permit shall comply with all rules and regulations governing the permitted use.
- 4) All applicants shall file a copy of all permits required by the state, a state agency and the federal government for development of properties affecting natural and scenic rivers.

- 5) Prior to any final decision on any application for a rezoning or for a permit for those activities that may have the potential for significant impact on such waterways or property, an evaluation shall be made of the impact that the activities may have on the unique character and value of such waterways and properties.
- 6) The evaluation and final determination on any such application by the reviewing authority should insure compatible uses and development of such property, so as to maintain the natural and physical features of the waterways that are included in the Natural and Scenic Rivers system and the aesthetic values of the property situated along and accessible to the natural and scenic rivers in St. Tammany Parish.



## SECTION 2.14 M-1 LIGHT INDUSTRIAL DISTRICT

### 2.1401 Purpose

The M-1 District is intended for light manufacturing, processing, storage and warehousing, wholesaling and distribution. This district should have efficient accessibility to major transportation routes and should be located to maximize safety and minimize infrastructure costs to local government. Service and commercial activities relating to the character of the district and supporting its activities are permitted. Regulations are intended to prevent or reduce friction between uses in this district and also to protect nearby residential and commercial district.

### 2.1402 Permitted Uses

Only the following permitted uses conducted in enclosed buildings with a building area of twenty thousand (20,000) square feet or less, and hours of operation limited to 6:00 a.m.-10:00 p.m. shall be allowed in the M-1 District and no structure or land shall be devoted to any other use other than a use permitted hereunder with the exception of (a) uses lawfully established prior to the effective date of this ordinance; (b) conditional uses in compliance with the provisions of Section 2.1403; or (c) accessory uses in compliance with the provisions of Section 5. See Section 3.03 - Minimum Standards for minimum standards that apply to certain uses.

- A. Generally, those light manufacturing uses listed below, conducted in enclosed buildings, which do not create any danger to health and safety in surrounding areas and which do not create any offensive noise, vibration, smoke, dust, lint, odor, heat or glare, than that which is generally associated with light industries of the types specifically permitted below:
  - 1. Manufacture or assembly of medical and dental equipment, drafting, optical, and musical instruments, watches, clocks, games, and electrical or electronic apparatus.
  - 2. Packaging and processing of pre-manufactured items.
  - 3. Manufacture of computer and high technology items.
  - 4. Manufacture of ceramic products.
- B. Laboratories, research, experimental or testing centers.
- C. Ornamental ironworks and similar light welding facilities.
- D. Outdoor storage associated with a permitted use provided that the occupied area is ten (10) percent or less of the area of the developed site.
- E. Printing lithographing, publishing or similar establishment.
- F. Radio and television stations and relay transmitters, motion picture studios.

- G. Residence for watchman or caretaker employed on the premises.
- H. Services establishments catering to commerce and industry including professional office, linen supply, communication services, business machine services, canteen services, restaurant (including drive-in and fast food restaurant), hiring and union halls, employment agencies, sign companies, and similar uses.
- I. Utility facilities such as electrical substations, telephone switching facilities and the like.
- J. Vocational, technical, trade, or industrial schools, and similar uses.
- K. Wholesaling, warehousing, or distribution establishments, cold storage or refrigeration plants.
- L. Miscellaneous uses such as express office, sign painting shop, parcel delivery service, telephone exchange, and related uses.
- M. Firework sales, during periods established by ordinance of the Police Jury, except where prohibited by ordinance.
- N. Similar and Compatible Uses  
Other uses which are similar and compatible with the Permitted Uses of the M-I Light Industrial District as determined by the Director of Development acting in the capacity of Zoning Administrator.

2.1403 Conditional Uses

Conditional Uses are prohibited unless application for the use has been processed by the Department of Development and such use has been favorably approved by the Zoning Commission. See Section 3.02 - Conditional Uses for the procedures and requirements that apply to Conditional Uses and Section 3.03 - Minimum Standards for minimum standards that apply to certain uses.

- A. Permitted Uses with a building area of greater than twenty thousand (20,000) Square Feet.
- B. Automotive service stations and/or truck stops.
- C. Commercial parking lots and parking garages
- D. Day care centers associated with a particular development.
- E. Recreational facilities.
- F. General office buildings.

- G. Hotel, motel or motor lodge if located in a district of thirty-five (35) acres or more.
- H. Mobile homes designed for residential purposes but used for non-residential purposes.
- I. Outdoor Advertising (Billboards)
- J. Outdoor storage yards and lots and contractors' storage yards occupying more than ten (10) percent of the area of the developed site.
- K. Retail and repair establishment for the sale and/or repair of new and used automobiles, motorcycles, trucks and tractors, mobile homes, boats, automotive parts and accessories (but not junk or automotive wrecking yards), heavy machinery and equipment, farm building supplies, monuments and similar uses.
- L. Transportation terminal including motor, bus, or truck.
- M. Public Utility Facilities
- N. Other uses which are similar and compatible with the Conditional Uses of the M-I Light Industrial District as determined by the Director of Development acting in the capacity of Zoning Administrator.

2.1404 Prohibited Uses and Structures

- A. Chemical, paints, and fertilizer manufacturing.
- B. Disposal and/or permanent storage of Hazardous Waste (as defined in the Louisiana Revised Statute 30:1133).
- C. Explosive manufacturing or storage, except as provided for in the permitted use of the property for the sale of fireworks, as stipulated in Section 2.1402 of these.
- D. Hospitals or clinics (except clinic in connection with industrial activity) nursing home and similar uses.
- E. Landfills for the disposal of solid wastes, hazardous, and/or toxic substances.
- F. Paper and pulp manufacturing.
- G. Petroleum refining.

- H. Residential uses or dwelling units except as provided for in Section 2.1402 or 2.1403.
- I. Schools, churches or public or private institutions.
- J. Wrecking yards (including automotive wrecking yards) and junk yards.
- K. Yards or lots for scrap or salvage operations or for process storage, display or sale of any scrap or salvage.
- L. All other uses not permitted herein.

2.1405 Administrative Permits

- 1. Off-premise directional signs
- 2. Other uses which are similar and compatible with the Administrative Permit uses of the M-I Light Industrial District as determined by the Director of Development acting in the capacity of Zoning Administrator.

2.1406 Site and Structure Provisions

A. Minimum Lot Area

The lot area of each zoning lot shall not be less than ten thousand (10,000) square feet.

B. Minimum Area Regulations

- 1. Minimum Lot Width - The lot width of each zoning lot shall not be less than seventy-five (75) feet.
- 2. Front Yard - Front building lines shall conform to the average building lines established in a developed block. In all cases, this front building line shall be set back a minimum of twenty-five (25) feet plus one foot for every foot in height over thirty-five (35) feet above Base Flood Elevation.
- 3. Side and rear yards - No side or rear yard is required where party walls exist. If there are no party walls, a minimum side or rear yard of five (5) feet is required. Where a lot adjoins any non-industrial zoning district, front yard requirements shall apply to side and rear yards.

C. Maximum Lot Coverage

A minimum of thirty (30) percent of each zoning lot/district shall be retained as open space, including landscaped areas.

D. Height Regulations

No building or structure shall exceed forty-five (45) feet in height above Base Flood Elevation as set forth in Flood Hazard Ordinance 791 except for accessory towers.

E. Off-Street Parking and Loading Requirements

Off-street parking and loading shall be provided as put forth in Section 4.

2.1407 District Standards

All uses of land structures in the M-1 Light Industrial District are subject to the general standards and regulations of this ordinance. In addition, all uses located in this District shall be subject to the following standards:

A. Environmental Quality

1. Flood Zones - Construction of any structures or alteration of land which occurs in the 100-year flood zone as established by the Federal Emergency Management Agency shall require approval from the Parish Engineer prior to issuance of a building permit.
2. Tree Preservation, Landscaping and Screening - All uses shall apply to the requirements as set forth in Section 5.16.

B. Signs, Lighting and Landscaping (Amended 2/13/03 ZC02-06-040 OCS#03-0607)

1. Signs shall be subject to the provisions of Section 5.03.
2. Lighting shall be subject to the provisions of Section 5.05.
3. Landscaping shall be subject to the provisions of Section 5.16.

C. Utilities

1. Sewer - If an available public central system adjoins the property and is within 300 feet of the proposed use, the system must be utilized. All private systems must be approved by the State Health Department before issuance of a building permit.
2. Water - Any private water well must be located a minimum of fifty (50) feet from any sewer disposal system.
3. Street Improvements - Any road or street construction to serve any zoning lot for any use must meet standards set forth in the Subdivision Regulations.

D. Fire Marshall Approval

A certification attesting to the State Fire Marshall's approval of plans for all construction and improvements as per the State Fire Code must be

provided to the Department of Permits and Inspections prior to issuance of a building permit.

E. Impact on Natural and Scenic Rivers (Amended 4/16/04 ZC03-0-062 OCS#04-0848)

Whenever application is made for rezoning of property, to be granted a conditional use of property, or for a building permit for property that is situated along a waterway included in the Natural and Scenic Rivers System, or for the rezoning of property, conditional use of property or for a building permit application for property which has been determined to have the potential for an adverse impact on such waterways, or on any property situated thereon, in addition to complying with all other applicable provisions of the St. Tammany Parish Land Use Ordinance, the following provisions and requirements shall apply:

- 1) The applicant for rezoning shall comply with all rules and regulations governing the applicable zoning district.
- 2) The applicant for a conditional use permit shall comply with the minimum standards for conditional uses in Section 3.02.
- 3) The applicant for a building permit shall comply with all rules and regulations governing the permitted use.
- 4) All applicants shall file a copy of all permits required by the state, a state agency and the federal government for development of properties affecting natural and scenic rivers.
- 5) Prior to any final decision on any application for a rezoning or for a permit for those activities that may have the potential for significant impact on such waterways or property, an evaluation shall be made of the impact that the activities may have on the unique character and value of such waterways and properties.
- 6) The evaluation and final determination on any such application by the reviewing authority should insure compatible uses and development of such property, so as to maintain the natural and physical features of the waterways that are included in the Natural and Scenic Rivers system and the aesthetic values of the property situated along and accessible to the natural and scenic rivers in St. Tammany Parish.

## **SECTION 2.15      M-2 INTERMEDIATE INDUSTRIAL DISTRICT**

### 2.1501      Purpose

\_\_\_\_\_ Only the following permitted uses conducted in enclosed buildings with a building area of forty thousand (40,000) square feet or less, and hours of operation limited to 6:00 a.m.-10:00 p.m. shall be allowed in the M-2 Intermediate Industrial District and no structure or land shall be devoted to any other use other than a use permitted hereunder with the exception of (a) uses lawfully established prior to the effective date of this ordinance; (b) conditional uses in compliance with the provisions of Section 2.1503; or (c) accessory uses in compliance with the provisions of Section 5. See Section 3.03 - Minimum Standards for minimum standards that apply to certain uses.

### 2.1502      Permitted Uses

\_\_\_\_\_ Only the following permitted uses shall be allowed in the M-2 Intermediate Industrial District and no structure or land shall be devoted to any other use other than a use permitted hereunder with the exception of (a) uses lawfully established prior to the effective date of this ordinance; (b) conditional uses in compliance with the provisions of Section 2.1503; or (c) accessory uses in compliance with the provisions of Section 5. See Section 3.03 - Minimum Standards for minimum standards that apply to certain uses.

- A. Any permitted use in the M-1 Light Industrial District.
- B. Uses in the following list, including the manufacture, compounding, processing, packaging, treatment, storage and/or distribution of the products in the list.
  - 1. Assembly plants
  - 2. Book binderies
  - 3. Cellophane products manufacturing
  - 4. Cleaning and dyeing works
  - 5. Confectionery manufacturing
  - 6. Dairy Products manufacturing
  - 7. Electrical parts, assembly and manufacturing
  - 8. Fiber products and manufacturing
  - 9. Fruit or vegetable canneries
  - 10. Furniture manufacturing
  - 11. Garment manufacturing
  - 12. Non-ferrous extruding mills
  - 13. Millwork
  - 14. Sheet metal products
  - 15. Television and radio broadcasting transmitters
  - 16. Tool manufacturing
  - 17. Toy manufacturing

18. Well drilling services

C. Public Utility Facilities

D. Outdoor storage yards that occupy greater than ten (10) percent of the area of the developed site. (Amended 2/03/05 ZC04-12-105 OCS#05-1046)

E. Other uses which are similar and compatible with the Permitted Uses of the M-2 Intermediate District as determined by the Director of Development acting in the capacity of Zoning Administrator.

2.1503 Conditional Uses

Conditional Uses are prohibited unless application for the use has been processed by the Department of Development and such use has been favorably approved by the Zoning Commission. See Section 3.02 - Conditional Uses for the procedures and requirements that apply to Conditional Uses and Section 3.03 - Minimum Standards for minimum standards that apply to certain uses.

A. Permitted Uses with a building area of greater than forty thousand (40,000) Square Feet.

B. Any conditional use in the M-1 Light Industrial District.

C. Uses in the following list, including the manufacture, compounding, processing, packaging, treatment, storage and/or distribution of the products in the list.

1. Beverage distilling
2. Food products manufacturing
3. Foundry casting of lightweight nonferrous metal
4. Glass products manufacturing
5. Paint mixing and treatment
6. Pharmaceutical manufacturing
7. Shop fabricating and repair
8. Structural fabrication (steel and concrete)
9. Tire retreading, recapping or rebuilding
10. Wood products manufacturing
11. Shipbuilding and repair

D. Sanitary landfills for the disposal of solid waste.

E. Asphalt batching plant, except those temporarily erected for a specific construction project.

F. Concrete batching plants, except those temporarily erected for a specific construction project.

- \_\_\_\_\_ G. Mobile homes designed for residential purposes but utilized for other purposes.
- H. Other uses which are similar and compatible with the Conditional Uses of the M-2 Intermediate Industrial District as determined by the Director of Development acting in the capacity of Zoning Administrator.

2.1504 Administrative Permits

- 1. Off-premise directional signs
- 2. Other uses which are similar and compatible with the Administrative Uses of the M-2 Intermediate Industrial District as determined by the Director of Development acting in the capacity of Zoning Administrator.

2.1505 Prohibited Uses:

- A. Commercial uses not incidental to the principal industrial use.
- B. Disposal and/or permanent storage of Hazardous Waste (as defined in the Louisiana Statute 30:1133)
- C. Landfills for the disposal of hazardous and/or toxic substances.
- D. Residential uses except as provided for in Section 2.1502 and 2.1503.
- E. Schools, churches or public or private institutions.

2.1506 Performance Standards

All performance standards within a M-2 District are provided to ensure protection of the environment by regulating air and water resources and regulation of pollution thereof, radiation hazards, noise pollution and fire and explosive hazards.

- 1. Exhaust Emission - No industry in and M-2 District shall emit from any exhaust pipe, flue, chimney or whatever, an emission that shall be deemed harmful by the Louisiana Department of Environmental Quality.
- 2. Odor - Odorous matter released from any operation or activity in a M-2 District shall not exceed the odor threshold concentration beyond lot lines, measured at ground level or habitable levels.
- 3. Water Quality - No industry shall emit harmful substances into a waterway or water disposal system, in compliance with the Federal Water Pollution Control Act and Louisiana Water Control Law.
- 4. Noise - No industry shall emit noise level above 70 decibels (dB-A) at the lot boundary line measured at ground level or habitable elevation. Applicable measurement standards shall be taken by an

independent lab institute at the expense of the applicant or legal property owner.

The St. Tammany Parish Police Jury shall be the discretionary governing body to determine the frequency of decibel measurements.

5. Radiation - No operation in a M-2 District involving radiation hazards shall be conducted which violates the standards of the Nuclear Energy and Radiation Control Law regulated by the Louisiana Department of Environmental Quality.
6. Fire and Explosive Hazards - All uses in a M-2 District shall comply with the applicable standards set forth in the rules and regulations of the State Fire Marshall.
7. Administration and Enforcement - As required by State Law, the Department of Natural Resources will administer, monitor and enforce the requirements of Section 2.1505 exclusive of Section 2.1505 (4) and (5).

#### 2.1507 Building Permit Acquisition

Before a building permit can be issued by the Parish Department of Permits and Inspections, it is the responsibility of the applicant or owner of the property to provide to the Department of Permits and Inspections written approval for construction or written verification that no such approval is required from each of the following agencies:

1. Louisiana Department of Environmental Quality:
  - a. Office of Air Quality Radiation Protection
  - b. Office of Water Resources
  - c. Office of Solids and Hazardous Waste
2. Environmental Control Commission, Louisiana Department of Natural Resources.
3. Coastal Zone Management.
4. Army Corps of Engineers.
5. Louisiana Wildlife and Fisheries.
6. Other appropriate regulatory agencies.

Prior to the issuance of a building permit(s) by the Parish Department of Permits and Inspections, additional buffer requirements may be necessary if noise, sight, sound and public safety factors relating to the proposed use warrant greater buffer requirements than is normally necessary under Section 2.1508. The Department of Permits and Inspections shall notify the Department of Development in writing if the proposed use may possibly warrant additional buffer requirements.

The Department of Development shall arrange for a public hearing before the Zoning Commission of the possible need for additional buffer. The Zoning Commission may request additional information on the proposed use of the property. Necessary studies by an independent consultant or institute at the

expense of the applicant or legal property owner may be requested by the Zoning Commission.

At the public hearing the Zoning Commission must decide if additional buffer requirements are necessary for the proposed use. Additional buffer requirements, if any, shall become a part of the public record and the conditions under which the permit is issued; they must be indicated on the plans submitted as part of the permit application/records.

2.1508 Locational Standards

In reaching recommendations and decisions as to rezoning land to M-2 Intermediate Industrial District, the Zoning Commission and the Police Jury shall apply the locational standards.

- A. Relation to Major Transportation Facilities - The M-2 District shall be so located with respect to arterial or major streets and highways, or other transportation facilities, as to provide direct access to such areas without creating or generating traffic along minor streets in residential areas or districts other than industrial districts.
  
- B. Relation to Utilities, Public Facilities, and Services - The M-2 District shall be located in relation to sanitary sewers, water lines, storm and surface drainage systems, and other utilities systems and installations that neither extension nor enlargement of such systems will be required in manner, form, character, location, degree, scale, or timing and consequently resulting in higher net public cost or earlier incursion of public cost than would development in forms generally permitted under existing zoning in the area.

However, if applicants will (1) provide private facilities, utilities, or services approved by appropriate public agencies as substituting on an equivalent basis, and assure their satisfactory continuing operation, or (2) make provision acceptable to the Parish for offsetting any added net public cost or early commitment of public funds made necessary by such development, the rezoning may be approved.

2.1509 Site and Structure Provisions

A. Minimum Lot Area

The lot area of each zoning lot shall not be less than forty thousand (40,000) square feet.

B. Minimum Area Regulations

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1. Minimum Lot Width - The lot width of each zoning lot shall not be less than two hundred (200) feet.
  2. Front Yard - Front building lines shall conform to the average building lines established in a developed block, In all cases this front building line shall be set back a minimum of twenty-five (25) feet from the front property line.
  3. Side and Rear Yards - No side or rear yard is required where party walls exist. If there are no party walls, a minimum side or rear yard of five (5) feet is required. Where a lot adjoins any non-industrial zoning district, front yard requirements shall apply to side and rear yards.

C. Maximum Lot Coverage

A minimum of thirty (30) percent of each zoning lot/district shall be retained as open space, including landscaped areas.

D. Height Regulations

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No building or structure shall exceed forty-five (45) feet in height above Base Flood Elevation as set forth in Flood Hazard Ordinance 791 except for accessory towers.

E. Off-Street Parking and Loading Requirements

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Off-street parking and loading shall be provided as put forth in Section 4.

F. Fire Marshall Approval

A certification attesting to the State Fire Marshall's approval of plans for all construction and improvements as per the State Fire Code must be provided to the Department of Permits and Inspections prior to issuance of a building permit.

G. Tree Preservation, Landscaping and Screening

All uses shall apply to the requirements as set forth in Section 5.16.

2.1510 District Standards

All uses of land structures in the M-2 Intermediate Industrial District are subject to the general standards and regulations of this ordinance. In addition, all uses located in this District shall be subject to the following standards:

A. Signs, Lighting and Landscaping (Amended 2/13/03 ZC02-06-040 OCS#03-0607)

1. Signs shall be subject to the provisions of Section 5.03.

2. Lighting shall be subject to the provisions of Section 5.05.
3. Landscaping shall be subject to the provisions of Section 5.16.

B. Impact on Natural and Scenic Rivers (Amended 4/16/04 ZC03-0-062 OCS#04-0848)

Whenever application is made for rezoning of property, to be granted a conditional use of property, or for a building permit for property that is situated along a waterway included in the Natural and Scenic Rivers System, or for the rezoning of property, conditional use of property or for a building permit application for property which has been determined to have the potential for an adverse impact on such waterways, or on any property situated thereon, in addition to complying with all other applicable provisions of the St. Tammany Parish Land Use Ordinance, the following provisions and requirements shall apply:

- 1) The applicant for rezoning shall comply with all rules and regulations governing the applicable zoning district.
- 2) The applicant for a conditional use permit shall comply with the minimum standards for conditional uses in Section 3.02.
- 3) The applicant for a building permit shall comply with all rules and regulations governing the permitted use.
- 4) All applicants shall file a copy of all permits required by the state, a state agency and the federal government for development of properties affecting natural and scenic rivers.
- 5) Prior to any final decision on any application for a rezoning or for a permit for those activities that may have the potential for significant impact on such waterways or property, an evaluation shall be made of the impact that the activities may have on the unique character and value of such waterways and properties.
- 6) The evaluation and final determination on any such application by the reviewing authority should insure compatible uses and development of such property, so as to maintain the natural and physical features of the waterways that are included in the Natural and Scenic Rivers system and the aesthetic values of the property situated along and accessible to the natural and scenic rivers in St. Tammany Parish.



## SECTION 2.16 M-3 HEAVY INDUSTRIAL DISTRICT

### 2.1601 Purpose

The M-3 District is intended to provide areas in which all industrial uses may be located and which are accessible to rail, water or highway transportation routes. This district has certain conditional uses where potentially hazardous industries are allowed only after public hearing and review to assure protection of the public interest and surrounding property and persons.

### 2.1602 Conditional Uses

Conditional Uses are prohibited unless application for the use has been processed by the Department of Development and such use has been favorably approved by the Zoning Commission. See Section 3.02 - Conditional Uses for the procedures and requirements that apply to Conditional Uses and Section 3.03 - Minimum Standards for minimum standards that apply to certain uses.

- A. Any permitted or conditional use in the M-1 or M-2 Districts.
- B. Intense manufacturing and assorted uses listed below.
  - 1. Bulk storage of petroleum products and gases provided that all above/below ground storage tanks comply with applicable standards set forth in the rules and regulations of the State Fire Marshall.
  - 2. Canneries-not listed in M-2.
  - 3. Grain Elevators.
  - 4. Landfills for the disposal of solid waste.
  - 5. Natural Gas Gathering Plants.
  - 6. Non-atomic electric generating plants.
  - 7. Paper products manufacturing.
  - 8. Petroleum and petroleum base products refining/processing/manufacturing.
  - 9. Rubber products manufacturing.
  - 10. Steel mills
  - 11. Wood products manufacturing not listed in M-2.
  - 12. Other uses which are similar and compatible with the Conditional Uses of the M-3 Heavy Industrial District as determined by the Director of Development acting in the capacity of the Zoning Administrator.
- C. Atomic generating plants.
- D. Chemical Processing Plants.
- E. Mobile homes designed for residential purposes but utilized for non-

residential purposes.

2.1603 Administrative Permits

1. Off-Premise directional signs
2. Similar and compatible uses which are similar and compatible with the Administrative uses of the M-3 Heavy Industrial District as determined by the Director of Development acting in the capacity of Zoning Administrator.

2.1604 Prohibited Uses

- A. Commercial uses not incidental to the principal industrial use.
- B. Disposal and/or permanent storage of Hazardous Waste (as defined in the Louisiana Statute 30:1133)
- C. Landfills for the disposal of hazardous and/or toxic substance.
- D. Residential uses except as provided for in Section 2.1602.
- E. Schools, churches, or public or private institutions.

2.1605 Performance Standards

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All performance standards within a M-3 Heavy Industrial District are provided to ensure protection of the environment by regulating air and water resources and regulation of pollution thereof, radiation hazards, noise pollution and fire and explosive hazards.

1. Exhaust Emission - No industry in and M-3 District shall emit from any exhaust pipe, flue, chimney or whatever, an emission that shall be deemed harmful by the Louisiana Department of Environmental Quality.
2. Odor - Odorous matter released from any operation or activity in a M-3 district shall not exceed the odor threshold concentration beyond lot lines, measured at ground level or habitable levels.
3. Water Quality - No industry shall emit harmful substances into a waterway or water disposal system in compliance with the Federal Water Pollution Control Act and Louisiana Water Control Law.
4. Noise - No industry shall emit a sustained noise level above 70 decibels (dB-A) for more than twenty (20) minutes at a time and/or for more than a cumulative total of 120 minutes per day at the lot boundary line measured at ground level or habitable elevation. Applicable measurement standards shall be taken by an independent lab institute at the expense of the applicant or legal property owner. The St. Tammany Parish Police Jury shall be the discretionary governing body to determine the frequency of decibel

measurements.

5. Radiation - No operation in a M-2 District involving radiation hazards shall be conducted which violates the standards of the Nuclear Energy and Radiation Control Law regulated by the Louisiana Department of Environmental Quality.
6. Fire and Explosive Hazards - All uses in a M-3 district shall comply with applicable standards set forth in the rules and regulations of the State Fire Marshall.
7. Administration and Enforcement - As required by State Law, the Department of Natural Resources will administer, monitor and enforce the requirements of Section 2.1605 exclusive of (4) and (5).

## 2.1606

### Building Permit Acquisition

Before a building permit can be issued by the Parish Department of Permits and Inspections, it is the responsibility of the applicant or owner of the property to provide to the Department of Permits and Inspections written approval for construction or written verification that no such approval is required from each of the following agencies:

1. Louisiana Department of Environmental Quality:
  - a. Office of Air Quality Radiation Protection
  - b. Office of Water Resources
  - c. Office of Solids and Hazardous Waste
2. Environmental Control Commission, Louisiana Department of Natural Resource.
3. Coastal Zone Management.
4. Army Corps of Engineers.
5. Louisiana Wildlife and Fisheries.
6. Other appropriate regulatory agencies.

Prior to issuance of a building permit(s) by the Parish Department of Permits and Inspections, additional buffer and or landscape, area and height requirements may be necessary if noise, sight, sound, air quality and any other public safety factors relating to the proposed use warrant greater requirements than is normally necessary under Section 2.1608. The Department of Permits and Inspections shall notify the Department of Development in writing if the proposed use may possibly warrant additional requirements.

The Department of Development shall arrange for a public hearing before the Zoning Commission on the possible need for additional requirements.

At the public hearing, the Zoning Commission, after reviewing the case specifics and receiving the Department of Permits and Inspections recommendation if any, must decide if additional requirements are necessary for the proposed use.

Additional requirements, if any, shall become a part of the public record and the conditions under which the permit is issued; they must be indicated on the plans submitted as part of the permit application records. The permit(s) may be issued only after the final decision on additional requirements is made by the Zoning Commission.

2.1607 Locational Standards

In reaching recommendations and decisions as to rezoning land to M-3 Heavy Industrial District, the Commission and the Police Jury shall apply the locational standards.

- A. Relation to Major Transportation Facilities - The M-3 District shall be so located with respect to arterial or major streets and highways, or other transportation facilities, as to provide direct access to such areas without creating or generating traffic along minor streets in residential areas or districts other than industrial districts.
- B. Relation to Utilities, Public Facilities, and Services - The M-3 district shall be located in relation to sanitary sewers, water lines, storm and surface drainage systems, and other utilities systems and installations so that neither extension nor enlargement of such systems will be required in manner, form, character, location, degree, scale, or timing and consequently resulting in higher net public cost or earlier incursion of public cost than would development in forms generally permitted under existing zoning in the area.

However, if applicants will (1) provide private facilities, utilities, or services approved by appropriate public agencies as substituting on an equivalent basis, and ensure their satisfactory continuing operation, or (2) make provision acceptable to the Parish for offsetting any added net public cost or early commitment of public funds made necessary by such development, the rezoning may be approved.

2.1608 Site and Structure Provisions

Nothing in this Section shall be determined to have priority over Section 2.1606.

A. Minimum Lot Area

The lot area of each zoning lot shall not be less than ninety thousand (90,000) square feet.

B. Minimum Area Regulations

1. Minimum Lot Width - The lot width of each zoning lot shall not be less than three hundred (300) feet.
2. Front Yard - Front building lines shall conform to the average building lines established in a developed block. In all cases, this front building line shall be set back a minimum of fifty (50) feet from the front property line.
3. Side and rear yards - No side or rear yard is required where party walls exist. If there are no party walls, a minimum side or rear yard of five (5) feet is required. Where a lot adjoins any non-industrial zoning district, front yard requirements shall apply to side and rear yards.

C. Maximum Lot Coverage

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A minimum of thirty (30) percent of each zoning lot/district shall be retained as open space, including landscaped areas.

D. Height Regulations

No building or structure shall exceed forty-five (45) feet in height above Base Flood Elevation as set forth in Flood Hazard Ordinance 791 except for accessory towers.

E. Off-Street Parking and Loading Requirements

Off-street parking and loading shall be provided as put forth in Section 4.

F. Fire Marshall Approval

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A certification attesting to the State Fire Marshall's approval of plans for all construction and improvements as per the State Fire Code must be provided to the Department of Permits and Inspections prior to issuance of a building permit.

G. Tree Preservation, Landscaping and Screening

All uses shall apply to the requirements as set forth in Section 5.16.

2.1609 District Standards

All uses of land structures in the M-3 Heavy Industrial District are subject to the general standards and regulations of this ordinance. In addition, all uses located in this District shall be subject to the following standards:

A. Signs, Lighting and Landscaping (Amended 2/13/03 ZC02-06-040 OCS#03-0607)

1. Signs shall be subject to the provisions of Section 5.03.

2. Lighting shall be subject to the provisions of Section 5.05.
3. Landscaping shall be subject to the provisions of Section 5.16.

B. Impact on Natural and Scenic Rivers (Amended 4/16/04 ZC03-0-062 OCS#04-0848)

Whenever application is made for rezoning of property, to be granted a conditional use of property, or for a building permit for property that is situated along a waterway included in the Natural and Scenic Rivers System, or for the rezoning of property, conditional use of property or for a building permit application for property which has been determined to have the potential for an adverse impact on such waterways, or on any property situated thereon, in addition to complying with all other applicable provisions of the St. Tammany Parish Land Use Ordinance, the following provisions and requirements shall apply:

- 1) The applicant for rezoning shall comply with all rules and regulations governing the applicable zoning district.
- 2) The applicant for a conditional use permit shall comply with the minimum standards for conditional uses in Section 3.02.
- 3) The applicant for a building permit shall comply with all rules and regulations governing the permitted use.
- 4) All applicants shall file a copy of all permits required by the state, a state agency and the federal government for development of properties affecting natural and scenic rivers.
- 5) Prior to any final decision on any application for a rezoning or for a permit for those activities that may have the potential for significant impact on such waterways or property, an evaluation shall be made of the impact that the activities may have on the unique character and value of such waterways and properties.
- 6) The evaluation and final determination on any such application by the reviewing authority should insure compatible uses and development of such property, so as to maintain the natural and physical features of the waterways that are included in the Natural and Scenic Rivers system and the aesthetic values of the property situated along and accessible to the natural and scenic rivers in St. Tammany Parish.

## **SECTION 2.17      MH - MOBILE HOME DISTRICT**

### **2.1701      Purpose**

\_\_\_\_\_ The purpose of this district and the regulations and standards contained herein are to establish a zoning category which will permit mobile homes to be located in mobile home parks and subdivisions specifically designed and set aside therefore and to insure that mobile home parks and subdivisions develop in locations and in accordance with specified design criteria to assure harmonious development both within the mobile home park and subdivision and with other zoning districts.

### **2.1702      Permitted Uses**

\_\_\_\_\_ Only the following permitted uses shall be allowed in the MH Mobile Home District and no structure or land shall be devoted to any use other than a use permitted hereunder with the exception of (a) uses lawfully established prior to the effective date of the ordinance; (b) conditional uses in compliance with the provisions of Section 2.1703; or (c) accessory uses in compliance with the provisions of Section 5.

#### **A.      Residential Single Family Uses**

- \_\_\_\_\_
1.      Mobile Home Park
  2.      Mobile Home Subdivision
  3.      Modular Home Subdivision

#### **B.      Commercial Uses**

- \_\_\_\_\_
1.      Convenience Store
  2.      Laundromat

#### **C.      Miscellaneous Uses**

1.      Water Treatment, Well and Storage Facilities
2.      Garage Sales (See Section 3.03 Minimum Standards) (Amended 1/29/04 ZC03-11-074 OCS#04-0809)

#### **D.      Similar & Compatible Uses**

Other uses which are similar and compatible with the allowed uses of the MH Mobile Home District as determined by the Director of Development acting in the capacity of Zoning Administrator.

### **2.1703      Conditional Uses**

Conditional Uses are prohibited unless application for the use has been processed by the Department of Development and such use has been favorably approved by the Zoning Commission. See Section 3.02 - Conditional Uses for the procedures and requirements

that apply to Conditional Uses and Section 3.03 - Minimum Standards for minimum standards that apply to certain uses.

A. Residential Uses

1. Two-Family Mobile or Modular Homes
2. Stick built homes

B. Religious Uses

1. Churches, Temples, and Synagogues
2. Convents and Monasteries
3. Any Secondary Building or Structure necessary for a Religious Use

C. Educational Uses

1. Day-Care Centers
2. Nursery Schools

D. Public Utility Uses

1. Electrical Substations
2. Telephone Relay Facilities
3. Utility Substations
4. Waste Water Treatment Facilities

E. Public Cultural and Recreational Uses

1. Horse Riding and Training Stables
2. Kennels
3. Golf Courses and Practice Ranges

F. Similar and Compatible Uses

Other uses which are similar and compatible with the MH Mobile Home District's Conditional Uses as determined by the Director of Development acting in the capacity of Zoning Administrator.

2.1704 Administrative Permits

The purpose of an Administrative Permit is to provide for a Staff review of certain uses as set forth below:

- A. Pumping Stations
- B. Other administrative uses which are similar and compatible with the MH

Mobile Home District as determined by the Director of Development acting in the capacity of Zoning Administrator.

C. Private Cultural and Recreational Uses

1. Parks
2. Botanical Gardens
3. Playgrounds
4. Nature Preserves and Sanctuaries
5. Stables
6. Tennis Courts
7. Swimming Pools
8. Golf Courses and Related Uses

Fees are as set forth in Section 9.0106.

2.1705 Performance Standards

A. Design

1. A subdivision plan and approved in accordance with the provisions of the Subdivision Regulations shall be required prior to the issuance of any building permits for the development of a mobile or modular home subdivision or park.
2. The site must provide direct access to arterial or collector streets.
3. The site must be served by central water and sewer systems.
4. Each mobile home lot and mobile home shall comply with the following requirements:
  - a. Each mobile home shall have a concrete mobile home pad measuring at least nine (9) by sixty (60) feet.
  - b. Each mobile home shall be provided with anchors and tie-downs such as cast-in place concrete "deadman" eyelets imbedded in concrete slabs, screw augers, arrowhead anchors or other devices to be used to stabilize the mobile home.
  - c. Skirting shall be provided around the perimeter of each mobile home. Any commercial use shall be of a size and orientation to serve only the residents of a single parcel within this district.

B. Flood Plains

Any mobile home proposed to be located in the Flood Plain District shall be subject to the following specific requirements:

1. All mobile homes shall be anchored to resist flotation, collapse or lateral movement by providing over-the-top frame ties to ground anchors.
2. Over-the-top ties shall be provided at each of the four corners of the mobile home with two additional ties per side at intermediate locations on mobile

homes fifty feet or greater in length (a total of eight ties are required) and one additional tie per side on mobile homes less than fifty feet in length (a total of six ties are required).

3. Frame ties shall be provided at each of the four corners of the mobile homes, with five additional ties per side at intermediate locations on mobile homes fifty feet or greater in length (a total of fourteen ties are required) and four additional ties per side on mobile homes less than fifty feet in length (a total of twelve ties are required).
4. All components of the anchoring system shall be capable of carrying a force of 4800 pounds.
5. Any additions to a mobile home shall be similarly anchored.

C. Commercial Uses

Permitted commercial uses in Section 2.1702 may be constructed to a maximum square footage in any district equal to fifteen (15) square feet for each dwelling unit in said district.

2.1706 Site and Structure Provisions

A. Minimum Lot Area

The site for a mobile home park or subdivision shall be a minimum of ten (10) acres.

B. Minimum Area Regulations

These shall be set in the Subdivision Regulations.

C. Open Space Requirements

A minimum of twenty-five (25) percent of the gross area of each park or subdivision in the MH District must be reserved and dedicated for public or common use. Retention basins, lakes, streets and other impermeable surfaced areas and any other unusable land may not be included in determining the required open space for the District.

D. Height Regulations

No building or structure shall exceed thirty-five (35) feet in height above Base Flood Elevation as set forth in Flood Hazard Ordinance 791.

E. Environmental Quality

\_\_\_\_\_ Tree Preservation, Landscaping and Screening - All uses shall apply to the requirements as set forth in Section 5.16.

F. Signs, Lighting and Landscaping (Amended 2/13/03 ZC02-06-040 OCS#03-0607)

1. Signs shall be subject to the provisions of Section 5.03.
2. Lighting shall be subject to the provisions of Section 5.05.
3. Landscaping shall be subject to the provisions of Section 5.16.

2.1707 District Standards

A. Impact on Natural and Scenic Rivers (Amended 4/16/04 ZC03-0-062 OCS#04-0848)

Whenever application is made for rezoning of property, to be granted a conditional use of property, or for a building permit for property that is situated along a waterway included in the Natural and Scenic Rivers System, or for the rezoning of property, conditional use of property or for a building permit application for property which has been determined to have the potential for an adverse impact on such waterways, or on any property situated thereon, in addition to complying with all other applicable provisions of the St. Tammany Parish Land Use Ordinance, the following provisions and requirements shall apply:

- 1) The applicant for rezoning shall comply with all rules and regulations governing the applicable zoning district.
- 2) The applicant for a conditional use permit shall comply with the minimum standards for conditional uses in Section 3.02.
- 3) The applicant for a building permit shall comply with all rules and regulations governing the permitted use.
- 4) All applicants shall file a copy of all permits required by the state, a state agency and the federal government for development of properties affecting natural and scenic rivers.
- 5) Prior to any final decision on any application for a rezoning or for a permit for those activities that may have the potential for significant impact on such waterways or property, an evaluation shall be made of the impact that the activities may have on the unique character and value of such waterways and properties.
- 6) The evaluation and final determination on any such application by the reviewing authority should insure compatible uses and development of such property, so as to maintain the natural and physical features of the waterways that are included in the Natural and Scenic Rivers system and the aesthetic values of the property situated along and accessible to the natural and scenic rivers in St. Tammany Parish.



## **SECTION 2.18      R-C RECREATIONAL/CONSERVATION DISTRICT**

### **2.1801      Purpose**

The purpose of the R-C Recreational/Conservation District is to provide a classification for parks and public recreational areas and their accessory uses in a district which will be apart from other classifications and permitted land uses. The R-C classification is designed to be applied to dedicated parks and similar recreational areas.

### **2.1802      Permitted Uses**

Only the following permitted uses shall be allowed in the R-C District and no structure or land shall be devoted to any other use other than a use permitted hereunder with the exception of (a) uses lawfully established prior to the effective date of this ordinance; (b) conditional uses in compliance with the provisions of Section 2.1803; or (c) accessory uses in compliance with the provisions of Section 5. See Section 3.03 - Minimum Standards for minimum standards that apply to certain uses.

1. Public Parks
2. Parkways
3. Recreational Areas
4. Wildlife Management Areas
5. Conservation Areas
6. Non-profit Playgrounds and Athletic Fields
7. Nature Preserves
8. Forests
9. Public Restrooms and Shelters not exceeding 600 square feet
10. Bicycle, Jogging, Bridle and Exercise Paths and accessory structures.
11. Other uses which are similar and compatible with the allowed uses of the R-C District as determined by the Director of Development acting in the capacity of Zoning Administrator
12. Tours of nature and recreational areas operated by private individuals
13. Recreational facilities in association with recreational areas operated by private individuals
14. Fairs, festivals and assemblies associated with churches schools, public lands or non-profit organizations:
  - A. Fairs, festivals and assemblies are limited to a maximum of three days periods annually
  - B. No more than 200 vehicle trips per day are permitted
  - C. All applicable Parish and State permits shall be secured
15. Marinas. (Amended 05/04/2002 ZC#02-02-006 OCS# 02-0467)

### **2.1803      Conditional Uses**

Conditional Uses are prohibited unless application for the use has been processed by the Department of Development and such use has been favorably approved by the Zoning Commission. See Section 3.02 - Conditional Uses for the procedures and requirements that apply to Conditional Uses and Section 3.03 - Minimum Standards for minimum standards that apply to certain uses.

1. Playgrounds, tennis courts, swimming pools, athletic fields, golf courses and similar recreational facilities and the necessary accessory equipment used in conjunction therewith.
2. Museums and cultural or civic theaters.
3. One single-family residence for a caretaker.
4. Administrative and entrance structures.
5. Public utility facilities and distribution systems when buried or landscaped as not to disrupt scenic and native views.
6. Restaurants, snack bars, souvenir shops or convenience stores when such facilities are designed to primarily serve private park and public uses.
7. Maintenance and storage structures serving permitted and/or conditional uses.
8. Festivals, fairs and expositions.
9. Temporary camping facilities (tent, wilderness, recreation vehicle)
10. Other uses which are similar and compatible with the allowed uses of the R-C District as determined by the Director of Development acting in the capacity of Zoning Administrator

2.1804 District Standards

1. No structure or building shall be located within twenty five feet of the boundary line of the R-C District or within fifty (50) feet of any Residential District.
2. Signs shall be limited to one identification sign of not more than one-hundred (100) square feet at each major entrance to the District and to identification and directional signs of not more than sixteen (16) square feet for each use or building.
3. Buildings and structures shall not cover more than five (5) percent of any zoning lot.
4. No building or structure shall be greater than thirty five (35) feet in height above Base Flood Elevation as set forth in Flood Hazard Ordinance 791.
5. Off-street parking and loading requirements shall be provided as set forth in Section 4.
6. Construction of any structures of alteration of land which occurs in the 100-year flood zone as established by the Federal Emergency Management Agency shall require approval from the Parish Engineer prior to issuance of a building permit.
7. Tree Preservation, Landscaping and Screening - All uses shall apply to the requirements as set forth in Section 5.16.
8. Signs, Lighting and Landscaping (Amended 2/13/03 ZC02-06-040 OCS#03-0607)
  - A. Signs shall be subject to the provisions of Section 5.03.
  - B. Lighting shall be subject to the provisions of Section 5.05.
  - C. Landscaping shall be subject to the provisions of Section 5.16.
9. Impact on Natural and Scenic Rivers (Amended 4/16/04 ZC03-'0-062 OCS#04-0848)

Whenever application is made for rezoning of property, to be granted a conditional use of property, or for a building permit for property that is situated along a waterway included in the Natural and Scenic Rivers System, or for the rezoning of property, conditional use of property or for a building permit application for property which has been determined to have the potential for an adverse impact on such waterways, or on any property situated thereon, in addition to complying with all other applicable provisions of the St. Tammany Parish Land Use Ordinance, the following provisions and requirements shall apply:

- a) The applicant for rezoning shall comply with all rules and regulations governing the applicable zoning district.
- b) The applicant for a conditional use permit shall comply with the minimum standards for conditional uses in Section 3.02.
- c) The applicant for a building permit shall comply with all rules and regulations governing the permitted use.
- d) All applicants shall file a copy of all permits required by the state, a state agency and the federal government for development of properties affecting natural and scenic rivers.
- e) Prior to any final decision on any application for a rezoning or for a permit for those activities that may have the potential for significant impact on such waterways or property, an evaluation shall be made of the impact that the activities may have on the unique character and value of such waterways and properties.
- f) The evaluation and final determination on any such application by the reviewing authority should insure compatible uses and development of such property, so as to maintain the natural and physical features of the waterways that are included in the Natural and Scenic Rivers system and the aesthetic values of the property situated along and accessible to the natural and scenic rivers in St. Tammany Parish.



## **SECTION 2.19      ID INSTITUTIONAL**

### **2.1901      Purpose**

The purpose of this district is to provide a zoning category in which to locate and protect public and private institutional uses such as hospitals and health-related services, colleges and universities, police and fire stations, secondary and elementary schools and other similar uses. While these institutional facilities may be located in various other zoning districts as conditional uses, any permanent such use should be placed in a ID Institutional District. All uses in this district require plan review.

### **2.1902      Permitted Uses (Administrative Plan Review)      (Amended 1/10/2002 OCS# 02-0426)**

#### **A.      Public Educational Facilities**

1.      Public Elementary Schools
2.      Public Secondary Schools

### **2.1903      Conditional Uses**

All uses in the ID Institutional District require plan review and approval by the Zoning Commission to insure compatibility with surrounding land uses and satisfy health and safety concerns. Certain uses may also have to conform with Minimum Standards, see Section 3.03 - Minimum Standards.

#### **A.      Health Care Facilities**

1.      Hospitals and Medical Centers
2.      Psychiatric Centers
3.      Alcohol and Drug Treatment Centers
4.      Sanitariums and Recovery Centers
5.      Hospices
6.      Methadone Centers and Clinics not operated wholly within a public or private hospital.      (Amended 10/19/2000 OCS# 00-0206)

#### **B.      Educational Facilities**

1.      Private or Charter Elementary Schools      (Amended 1/10/2002 OCS# 02-0426)
2.      Private or Charter Secondary Schools      (Amended 1/10/2002 OCS# 02-0426)
3.      Colleges
4.      Vo-Technical Schools
5.      Universities
6.      Research Centers
7.      Day Care Centers
8.      Nursery Schools
9.      Adult Education Classes

C. Governmental Facilities

1. Municipal Offices
2. Fire Stations
3. Sheriff and Police Stations
4. Prisons
5. Military Reservations
6. Post Office

D. Residential Facilities

1. Fraternities and Sororities
2. Homes for Retarded
3. Orphanages
4. Caretaker Residence for any Permitted Uses
5. Institutional Housing
6. Convalescent Homes
7. Nursing Homes
8. Group Homes
9. Community Homes
10. Single family dwelling units above the first floor in a building designed for business purposes.
11. Single family detached residence with a maximum density of two (2) dwelling units per 45,000 square feet.
12. Duplex (two-family attached) residential with a maximum density of one duplex per 45,000 square feet.
13. Half-way Houses
14. Residential Uses of over eight (8) dwelling Uses per acre

E. Miscellaneous Uses

1. Events Centers
2. Lodges and Clubs
3. Day Care Homes
4. Churches
5. Funeral homes and mausoleums
6. General offices serving a permitted use.
7. Laboratories
8. Cemeteries and Mausoleums
9. Heliports
10. Commercial establishments serving only a permitted use such as the following:
  - a. Gift Shop
  - b. Pharmacy
  - c. Craft Shop
  - d. Bookstore
  - e. Snack bar

11. Off-premise directional signs

F. Public Utility Facilities

G. Similar and compatible uses which are similar and compatible with the Uses of the ID Institutional District as determined by the Director of Development acting in the capacity of Zoning Administrator.

2.1904 Performance Standards

A. Site Plan Approval

To insure safety and compatibility with surrounding uses, site plan approval is required for all uses. If construction is to take place in phases, a general schematic plan shall be submitted. The plan approval process is that as set forth below. This plan approval need not occur simultaneous with the approval of the zoning; however the plan approval process requiring review and approval by the Zoning Commission must be completed prior to the issuance of any and all permits.

2.1905 Plan Approval Process

A. Prior to submitting an ID rezoning petition, an informal pre-application conference with designated staff from the Parish Department of Development shall be required. The purpose of this conference shall be to discuss ID parameters and to bring the overall petition as nearly as possible into conformity with Parish regulations.

Following the ID pre-application conference, a Conceptual Plan shall be submitted with the rezoning application. This plan shall provide the following information:

1. The title of the project and the names of the project planner and developer.
2. Plat indicating scale, date, north arrow, and general vicinity map indicating existing land uses within 500 feet of all boundaries of the proposed ID shall be included. This plat shall include all existing physical features such as existing streets, buildings, water courses, easements, soil conditions, vegetative cover and topography.
3. Site information including the following criteria shall be provided:
  - a. Boundaries of the property involved.
  - b. Maximum number of lots.
  - c. Parcels or sites to be developed or occupied by buildings.
  - d. The general location and maximum amount of area to be developed for parking.
  - e. The general location of areas to be devoted to open space, including those areas to be dedicated or conveyed for parks, playgrounds or school sites, if applicable.

- f. Public building(s) and other common use areas.
  - g. The approximate location of ingress, egress and access streets.
  - h. The approximate location of pedestrian and vehicular ways.
  - i. The extent of landscaping and planting.
4. Tabulation of the maximum square footage of each use.
  5. The proposed maximum height of any building or structure.
  6. Maximum total land area, Minimum public and private open space, streets, off-street parking and loading areas.

Breakdown by percent of total land area devoted to each use such as:

- a. Residential uses
  - b. Commercial uses
  - c. Institutional uses
  - d. Access parking and loading areas
  - e. Drainage easements
  - f. Landscaping of a minimum of 15% open space shall be acquired for all ID's less than 10 acres and 25% for ID's greater than 10 acres
7. If the Institutional Development is proposed to be constructed in phases, indicate proposed development scheduling in detail including:
    - a. The approximate date when construction of each phase of the project can be expected to begin; and
    - b. The order in which the phases of the project will be built.
  8. Circulation element indicating the proposed principal movement of vehicles, goods and pedestrians.
  9. The Zoning Commission may require additional material such as plans, maps, aerial photographs, studies and reports which may be needed in order to make the necessary findings and determinations that the applicable Parish standards and guidelines have been achieved.
  10. Zoning for an Institutional District and Plan Approval need not occur simultaneously. The Zoning Commission shall have the authority to review all Conditional Use plans for development in the Institutional District. (Amended 1/10/2002 OCS# 02-0426)

B. The Zoning Commission shall forward a recommendation to approve or deny the ID rezoning to the St. Tammany Parish Police Jury after the required public hearing. The Zoning Commission reserves the right to add stipulations and conditions to its approval.

C. Binding Nature of approval for Institutional District

All terms, conditions, safeguards, and stipulations made at the time of approval for Institutional District shall be binding upon the applicant or any successors in

interest. Deviations from approved plans or failure to comply with any requirements, conditions, or safeguards shall constitute a violation of these zoning regulations.

1. Tentative-Preliminary-Final Development Plans (If applicable)  
Plans for development of land approved for ID shall be processed in accordance with the procedures established by the St. Tammany Parish Subdivision Regulations (Ordinance No. 499) - if required.
2. Final Development Plan  
After approval of the Conceptual Development Plan by the Zoning Commission, the applicant shall submit a Final Plan to the Department of Development indicating all terms, conditions, safeguards and stipulations required by the Zoning Commission and the Police Jury.

#### 2.1906 Appeals

Any applicant or owner of property may appeal to the Police Jury from any recommendation of the Zoning Commission or from any conditions the Commission imposes or fails to impose in its recommendations, by filing a written notice of appeal with the Department of Development within fifteen (15) days after the date of the close of the public hearing on the requested zoning. If the applicant files a notice of appeal; a conceptual site plan incorporating any and all conditions that are not being appealed shall be filed with the Department of Development within thirty (30) days after the date of the close of the public hearing on the requested planned development or the application shall be deemed withdrawn. Upon receipt of the revised plan, the appeal shall be placed on the next Police Jury regarding the appeal shall be incorporated into the ordinance enacting the institutional development.

#### 2.1907 Amendment to the Institutional District

Amendments to the ID Institutional District shall be classified as either major or minor in character.

- A. Major amendments to the zoning shall require the developer to submit revised plans to the Department of Development. Upon review of the proposed amendments to the zoning by the staff, a public hearing shall be established for the review of the changes by the Zoning Commission. The Zoning Commission shall have the authority to review and approve all major changes to this District.

Public advertisement shall be required at least fifteen (15) days prior to the meeting date and shall run in the official journal of the Parish at least twice during that time period.

Furthermore, the developer shall pay additional fees for procurement of his proposed zoning changes. The additional fees shall be established by the

Department of Development upon initial review of the proposed amendments.

Major changes to the zoning plan include:

1. The use of the land,
  2. The use, bulk and location of significant buildings and structures,
  3. The quantity, quality and location of open spaces; and
  4. Intensity of use and or the change or density.
- B. Minor amendments to the zoning shall be construed as all other changes not considered major amendments. Minor amendments change shall be submitted for review by the Department of Development and may be put into effect only after a letter of no objection is filed and submitted from the Department of Development to the Chairman of the Zoning Commission.

## 2.1908 Site and Structure Regulations

### A. Minimum Lot Area

The lot area for each zoning lot shall be not less than twenty thousand (20,000) square feet.

### B. Minimum Area Regulations

1. Minimum Lot Width - For each zoning lot provided with central water and sewerage facilities, the minimum lot width shall not be less than one-hundred (100) feet. For each zoning lot without either central water or sewerage facilities, the minimum lot width shall be one hundred fifty (150) feet.
2. Front Yard - Front building lines shall conform to the average building lines in a developed block, but in no case shall it be less than twenty-five (25) feet from the property line, plus one (1) additional foot for each foot in building height over thirty-five (35) feet. On corner or through lots, the required front yard will be provided on both streets. Where off-street parking facilities are provided in the front yard, the minimum building set-back shall be determined in accordance with the requirements for the C-1 District. All set-backs shall be measured from the right-of-way line of the street or road.
3. Side Yard - No side yard shall be required, except as outlined under Section 5.16 and Section 2.1905, when common or party walls adjoin buildings on two zoning lots. However, when a side yard is provided, it must be a minimum of three (3) feet.
4. Rear Yard - No rear yard is required except as outlined under Section 2.1905 and Section 5.16.

### C. Maximum Lot Coverage

1. The lot coverage of all principal and accessory buildings on a zoning lot shall not exceed fifty (50) percent of the total area of the lot.

D. Height Regulation

No building or structure shall exceed forty-five (45) feet in height above Base Flood Elevation as set forth in Flood Hazard Ordinance 791.

E. Off-Street Parking & Loading Zone

Off-Street Parking & Loading Zones shall be provided as put forth in Section 4.

2.1909 Transitional Yards

Where a ID District adjoins a Residential District, transitional yards shall be provided in accordance with the following regulations.

- A. Where lots in a ID District front on a street and at least eighty (80) percent of the frontage directly across the street between two (2) consecutive intersecting streets is in a residential district, the setback regulations for the residential district shall apply to the said lots in the Institutional District, or as in Section 2.1904, whichever is greater.
- B. In a ID District, where a side lot line coincides with a side or rear lot line of property in an adjacent residential district, a yard shall be provided along such side lot line. Such yard shall be equal in dimension to the minimum side yard which would be required under this ordinance for a residential use on the adjacent property in the residential district.
- C. In a ID District, where a rear lot line coincides with a side or rear lot line of property in adjacent residential district, a yard shall be provided along such rear lot line. Such yard shall be equal in dimension to the minimum rear yard which would be required under this ordinance for a residential use on the adjacent property in the residential district.
- D. In a ID District, where the extension of a front or side lot line coincides with the front lot line of an adjacent lot located in a residential district, a yard equal in depth to the minimum setback required by this ordinance on such adjacent lot in the residential district shall be provided along such front or side lot line for a distance of at least 25 feet, including the width of any intervening alley from such lot in the residential district.

2.1910 District Standards

All uses of land structures in the ID Institutional District are subject to the general standards and regulations of this ordinance. In addition, all uses located in this District

shall be subject to the following standards:

A. Environmental Quality

1. Flood Zones - Construction of any structures of alteration of land which occurs in the 100-year flood zone as established by the Federal Emergency Management Agency shall require approval from the Parish Engineer prior to issuance of a building permit.
2. Tree Preservation, Landscaping and Screening - All uses shall apply to the requirements as set forth in Section 5.16.

B. Signs, Lighting and Landscaping (Amended 10/17/02 ZC02-10-071 OCS#02-0558)

1. Signs shall be subject to the provisions of Section 5.03.
2. Lighting shall be subject to the provisions of Section 5.05.
3. Landscaping shall be subject to the provisions of Section 5.16.

C. Impact on Natural and Scenic Rivers (Amended 4/16/04 ZC03-0-062 OCS#04-0848)

Whenever application is made for rezoning of property, to be granted a conditional use of property, or for a building permit for property that is situated along a waterway included in the Natural and Scenic Rivers System, or for the rezoning of property, conditional use of property or for a building permit application for property which has been determined to have the potential for an adverse impact on such waterways, or on any property situated thereon, in addition to complying with all other applicable provisions of the St. Tammany Parish Land Use Ordinance, the following provisions and requirements shall apply:

- 1) The applicant for rezoning shall comply with all rules and regulations governing the applicable zoning district.
- 2) The applicant for a conditional use permit shall comply with the minimum standards for conditional uses in Section 3.02.
- 3) The applicant for a building permit shall comply with all rules and regulations governing the permitted use.
- 4) All applicants shall file a copy of all permits required by the state, a state agency and the federal government for development of properties affecting natural and scenic rivers.
- 5) Prior to any final decision on any application for a rezoning or for a permit for those activities that may have the potential for significant impact on such waterways or property, an evaluation shall be made of the impact that the activities may have on the unique character and value of such waterways and properties.
- 6) The evaluation and final determination on any such application by the

reviewing authority should insure compatible uses and development of such property, so as to maintain the natural and physical features of the waterways that are included in the Natural and Scenic Rivers system and the aesthetic values of the property situated along and accessible to the natural and scenic rivers in St. Tammany Parish.



**SECTION 2.20      RBG - RIVERBOAT GAMING DISTRICT**

2.2001      PURPOSE - The purpose of the Riverboat Gaming District is to provide for the location and permitting of a Riverboat Gaming Facility including miscellaneous service activities. Because the use in this district is intended to serve the Southeastern Region of Louisiana, the impact of the proposed development must be carefully studied as to its effects and compatibility on surrounding land use, traffic patterns including off-site commuting patterns, environment including our expansive natural shoreline, and drainage. Specific Locational and Performance Standards shall be met prior to approval of this district.

2.2002      PERMITTED USES

1.      **GAMING ESTABLISHMENT** - An establishment for the conducting of gaming, gaming operations, or gaming activities, whereby a person risks the loss of anything of value in order to realize a profit, as is further defined by the provision of chapter 9 of title 4 of the LA revised statues of 1950, LA R.S. 4:501 through 4:462, The Louisiana Riverboat Economic Development and Gaming Control Act, and Chapter 10 Of the LA Revised Statutes of 1950, LA R.S. 4:601 Through 4:686, the Louisiana Economic Development and Gaming Corporation Law.

ACCESSORY USES

1.      Any use that is accessory or incidental to the conducting of the gaming, gaming operation, or gaming activities or to the operation of a gaming establishment, such as, by way of illustration, berthing facilities for a riverboat used in the conducting of gaming activities or parking areas for the employees or patrons of a gaming establishment.

2.2003      LOCATIONAL STANDARDS

In addition to all of the applicable regulations of this district regarding parking, landscaping, and signage the following performance standards shall be adhered to in the establishment of the district and proposed use within the district:

1.      The district must be located at the intersection of an expressway or major arterial and another major or minor arterial highway.
2.      The district must be located at least 1 mile from any existing residential dwelling or residentially zoned district, planned unit development.
3.      The district must contain existing docking or mooring facilities. These facilities are defined as follows: shall be considered to be sufficient shoreline modifications in place at the time of this zoning amendment to provide for the safe mooring of a commercial vessel of similar and appropriate size and also provide for safe of that vessel from adjacent land for loading passengers or cargo. Generally, these facilities should include

piers, wharves, docks, jetties of appropriate length to accommodate the vessel and/or sufficient mooring. Existing docking facilities must also provide water depth that allows for the unrestricted passage of a commercial vessel of similar and appropriate size under normal operating conditions. These facilities must be in a location that is freely accessible from open sea (or possibly the boat's construction site) by the large commercial vessel in question without the aide of dredging activities or any other water bottom alteration. Any facility in a location where access requires any type of bottom alteration shall not be considered to be a satisfactory existing facility.

4. The district must be located at least 1 mile from a church, school, public playground, library, public wildlife refuge or library.
5. The district must be located at least 1 mile from wetland areas as designated by The U.S. Army Corp of Engineers
6. The district must have a minimum area of 100 acres

## 2.2004 PERFORMANCE STANDARDS

1. A site and construction plan detailing traffic circulation, multiple access, drainage, and buffering must be approved by the St. Tammany Parish Planning Commission
2. The site must be served by a central water and sewerage systems.
3. The site must receive all regulatory (Environmental) permits from local, state and/or federal agencies
4. The facility must close for business between the hours of 2:00 A.M. to 8:00 A.M.
5. The site must not exceed residential noise levels as established by the Parish's noise ordinance
6. The Zoning Commission, Planning Commission or the Police Jury may require additional performance standards during their review of the project.
7. Riverboat vessels are only allowed to dock on waterways as designated by the LA Legislature. Riverboats are not allowed to dock on private waterways such as private canals or lagoons.

## 2.2005 Procedure and Regulations

### Plan Approval:

- A. Prior to submitting a Riverboat Gaming Development rezoning petition, and on participating in an informal pre-application conference, the applicant must have secured a preliminary certificate of approval and/or modification of a preliminary certificate of approval from the Riverboat Gaming Commission and a license and/or modification of a license from the Riverboat Gaming Division of the Department of Public safety. The purpose of this conference shall be to discuss Riverboat Gaming parameters and to bring the overall petition as nearly as possible into conformity with Parish regulations.

Following the pre-application conference, a Conceptual Plan shall be submitted with the rezoning application. This plan shall provide the following information:

1. The title of the project and the names of the project planner and developer.
  2. Plat indicating scale, date, north arrow, and general vicinity map indicating existing land uses within 1 mile of all boundaries of the proposed development shall be designated. This plat shall include all existing physical features such as existing streets, buildings, water courses, easements, soil conditions, vegetative cover and topography.
  3. The proposed maximum height of any building or structure.
  4. Maximum total land area, Minimum public open space, streets, off-street parking and loading areas.  
Breakdown by percent of total land area devoted to each use such as:
    - a. primary use
    - b. accessory use
    - c. open-space
    - d. access parking and loading areas
    - e. drainage easements
  5. If the Riverboat Gaming Development is proposed to be constructed in phases, indicate proposed development scheduling in detail including:
    - a. The approximate date when construction of each phase of the project can be expected to begin; and
    - b. The order in which the phases of the project will be built.
  6. Circulation element indicating the proposed principal movement of vehicles, goods and pedestrians.
  7. The Zoning Commission, the Planning Commission or the Police Jury may require additional material such as plans, maps, aerial photographs, studies and reports which may be needed in order to make the necessary findings and determinations that the applicable Parish standards and guidelines have been achieved.
- B. The Zoning Commission shall forward a recommendation to approve or deny the Riverboat Gaming District to the St. Tammany Parish Police Jury after the required public hearing. The Zoning Commission reserves the right to add stipulations and conditions to its approval and shall determine if the applicant has met all or part of the required parameters including:
1. The tract for the proposed zoning is suitable in terms of its relationships to the Parish Comprehensive Plan and that the areas surrounding the proposed zoning can continue to be developed in coordination and substantial compatibility with the proposed Riverboat Gaming District.
  2. The tract for the proposed zoning meets all applicable standards in 2.2003 and 2.2004.
  3. That the desirable modifications of general zoning regulations as applied to the particular case, justify such modifications of regulations and at least an equivalent degree the regulations modified, based on the design and amenities incorporated in the site development plan.

4. That increased open space over conventional development is provided for the occupants of the proposed zoning and the general public, and desirable natural features indigenous to the site and considered in the development plan presented.

C. Binding Nature of approval for the Riverboat Gaming District

All terms, conditions, safeguards, and stipulations made at the time of approval for the zoning shall be binding upon the applicant or any successors in interest. Deviations from approved plans or failure to comply with any requirements, conditions, or safeguards shall constitute a violation of these zoning regulations.

1. Final Development Plan

After approval of the Conceptual Development Plan by the Police Jury the applicant shall submit a Final Plan to the Department of Development indicating all terms, conditions, safeguards and stipulations required by the Zoning Commission, the Planning Commission and the Police Jury.

2.2006 Appeals (Amended OCS# 02-0417 1/10/2002)

The property owner or its representative or aggrieved property owner within the surrounding area may appeal the Zoning Commission decision within 10 (ten) days of the decision. Appeal is made in written form to the Parish Council through the Department of Planning. The procedure for appeals to the Parish Council is contained within Section 18-056.01 of the Parish Code of Ordinances.

2.2007 Amendment to the Riverboat Gaming District

Amendments to the Riverboat Gaming District shall be classified as either major or minor in character..

- A. Major amendments to the zoning shall require the developer to submit revised plans to the Department of Development. Upon review of the proposed amendments to the zoning by the staff, a public hearing shall be established for the review of the changes by the Zoning Commission. The Zoning Commission shall have the authority to review and approve or deny all major changes to the Riverboat Gaming District.

Public advertisement shall be required at least fifteen (15) days prior to the meeting date and shall run in the official journal of the Parish at least twice during that time period.

Furthermore, the developer shall pay additional fees for procurement of his proposed zoning changes. The additional fees shall be established by the Department of Development upon initial review of the proposed amendments.

Major changes to the zoning plan include:

1. The use of the land,

2. The use, bulk and location of significant buildings and structures,
3. The quantity, quality and location of open spaces; and
4. Intensity of use and or the change or density.

B. Minor amendments to the zoning shall be construed as all other changes not considered major amendments. Minor amendments change shall be submitted for review by the Department of Development and may be put into effect only after a letter of no objection is filed and submitted from the Department of Development to the Chairman of the Zoning Commission.

2.2008 SITE AND STRUCTURE PROVISIONS

- A. Minimum area Regulations
1. The lot or parcel shall not be less than 100 acres
  2. The minimum lot width shall not be less than 3,000 feet
  3. Building and parking setback lines - all building and parking setback lines(front, side and rear) shall be no less than 750 feet from the property line. In Cases of property lines which extends into a water body, the current shoreline is considered the property line.
  4. Maximum lot coverage - The lot coverage of all principle and accessory structures shall not exceed 50 percent of the total area of the parcel

2.2009 Signs, Lighting and Landscaping (Amended 10/17/02 ZC02-10-071 OCS#02-0558)

- A. Signs shall be subject to the provisions of Section 5.03.
- B. Lighting shall be subject to the provisions of Section 5.05.
- C. Landscaping shall be subject to the provisions of Section 5.16.

2.2010 RESERVED (Amended 10/17/02 ZC02-10-071 OCS#02-0558)

2.2011 Parking Requirements

1 space for every 2 patrons based on maximum occupancy, plus 2 for every 3 EMPLOYEES

The distance will be measured in a straight line from the property line extending outward around the entire circumference of the site.



**SECTION 2.21 PLANNED CORRIDOR DISTRICT** (Amended 2/13/03 ZC02-06-040 OCS#03-0607)

2.2101 Purpose

The purpose of this district is to provide for the preservation of the certain existing special standards for all development, excepting single family residential, along the Louisiana Highway 21 Corridor and the Gause Road/Military Road corridors. The permitted uses are determined by the underlying zoning classification upon which the overlay rests. Minimum standards such as signs and lighting, landscaping, parking, height and setbacks shall as set forth in the other provisions of this Zoning Ordinance, except that the special design standards set forth in this Section 2.21 shall be applicable if they are more restrictive than said minimum standards.

2.2102 History

The Hwy 21 Planned Corridor (1989) and the Gause Boulevard Planned Corridor (1993) Districts were created for the protection of the scenic benefits of those corridors. With a revision to the general development regulations in 2002, a desire was expressed by the residents of these areas to maintain the high development standards in these corridors. A determination was made to consolidate these standards into the Planned Corridor District standards found in this Section.

2.2103 Applicability

These sections apply to all lots with frontage along Highway 21 between the Tchefuncte River and Highway 1077; and lots with frontage along Gause Boulevard between Interstate 10 and Military Road; and lots with frontage along Military Road between Interstate 10 and U.S. 190 Business

2.2104 General Standards

The Zoning Commission shall have the authority to grant the Plan Review Permit in each planned corridor with the recommendations of the Department of Planning. The plan review permit will be processed in accordance to Subsection 2.2105, Development Review Procedures.

- A. The Zoning Commission may attach such conditions on the Plan Review Permit as are necessary to insure the continuous conformance to all applicable standards and the integrity of the district.
- B. The Zoning Commission may approve additional standards as may be recommended by the Department of Planning imposed in the public interest for signage, landscaping, parking, setbacks and fascia appearance standards in the overlay district.
- C. Failure to observe the conditions of the Commission imposed pursuant to the issuance of the Plan Review Permit shall be deemed to be grounds for violation and subject to the revocation of the Plan Review Permit.

2.2105 DEVELOPMENT REVIEW PROCEDURES

## A. GENERAL REVIEW PROCEDURES

Requests for development or redevelopment in the designated Planned Corridors shall be submitted to the St. Tammany Parish Department of Planning. The requirement of a Plan Review shall be determined by the Department of Planning in accordance with Subsection C, Compliance With the Established Overlay District. The applicant shall submit fully detailed plans in accordance with Subsection E, Site Plan Submittal.

1. When the subject property is located in the Louisiana Hwy. 21 corridor , the site plan submittal shall be required to undergo plan review with a public hearing before the Zoning Commission site plan review in accordance with these procedures. The final disposition of which shall be determined by the Zoning Commission of St. Tammany Parish. Variations in the Planned Corridor regulations may be granted by the St. Tammany Parish Zoning Commission through the plan review process provided the following criteria are met:
  - a. The granting of the variation is not inconsistent with the general provisions and intent of the Planned Corridor.
  - b. Harmony and compatibility with adjacent land uses are not adversely affected.
  - c. Special conditions and circumstances exist peculiar to land, structures or buildings which are not applicable to other land structures or buildings in the same district and which a site related hardship can be demonstrated.
2. When the subject property is located in the Gause/Military Road Corridor, the PCO standards shall be applied but the review shall be handled administratively, without need for Zoning Commission review, in accordance with standard administrative processes for the administration of this zoning ordinance.

## B. DETERMINATION

After a decision is rendered by the Zoning Commission, the permit decision shall not become effective for (10) ten days of the decision, during which time an appeal can be made in written form to the Parish Council through the Department of Planning. The procedure for appeals to the Parish Council is contained within Section 18-056.01 of the Parish Code of Ordinances

## C. COMPLIANCE WITH THE ESTABLISHED OVERLAY DISTRICT

### 1. EXISTING DEVELOPMENT

#### CONDITIONS FOR COMPLIANCE

Development and structures existing prior to adoption of the planned corridor shall comply with the planned corridor district regulations and

undergo Plan Review before the Zoning Commission in accordance to Subsection 2.2105.A, General Review Procedures when any of the following conditions are met:

a. **CHANGE OF PERMITTED USE OR OCCUPANCY**

Structures utilized by a single business which are not a part of a development with multiple land uses such as a shopping center, and which structures were in existence prior to the adoption of the planned corridor, shall comply with the planned corridor district regulations upon change of permitted use or a change of occupancy that would require an increase in the number of parking and loading spaces needed to service the structure.

b. **VACANCY**

Any single use development that is vacant for a 6 month period, or a multi-use site where 51% or more of the development is vacant for the same 6 month period, shall comply with the planned corridor district regulations.

c. **ADDITIONS**

Any additions to the development or structures, including construction of parking lots, that adds fifty percent or more to the size of the original development shall comply to the planned corridor district regulations.

d. **SIGNS**

Signs existing at the time of the planned corridor designation shall comply with the planned corridor district regulations when there is a change in sign structure, support, or area. The replacement of the face or panels of all non-conforming signs shall be approved by the Director of Planning or designee without need for a Public Hearing so long as the area of the sign face is not increased, illumination is not added and/or the degree of non-conformance (i.e height, setbacks) is not increased.

2. **CONDITIONAL USE PERMIT APPLICATIONS**

All conditional use permits shall comply fully with the district regulations of the Planned Corridor. Conditional Use Permit applications require Plan Review before the Zoning Commission in accordance to Subsection, General Review Procedures.

3. **NEW DEVELOPMENT**

New development shall comply fully with the district regulations of the planned corridor. Plan Review with public hearings is required before the Zoning Commission in accordance to Subsection A, General Review Procedures.

## D. PLAN REVIEW PROCEDURES

### 1. PRE-APPLICATION CONFERENCE

Prior to the submission of an application for plan review in a planned corridor, a pre-application conference with a designated representative of the Department of Planning is required. The purpose of the pre-application conference is to thoroughly discuss the proposal and to bring the petition in conformity with the planned corridor district regulations.

### 2. APPLICATION

An application for plan review in a planned corridor shall be filed with the Department of Planning and shall contain the following information:

#### a. INTEREST AND OWNERSHIP

The Petitioner's and the Property Owner's name, address, phone number, and signatures.

#### b. ZONING CLASSIFICATION

#### c. LEGAL DESCRIPTION

#### d. FEES

Fees for site plan review shall be as required by Section 9, Schedule of Fees, Charges, and Expenses of these Comprehensive Land Use Regulations - Ordinance No. 523.

#### e. SITE PLAN

A site plan shall be submitted in accordance to Subsection E, Site Plan Submittal, of this section.

#### f. ADDITIONAL INFORMATION

The Zoning Commission may require additional material such as plans, maps, studies and reports which may be needed in order to make the necessary findings and determinations that the applicable Parish standards and guidelines have been achieved.

## E. SITE PLAN SUBMITTAL

### 1. PROCEDURE

Prior to issuance of a building permit, a site plan for the proposal shall be submitted to the Department of Planning as specified in Subsection A, General Review Procedures, for review and determination.

### 2. SITE PLAN REQUIREMENTS

Drawing submissions shall be required to be 24" by 36" or smaller. If the applicant fails to submit such drawings, additional fees may be required.

The following minimum information shall be submitted to the Department of Planning in the form of a site plan:

- a. The title of the project and the names of the project planner and developer.
- b. Plat indicating scale, date, north arrow, and general vicinity map indicating existing land uses within 500 feet of all boundaries of the proposed development shall be included.
- c. All existing physical features such as existing streets, buildings, water courses, easements, parking spaces, service bays and loading areas, sidewalks, and signs.
- d. Boundaries of the property involved.
- e. Parking layout indicating the number of required and proposed parking spaces, the location of ingress, egress and access streets, and the location of pedestrian and vehicular ways; Circulation element indicating the movement of pedestrians, goods and vehicles.
- f. A landscape plan of the site showing the type, size and number of plants; location of existing trees to be preserved; the location and dimensions of proposed planting beds, barrier curbs, site triangles, fences, buffers and screening; elevations of all fences and type of materials to be used; and total square footage of landscaping.
- g. Tabulation of the maximum square footage of each use.
- h. The proposed height and setback of any building or structure.
- i. Fascia treatment of the buildings or structures including elevations, and type of materials.
- j. The location, dimensions, area, type of materials and elevations of all signs and support structures.
- k. Location of trash disposal system and details of screening, including type, height and elevation of dumpster and fence.
- l. Lighting plan of the site showing location, number, type, height and materials of fixtures.
- m. Illustrative approved Drainage Plan by the Department of

Engineering.

- n. If the proposed development is to be constructed in phases, indicate proposed development scheduling in detail including:
  - i. The approximate date when construction of each phase of the project can be expected to begin; and
  - ii. The order in which the phases of the project will be built.
  - iii. The infrastructure and on-site improvements that will be included in each phase delineated for the development, including but not limited to service areas, access drives, parking, landscaping, buildings and other structures.
  - iv. If no phasing schedule is provided at the time of application, the project shall be completed as a single unit, or has to go through another site plan review when any changes are proposed.

2.2106 Special Design Standards

- A. The minimum standards for these district will be the same as the standards for all commercial development unless otherwise stated below:

- 1. Site and Structure Provisions

- a. Minimum Lot Area
- b. Minimum Area Regulations
- c. Height Regulations
- d. Off-Street Parking and Loading Requirements  
The parking area shall be located no less than fifty (50) feet from the property line nor shall it encroach on the required street planting area.
- e. Landscaping Regulations  
Landscape regulations shall be the same as for other commercial properties, except that the following additional standards shall apply:

- 1. Planting Requirements

- (a.) Street Planting Area Requirements

- (i.) The street planting area shall be a minimum of

twenty-five (25) feet in depth. For lots greater than one hundred fifty (150) feet in depth, the street planting area shall include one (1) additional foot for every ten (10) feet in depth.  
(Amended 2/13/03 OCS#03-0647)

- (ii.) The street planting area shall contain a minimum of one (1) Class A tree per every three hundred (300) square feet of the street planting area and one (1) Class B tree per every two hundred (200) square feet of the street planting area.
  - (iii.) Planting beds near signage and structures are recommended.
  - (iv.) Grass or groundcover are recommended for areas without trees.
- (b.) **Buffer Planting Area Requirements**  
A non-residential property abutting a residential district shall have a minimum side yard and rear yard requirement of thirty (30) feet.
- (c.) **Parking Area Requirements**
- (i.) The parking area shall be screened from view when the parking area is oriented to the side and/or the front of the structure to reduce visibility of the parking area from the Highway using one of the following methods:
    - a. Seventy (70) percent sight obscuring screen of living material.
    - b. One hundred (100) percent sight obscuring screen six (6) feet in height of non-living material.
    - c. Earth berm with a minimum height of three (3) feet.
  - (ii.) Planting areas shall be a minimum of ten (10) percent of the paved parking area.
  - (iii.) **Protection of Landscape Areas**  
The placement of barrier curbs or wheel stops to protect landscape areas from vehicular damage shall be required.

- f. **Sign Regulations** (Amended 7/3/08 ZC08-05-022 OCS#08-1858)  
 Sign regulations shall be the same as for other commercial properties, except that the following additional standards shall apply to the Hwy 21 Planned Corridor:

1. **Area and Height Provisions For Ground Signs**

<b>SINGLE OCCUPANCY</b>	
Area Allowed	25 Square Feet
Height Allowed	6 Feet

<b>MULTIPLE OCCUPANCY</b>	
Area Allowed	50 Square Feet
Height Allowed	8 Feet

2. No internal illumination.
3. White light only, No colored lighting.
4. Spectrum colors only, no iridescent colors permitted.
5. Personal Identification signs with any dimensions exceeding 24" shall require an Administrative Permit. Such signs shall not exceed 4 Square Feet.

g. **Lighting Requirements**

h. **Utility Requirements**

i. **Setback Requirements**

For lots with frontage along Hwy. 21 only, the following setback requirements shall be applied:

**Principle Buildings:**

One Hundred (100) feet from the property line.

**Accessory Structures:**

One Hundred (100) feet from the property line

**SECTION 2.22 MIO - MUNICIPAL INTERFACE OVERLAY DISTRICT** (Amended 2/13/03  
ZC02-06-040 OCS#03-0607)

2.2201 Mandeville Municipal Interface Overlay District

2.2202 Purpose.

The purpose of Section 2.2202 through Section 2.2209 of the MIO - Municipal Interface Overlay District is to provide the Planning Department of the City of Mandeville a courtesy right to review and comment with respect to certain specified matters regarding properties which are located near, but outside the City Limits of the Mandeville.

2.2203 Applicability.

Sections 2.2202 through Section 2.2209 shall only be applicable to the properties, outside of the City Limits of Mandeville, with frontage along on the following portions of the following highways or roads:

North Approach:

From Florida Street North to LA Hwy 22.

US Hwy. 190 East Service Road:

From US Hwy. 190 North to Marquette Street.

US Hwy. 190 West Service Road:

From LA Hwy 22 North to 7th Street.

LA Hwy 22:

From Ridgewood Drive East to US Hwy. 190.

US Hwy. 190:

From LA Hwy 22 East to Bayou Castine.

West Causeway Approach:

From LA Hwy 22 East to North Causeway Approach.

LA Hwy. 59:

From US Hwy. 190 North to Dupard Street.

2.2204 Submittals to Municipality.

- A. Conditional Use Permits; Signs, Lighting, and Landscape Variances.  
Within five business days after application is made to the Parish for a conditional use permit or for a variance from sign, lighting or landscape regulations requiring a hearing before the Parish Zoning Commission (conditional use permits) or Board of Zoning Adjustments (variances), the applicant shall transmit, to the Department of Planning of the City of Mandeville (with a copy of the transmittal letter being directed to the Parish Department of

Planning), a complete copy of the documents filed with the Parish Zoning Commission or Board of Zoning Adjustments.

- B. New or Altered Building Construction Not Requiring a Conditional Use Permit or a Variance. In the event an application is made to the Parish for the construction of a new building or the alteration of an existing building on properties with frontage along on highways or roads described in Section 2.2103 which do not require a conditional use permit by the Parish Zoning Commission or a variance from the Board of Zoning Adjustments from the signs, lighting or landscaping regulations, the applicant shall within two (2) business days transmit, to the Department of Planning of the City of Mandeville (with a copy of the transmittal letter being directed to the Parish Department of Planning), a complete copy of the documents filed with the Parish Department of Permits.

2.2205 Comments of Municipality.

If the Department of Planning of the City of Mandeville so desires, it may transmit written comments to the Director of the Department of Planning or the Director of the Department of Permits of the Parish with respect to such submittals; provided that, a copy of such written comments shall be simultaneously transmitted to the applicant. The comments of the Department of Planning of the City of Mandeville may be considered by the Department of Planning, the Parish Zoning Commission, the Board of Zoning Adjustments and other agencies of the Parish, but shall not be binding on the Department of Planning, the Parish Zoning Commission, the Board of Zoning Adjustments or other agencies of the Parish. At no time shall any action of the Parish, such as the granting of a permit or variance, be delayed to await comments from the Department of Planning of the City of Mandeville .

2.2206 Zoning Regulations Applicable.

Although the Department of Planning of the City of Mandeville is provided a right of review and comment as provided in this Section 2.21, the zoning and other regulations of the City of Mandeville shall not be applicable to the properties which are the subject of this Section 2.21, and the applicant shall only be required to meet the zoning and other regulations of the Parish with respect to such properties.

2.2207 Special Street Planting Area Rules for U.S. Highway 190 Between LA. Highway 22 and Bayou Castine.

A. Applicability, Definitions.

1. Applicability. This Section 2.2107 is applicable to that portion of the MIO District, outside of the City Limits of Mandeville, located along U.S. Highway 190 from LA Highway 22 (the center line of the North Causeway Approach Overpass over LA Highway 22/U.S. Highway 190) to Bayou Castine (currently the eastern City Limits of the City of

Mandeville).

2. Definitions for Section 2.2107. The following definitions are applicable to Section 2.2107:

**U.S. Highway 190 Widening Project:** The highway widening project, by the Louisiana Department of Transportation and Development (DOTD) along U.S. Highway 190 from LA Highway 22 (the center line of the North Causeway Approach Overpass over La. Highway 22/U.S. Highway 190) to Bayou Castine (currently the eastern City Limits of the City of Mandeville). As of the date of the adoption of this Section 2.21, this project currently is described as DOTD State Project No. 700-30-0270, but this definition includes not only that project number, but any other project number that may be used for the widening along U.S. Highway 190 from LA Highway 22 to Bayou Castine.

**Present Hwy. 190 Right of Way Line:** The right of way line of U.S. Highway 190 from LA Highway 22 to Bayou Castine prior to acquisition of right of way by DOTD for the U.S. Highway 190 widening project.

**Subsequent Hwy. 190 Right of Way Line:** The right of way line of U.S. Highway 190 from LA Highway 22 to Bayou Castine after the acquisition of right of way by DOTD for the U.S. Highway 190 widening project.

**B. Effect, Purpose of U.S. Highway 190 Widening Project.**

1. **Effect of U.S. Highway 190 Widening Project.** Section 2.2107 is necessitated because the U.S. Highway 190 widening project will affect many properties with frontage along on U.S. Highway 190 which already have buildings and improvements constructed thereon and which, in many instances, are limited in depth. Since under the provisions of Section 5.1606, street planting areas are measured 25 feet back (20 feet back in the case of lots with two street frontages) from the street property line, the U.S. Highway 190 widening project, without the provisions of this Section 2.2107, would cause the street planting areas to extend from the subsequent U.S. Highway 190 right of way line into the property a distance of 25 feet (20 feet in the case of lots with two street frontages), thereby resulting in significant problems and/or diminishment of property values for the properties which will be subject to the U.S. Highway 190 widening project.
2. **Purpose of Section 2.2107.** The purpose of Section 2.2107 is to minimize the effect of the U.S. Highway 190 widening project on property owners with frontage along on this highway and to minimize the land acquisition costs to DOTD for the U.S. Highway 190 widening project, while seeking to maintain as much as possible of the intended

landscaping effect of the street planting areas as provided for in Section 5.1606.

- C. Street Planting Area Prior to Land Acquisition for the U.S. Hwy. 190 Widening Project. Prior to land acquisition for the U.S. Highway 190 Widening Project, the street planting areas along U.S. Highway 190 shall be 25 feet wide or deep (20 feet for properties having more than one street frontage) measured from the present U.S. Hwy. 190 right of way line and shall be subject to the other provisions of Section 5.1606.
- D. Street Planting Area After Land Acquisition for the U.S. Highway 190 Widening Project. After the land acquisition for the U.S. Highway 190 Widening Project, the width (depth) of the street planting area after such acquisition shall be reduced by one foot (or fraction thereof) for each foot (or fraction thereof) that the right of way for U.S. Highway 190 is widened by such acquisition. The following are examples of the application of this rule at points along the right of way line of U.S. Highway 190 after such acquisition:

Extended Width of Right of Way	Street Planting Width or Depth After Land Acquisition
Zero - No widening	25 feet (20 feet for properties with more than one frontage)
Right of Way widened 5 feet	20 feet (15 feet for properties with more than one frontage)
Right of Way widened 10 feet	15 feet (10 feet for properties with more than one frontage)
Right of Way widened 15 feet	10 feet (5 feet for properties with more than one frontage)
Right of Way widened 20 feet	5 feet (no front planting area for properties with more than one frontage)
Right of Way widened 25 feet	No front planting area
Right of Way widened 30 feet	No front planting area

- E. Planting Requirements in Street Planting Areas After U.S. Highway 190 Widening. After land acquisitions for the U.S. Highway 190 Widening Project, the planting requirements in street planting areas as set forth in Section 5.1606 F shall be as follows:
  - 1. Street Planting Area Widths of 15 or More Feet. If the street planting

area width (depth) is 15 or more feet after the land acquisition for the U.S. Highway 190 Widening Project, the planting requirements set forth in Section 5.1606 F shall be satisfied within such 15 or more feet.

2. Street Planting Area Widths of Less than 15 Feet. If the street planting area width (depth) is less than 15 feet after the land acquisition for the U.S. Highway 190 Widening Project:

(a) The applicant shall submit a landscape and tree preservation plan to the Department of Planning which achieves as much of the planting required in Section 5.1606 F as is reasonably feasible.

(b) The Department of Planning shall review such plan and make such additional requirements as it deems appropriate. The Department of Planning's decision shall be final except that it is subject to appeal to the Board of Zoning Adjustments.

F. Utilities in Street Planting Areas. If, after the acquisition of land for the U.S. Highway 190 Widening Project, a utility easement or servitude is located within the street planting area and is adjacent to and runs along a street or road, the width of the street planting area shall not be increased beyond the width required in Section 2.2107E.

G. Required Information. In order to receive the benefits of this Section 2.2107, the applicant shall submit to the Department of Planning:

1. A copy of the acquisition (Judgment of expropriation or voluntary sale or grant of right of way) by DOTD for the U.S. Highway 190 Widening Project.

2. A copy of the right of way map of DOTD showing the property acquired for the U.S. Highway 190 Widening Project.

3. A copy of a survey by a licensed surveyor showing the right of way line before and after the acquisition for the U.S. Highway 190 Widening Project.

The Department of Planning may waive submission of one or more of these items required to be submitted, provided that the submitted item or items are sufficient to determine the right of way line before and after the acquisition for the U.S. Highway 190 Widening Project.

H. Special Street Planting Area Rules Take Precedence. The provisions of Section 2.2107 shall take precedence over other provisions of Section 5.16 relating to street planting areas so that if there is any conflict, the provisions of

Section 2.2107 shall prevail.

- I. Intergovernmental Agreement. It is understood that the Parish of St. Tammany may enter into an intergovernmental agreement with DOTD to use part of the extended right of way resulting from the U.S. Highway 190 Widening Project for the purposes of landscaping in order to mitigate the effects of the reduction in width of the street planting areas due to such widening.
- 2.2208 RESERVED
- 2.2209 RESERVED
- 2.2210 COVINGTON MUNICIPAL INTERFACE OVERLAY (Amended 10/16/2003 OCS# 03-0771)
- 2.2211 Purpose. The purpose of Section 1 through Section 19 of the MIO - Municipal Interface Overlay District is to provide the Planning Department of the City of Covington a courtesy right to review and comment with respect to certain specified matters regarding properties which are located within the Area of Influence, but which are outside the city limits of the City of Covington, also known as the Growth Management Area (see attached map), but which are outside the City limits of the City of Covington.
- 2.2212 Applicability. Sections 1 through Section 19 shall only be applicable to properties outside of the City Limits of Covington, as follows: All properties located in Area 1, Area 2, or Area 3 on the attached map inside the Growth Management Areas of the City of Covington.
- 2.2213 Submittals to Municipality.
- A. Conditional Use Permits; Signs, Lighting, and Landscape Variances. Within five business days after application is made to the Parish for a hearing before the Parish Zoning Commission or Board of Zoning Adjustments on properties described in Section 12, the applicant shall transmit, to the Department of Planning of the City of Covington (with a copy of the transmittal letter being directed to the Parish Department of Planning), a complete copy of the documents filed with the Parish Zoning Commission or Board of Zoning Adjustments for review and comment by all appropriate City departments, agencies and bodies, including the City Council.
  - B. New or Altered Building Construction Not Requiring a Conditional Use Permit or a Variance. In the event an application is made to the Parish for the construction of a new commercial building or the alteration of an existing commercial building on properties described in Section 12 which do not require a conditional use permit by the Parish Zoning Commission or a variance from the Board of Zoning Adjustments from the signs, lighting or landscaping regulations, the applicant shall within two (2) business days transmit, to the Department of Planning of the City of Covington (with a copy of the transmittal

letter being directed to the Parish Department of Planning), a complete copy of the documents filed with the Parish Department of Permits for review and comment by all appropriate City departments, agencies and bodies, including the Department of Planning of the City of Covington.

- C. Subdivision Review. Within five (5) business days after application is made to the Parish for a subdivision review process requiring a hearing before the Parish Planning Commission on properties described in Section 12, the applicant shall transmit, to the Department of Planning of the City of Covington (with a copy of the transmittal letter being directed to the Parish Department of Planning), a complete copy of the documents filed with the Parish Planning Commission or Board of Zoning Adjustments for review and comment by all appropriate city departments, agencies and bodies, including the Planning and Zoning Commission of the City of Covington.

2.2214 Comments of Municipality. If the Department of Planning of the City of Covington so desires, it may transmit written comments to the Director of the Department of Planning or the Director of the Department of Permits of the Parish with respect to such submittals; provided that, a copy of such written comments shall be simultaneously transmitted to the applicant. The comments of the City of Covington shall take the form of either: 1. An Advisory Letter of No objection, or 2. An Advisory Letter of Impact (with or without detailed analysis). The comments of the City Council, the Planning and Zoning commission or the Department of Planning of the City of Covington may be considered by the Department of Planning, the Parish Zoning Commission, the Board of Zoning Adjustments and other agencies of the Parish, but shall not be binding on the Department of Planning, the Parish Zoning Commission, the Board of Zoning Adjustments or other agencies of the Parish. At no time shall any action of the Parish, such as the granting of a permit or variance, be delayed to await comments from the Department of Planning of the City of Covington. Following the transmittal of the Letter of Impact, the City of Covington shall have the right to supplement this letter with detailed analysis and testimony at regularly scheduled public meetings or hearings as may impact the individual case in review.

2.2215 Zoning Regulations Applicable. Although the Department of Planning of the City of Covington is provided a right of review and comment as provided in this Section 12, the zoning and other regulations of the City of Covington shall not be applicable to the properties which are the subject of this Section 12, and the applicant shall only be required to meet the zoning and other regulations of the Parish with respect to such properties.

2.2216 Regulatory Framework Applicable. The City of Covington shall adopt a notification and review procedures framework to include all impacted City departments, including the CAO, the Planning Department, Public Works and others as needed to review and assess the impact of each project in the Growth Management Area in accordance with this Ordinance.

- 2.2217 RESERVED (for Covington MIO)
- 2.2218 RESERVED (for Covington MIO)
- 2.2219 RESERVED (for Covington MIO)

## **SECTION 2.23      GROWTH MANAGEMENT AREA OVERLAY**

### **2.2301 Purpose**

The purpose of this district is to provide management techniques for orderly development of a variety of land uses in those areas of the Parish which are undergoing rapid change from the traditional rural characteristics. The Growth Management Area is a means to coordinate growth and mitigate the adverse impact of that growth on limited resources, such as streets and roads, historic resources, public utilities, public services, and environmentally sensitive areas. The Growth Management Area overlay will also promote harmonious development of different land uses within close geographic proximity.

### **2.2302 District Location**

The Growth Management Area Overlay District as established by the Police Jury is as follows:

A certain parcel of land located in St. Tammany Parish known as the Growth Management Area, more particularly described as follows to wit:

Commence at a point where the western most boundary of the city limit line of Madisonville intersects Lake Pontchartrain, thus the point of beginning: thence follow the city limits of Madisonville north, west, north, and east to its intersection with La. Hwy. 1077; thence follow said Highway northwest to its intersection with the St. Tammany/Tangipahoa Parish line; thence follow said line north to its intersection with the Tchefuncta River; thence follow said river south to its intersection with the Ward line splitting Ward 2 and Ward 3; thence go east following said Ward line to a point where the western Ward line of Ward 10 intersects; thence follow said Ward line south and east to the Ward line separating Ward 6 and Ward 4; thence follow said Ward line south to a point where the northern most boundary of Ward 7 intersects; thence follow said Ward line east to the eastern most boundary of Ward 9; thence follow said boundary south, east and south to a corner common to sections 14, 15, 22, and 23; thence go east to its intersection with I-59; thence follow I-59 north to a point where an extension of the section line common to section 7 and 37, Township 7 South, Range 15 East meets I-59; thence follow said extension east to the corner common to section 7, 8, 17 and 18, Township 7 South, Range 15 East; thence go south to the corner common to sections 19 and 20 Township 8 South, Range 15 East; thence from said corner go east to the center of East Pearl River; thence follow said River south to its intersection with Lake Borgne; thence follow the shoreline west to the intersection with the western most line of the city limits of Madisonville, also the point of beginning.

Expansion of the Growth Management Area Overlay:

That for the benefit of the Parish and its citizens, should the Police Jury decide that the expansion this district is necessary, the Growth Management Area Boundary may be expanded. Said expansion may be accomplished through a Resolution from the Police

Jury.

## 2.2303 Application of District Regulations

Only the following Zoning Districts shall be permitted within the Growth Management Area Overlay and all regulations of those districts shall apply:

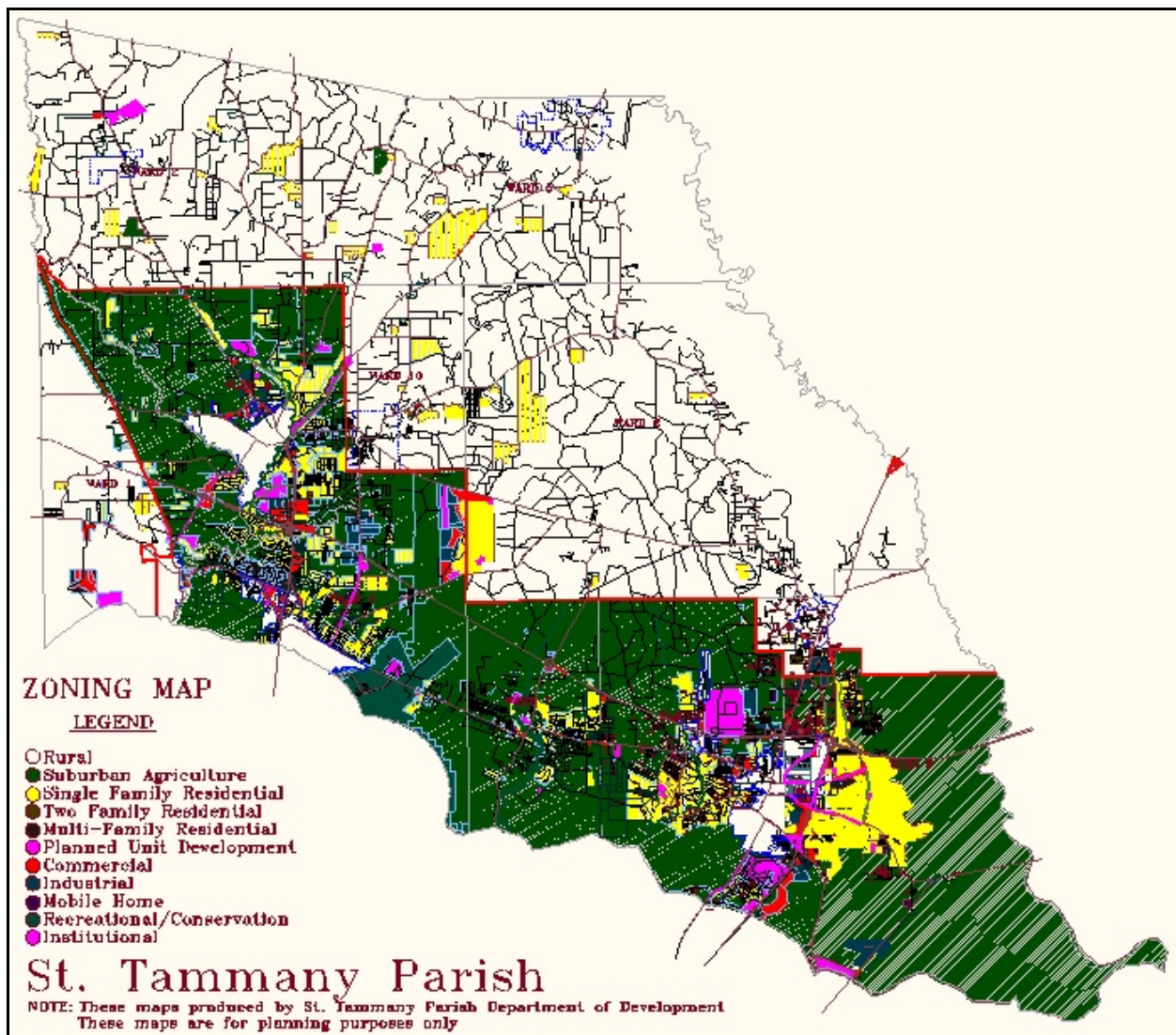
SA	Suburban Agriculture District
A-1	Suburban District
A-2	Suburban District
A-3	Suburban District
A-4	Single Family Residential District
A-5	Two Family Residential District
A-6	Three and Four Family District
PUD	Planned Unit Development
LC	Light Commercial District
C-1	Neighborhood Commercial District
C-2	Community Business District
C-3	Planned Commercial District
M-1	Light Industrial District
M-2	Intermediate Industrial District
M-3	Heavy Industrial District
MH	Mobile Home District
RC	Recreational/Conservation District
ID	Institutional District
MIO	Municipal Interface Overlay
SSO	Scenic Streams Overlay
SRO	Scenic Roads Overlay
PCO	Planned Corridor Overlay

After the adoption of the Land Use Regulation Zoning Ordinance No. 523 by the Police Jury, the following Zoning Districts within the Growth Management Area Overlay will remain in effect only until such time as the rezoning overlay has been adopted for the particular Ward:

R	Rural District
S-1	Suburban District
A-1A	Suburban District
A-2A	Suburban District
A-3A	Suburban District
A-4A	Single Family Residential District
A-7	General Multiple-Family District
A-8	Planned Multiple Family Residential District

Special Police Jury Districts, although originally established as the basis for current zoning in the Parish, will remain in effect and be re-evaluated with each Ward rezoning plan.

The density established within each district may not apply outside of the Growth Management Area Overlay for SA - Suburban Agriculture and R - Rural Zoning Districts Lots of Record.



Growth Management Area



Section 2.24 - Slidell Airport Hazard Zoning Overlay District (Amended 3/18/2004 OCS# 04-0838)

2.24.01 Purpose

To provide protection from the hazard created by structures or trees that in effect reduce the size of the area available for the landing, takeoff, and maneuvering of aircraft, the St. Tammany Parish Government finding that an airport hazard is a public nuisance and an injury to the region served by the Slidell Airport; in the interest of the public health, public safety, and general welfare to prevent airport hazards to the extent legally possible, and by the exercise of its police power as the governing authority of St. Tammany Parish, the said St. Tammany Parish Government hereby designates this Article as the Slidell Airport Hazard Zoning Ordinance.

It is further declared that both the prevention of the creation or establishment of airport hazards and the elimination, removal, alteration, mitigation, or marking and lighting of existing airport hazards are public purposes for which political subdivisions may raise and expend public funds and acquire land or interest in land.

2.2402 District Location

The Slidell Airport Hazard Zoning Overlay District is established as follows:

All property within 14,200 feet from the edge of the Runway Area designated on the Slidell Airport Hazard Zoning Map consisting of 1 sheet prepared by Hamilton, Meyer, and Associates, and dated June 23, 1980 which is attached to Ordinance No. 91-1543, adopted 12/19/91 and made apart hereof [by reference]

2.2403 Application of District Regulations

All projects located within the Slidell Airport Hazard Zoning Overlay District which exceed one hundred and fifty (150) feet in height from grade shall be reviewed by the Board Of Airport Hazard Adjustment (the Board) for compliance with the provisions of this overlay district.

2.2404 Airport Zones

In order to carry out the provisions of this Article, there are hereby created and established certain zones which include all of the land lying within the approach zones, transitional zones, horizontal zones, and conical zones as they apply to a particular airport. Such zones are shown on Slidell Airport Hazard Zoning Map consisting of 1 sheet prepared by Hamilton, Meyer, and Associates, and dated June 23, 1980 which is attached to Ordinance No. 91-1543, adopted 12/19/91 and made apart hereof [by reference]. An area located in more than one (1) of the following zones is considered to be only in the zone with the more restrictive height limitation. The various zones are hereby established and defined as follows:

- (1) Horizontal Zone: The horizontal zone is hereby established by swinging arcs of ten thousand (10,000) feet radii from the center of each end of the primary surface of each runway, and connecting the adjacent arcs of drawing lines tangent to those arcs. The horizontal zone does not include the approach and transitional zones.
- (2) Conical Zone - The conical zone is hereby established as the area that

commences at the periphery of the horizontal zone and extends outward therefrom a horizontal distance of 4,000 feet. The conical zone does not include the precision instrument approach zones and the transitional zones.

- (3) Precision Instrument Runway Approach Zone: The inner edge of this approach zone coincides with the width of the primary surface and is 1,000 feet wide. The approach zone expands outward uniformly to a width of 16,000 feet at a horizontal distance of 50,000 feet from the primary surface. Its centerline being the continuation of the centerline of the runway.
- (4) Runway Larger Than Utility With A Visibility Minimum As Greater Than 3/4 Mile Non-Precision Instrument Approach Zone -The inner edge of this approach zone coincides with the width of the primary surface and is one thousand (1,000) feet wide. The approach zone expands outward uniformly to a width of 3,500 feet at a horizontal distance of 10,000 feet from the primary surface. Its centerline is the continuation of the centerline of the runway.

#### 2.2405 Airport Zone Height Limitations

Except as otherwise provided in this Article, no structure or tree shall be erected, altered, allowed to grow, or be maintained in any zone created by this Article to a height in excess of the applicable height limit herein established for such zone. Such applicable height limitations are hereby established for each of the zones in question as follows:

- (1) Transitional Zones: Slopes upward and outward seven (7) feet horizontally for each foot vertically beginning at the sides of the same elevation as the primary surface and the approach zones, and extending to a height of 150 feet above the airport elevation which is 27 feet above mean sea level. In addition to the foregoing, there are established height limits sloping upward and outward seven (7) feet horizontally for each foot vertically beginning at the sides of and at the same elevation as the approach zones and extending to where they intersect the conical surface. Where the precision instrument runway approach zone projects beyond the conical zone, height limits sloping upward and outward seven (7) feet horizontally for each foot vertically shall be maintained beginning at the sides of and as the same elevation as precision instrument runway approach surface, and extending to a horizontal distance of 5,000 feet measured at 90 degree angles to the extended runway centerline.
- (2) Horizontal Zone: One hundred and fifty (150) feet above the airport elevation or a height of 178 feet above mean sea level.
- (3) Conical Zone - Slopes upward and outward twenty (20) feet horizontally for each foot vertically beginning at the periphery of the horizontal zone and at one hundred and fifty (150) feet above the airport elevation and extending to a height of 350 feet above the airport elevation.
- (4) Precision Instrument Runway Approach Zone Slopes upward fifty (50) feet vertically beginning at the end of and at the same elevation as the primary

surface and extending to a horizontal distance of ~~40,000~~ fifty thousand (50,000) feet along the extended runway centerline.

- (5) Runway Larger Than Utility With A Visibility Minimum Greater Than 3/4 Mile Non-Precision Instrument Approach Zone: Slopes upward thirty- four (34) feet horizontally for each foot vertically beginning at the end of and at the same elevation as the primary surface and extending to a horizontal distance of 10,000 feet along the extended runway centerline.
- (6) Height Limitations: Nothing in this Article shall be construed as prohibiting the growth, construction, or maintenance of any tree or structure to a height up to one hundred and fifty (150) ~~50~~ feet above the surface of the land. Where an area is covered by more than one (1) height limitation, the more restrictive limitation shall prevail (See Section 2.2408.1).

#### 2.2406 Use Restrictions

Notwithstanding any other provisions of this Article, no use may be made of land or water within any zone established by this Article in such a manner as to create electrical interference with navigational signals or radio communication between the airport and aircraft, make it difficult for pilots to distinguish between airport lights and others, result in glare in the eyes of pilots using the airport, impair visibility in the vicinity of the airport or otherwise in any way create a hazard or endanger the landing, takeoff, or maneuvering of aircraft intending to use the airport. (Ord. No. 80-29, adopted 08/21/80; amended by Ord. No. 91-1543, adopted 12/19/91)

#### 2.2407 Nonconforming Uses

- (1) Regulations Not Retroactive: The regulations prescribed by this Article shall not be construed to require the removal, lowering, or other changes or alterations of any structure or tree not conforming to the regulations as of the effective date of this Article, or otherwise interfere with the continuance of a nonconforming use. Nothing contained herein shall require any change in the construction, alteration, or intended use of any structure, the construction or alteration of which was begun prior to the effective date of this Article, and is diligently prosecuted.
- (2) Marking and Lighting: Notwithstanding the preceding provisions of this Section, the owner of any existing nonconforming structure or tree is hereby required to permit the installation, operation, and maintenance thereon of such markers and lights as shall be deemed necessary by the Slidell Airport Manager to indicate to the operators of aircraft in the vicinity of the airport, the presence of such airport hazards. Such markers and lights shall be installed, operated, and maintained at the expense of the City of Slidell.

#### 2.2408 Permits

- (1) Future Uses: No material change shall be made in the use of land and no

structure or tree shall be erected, altered, planted, or otherwise established in any zone hereby created unless a permit therefore shall have been applied for and granted.

- (a) However, a permit for a tree or structure of less than 75 feet of vertical height above the ground shall not be required in the horizontal distance of 4,200 feet from each end of the runway except when such tree or structure, because of terrain, land contour, or topographic features, would extend above the height limit prescribed for the respective zone.
  - (b) Each application for a permit shall indicate the purpose for which the permit is desired with sufficient particulars to determine whether the resulting use, structure, or tree would conform to the regulations herein prescribed. If such determination is in the affirmative, the permit shall be granted.
- (2) Existing Uses: No permit shall be granted that would allow the establishment or creation of an airport hazard or permit a conforming use, structure, or tree to become a greater hazard to air navigation than it was on the effective date of this Article or any amendments thereto or than it is when the application for a permit is made. Except as indicated, all applications for such a permit shall be granted.
- (3) Nonconforming Uses Abandoned Or Destroyed: Whenever the Slidell Airport Manager determines that a nonconforming tree or structure, upon approval of Parish Building Inspector, has been abandoned or more than 80 percent torn down, physically deteriorated, or decayed, no permit shall be granted that would allow such structure or tree to exceed the applicable height limit or otherwise deviate from the zoning regulations.
- (4) Variances: Any person desiring to erect or increase the height of any structure, or permit the growth of any tree, or use his property not in accordance with the regulations prescribed in this Article, may apply to the Board of Airport Hazard Adjustment for a variance from such regulations. Such variances shall be allowed where it is duly found that a literal application or enforcement of the regulations would result in practical difficulty or unnecessary hardship and relief granted would not be contrary to the public interest, but will do substantial justice and be in accordance with the spirit of this Article.
- (5) Hazard Marking and Lighting: Any permit or variance granted may, if such action is deemed advisable to effectuate the purpose of this Article and be reasonable in the circumstances, be so conditioned as to require the owner of the structure or tree in question to permit the City of Slidell at its own expense, to install, operate, and maintain thereon such markers and lights as may be necessary to indicate to pilots the presence of an airport hazard.  
(Ord. No. 80-29, adopted 08/21/80; amended by Ord. No. 91-1543, adopted 12/19/91)

## 2.2409 Enforcement

It shall be the duty of the Department of Planning to hold the building permit for and notify the Board of Airport Hazard Adjustment of any structure in conflict with the provisions of this ordinance. The board shall examine the details of the proposal and issue a position of objection or no objections to the construction within forty five (45) days of request.

## 2.2410 Board Of Airport Hazard Adjustment

1. There is hereby created a Board of Airport Hazard Adjustment [to] exercise the following powers: (1) to hear and decide appeals from any order, requirement, decision, or determination made by the Building Inspector in the enforcement of this Article; (2) to hear and decide special exceptions to the terms of this Article upon which such Board of Airport Hazard Adjustment regulations may be required to pass; and (3) to hear and decide specific variances.
2. The Board of Airport Hazard Adjustment shall consist of five (5) members. One member to be selected by the Parish Council, one (1) nominated and appointed by the Parish President, two (2) appointed by the City of Slidell, and one (1) to be selected by a majority of the four previous appointments to this Board. Each member shall serve for a term of three (3) years and until his successor is duly appointed and qualified. Members shall be removable by the appointing authority for cause, upon written charges, after a public hearing. (Ord. No. 00-0157, adopted 06/01/2000)
3. The Board of Airport Hazard Adjustment shall adopt rules for its governance in harmony with the provisions of this Article. Meetings of the Board of Airport Hazard Adjustment shall be held at the call of the Chairman and at such other times as the Board of Airport Hazard Adjustment may determine. The Chairman, or in his absence the acting chairman, may administer oaths and compel the attendance of witnesses. All hearings of the Board of Airport Hazard Adjustment shall be public. The Board of Airport Hazard Adjustment shall keep minutes of its proceedings showing the vote of each member upon each question; or if absent or failing to vote, indicating such fact, and keep records of its examinations and other official actions, all of which shall immediately be filed in the office of the Building Inspector, and on due cause, shown.
4. The Board of Airport Hazard Adjustment shall make written findings of facts and conclusions of law giving the facts upon which it acted and its legal conclusions from such facts in reversing, affirming or modifying any other, requirement, decision, or determination which comes before it under the provisions of this Article.
5. The concurring vote of [a] majority of the members of the Board of Airport Hazard Adjustment shall be sufficient to reverse any order, requirement, decision, or determination of the Building Inspector or to decide in favor of the applicant on any matter upon which it is required to pass under this Article, or effect variation in this Article. (Ord. No. 80-29, adopted 08/21/80; amended by

## 2.2411 Appeals

1. Any person aggrieved or any taxpayer affected by any decision of the Building Inspector made in his administration of this Article, may appeal to Board of Airport Hazard Adjustment.
2. All appeals hereunder must be taken within 10 days of the decision in question as provided by the rules of the Board of Airport Hazard Adjustment, by filing with the Building Inspector a notice of appeal specifying the grounds thereof. The Building Inspector shall forthwith transmit to the Board of Airport Hazard Adjustment all the papers constituting the record upon which the action appealed from was taken.
3. An appeal shall stay all proceedings in furtherance of the action appealed from unless the Building Inspector certifies to the Board of Airport Hazard Adjustment, after the notice of appeal has been filed with it, that by reason of the facts stated in the certificate a stay would, in his opinion, cause imminent peril to life or property. In such case, proceedings shall not be stayed except by order of the Board of Airport Hazard Adjustment on notice to the Building Inspector and on due cause shown.
4. The Board of Airport Hazard Adjustment shall set a hearing on the appeal, give public notice and due notice to the parties in interest, and decide the same within 45 days of receipt of notice of appeal. Upon the hearing, any party may appear in person or by agent or by attorney.
5. The Board of Airport Hazard Adjustment may, in conformity with the provision of this Article, reverse or affirm, in whole or in part, or modify the order, requirement, decision, or determination appealed from and may make such order, requirement, decision, or determination, as may be appropriate under the circumstances.  
(Ord. No. 80-29, adopted 08/21/80; amended by Ord. No. 91-1543, adopted 12/19/91)

## 2.2412 Judicial Review

Any person aggrieved, or any taxpayer affected, by any decision of the Board of Airport Hazard Adjustment, may appeal to the Court of proper jurisdiction as provided in LSA R.S. 2:387 of the Public Laws of proper jurisdiction. (Ord. No. 80- 29, adopted 08/21/80; amended by Ord. No. 91-1543, adopted 12/19/91)

## 2.2413 Penalties

Each violation of this Article or of any regulation, order, or ruling promulgated hereunder shall constitute a misdemeanor and be punishable by a fine of not more than One Hundred (\$100.00) Dollars or imprisonment for not more than thirty (30) days or both; and each day a violation continues to exist shall constitute a separate offense. (Ord. No. 80-29, adopted

08/21/80; amended by Ord. No. 91-1543, adopted 12/19/91)

## 2.2414 Definitions

As used herein, unless the context otherwise requires:

- (1) Airport: The Slidell Airport.
- (2) Airport Elevation: The highest point of an airport's usable landing area measured in feet from mean sea level.
- (3) Airport Hazard: Any structure or object of natural growth located on or in the vicinity of a public airport, or any use of land near such airport, which obstructs the airspace required for the flight of aircraft in landing or takeoff at such airport or is otherwise hazardous to such landing or takeoff of air craft.
- (4) Airport Manager: That person appointed by the Mayor of Slidell to manage the day to day operation of the Slidell Airport. (Ord. No. 91-1543, adopted 12/19/91)
- (5) Structure: An object constructed or installed by man, including, but without limitation to, buildings, towers, smokestacks, earth information, and overhead transmission lines.
- (6) Tree: Any object of natural growth.
- (7) Nonconformance Use: Any pre-existing structure, object, of natural growth, or use of land which is inconsistent with the provisions of this Article or an amendment thereto.
- (8) Height: For the purpose of determining the height limits in all zones set forth in this Article and shown on the zoning map, the datum shall be mean sea level elevation unless otherwise specified.
- (9) Person: An individual, firm, partnership, company, association, joint stock association, or governmental entity. It includes a trustee, receiver, assignee, or similar representative of any of them.
- (10) Airport Hazard Adjustment [Board]: A board consisting of five (5) members. One member to be selected by the Parish Council, one (1) nominated and appointed by the Parish President, two (2) appointed by the City of Slidell, and one (1) to be selected by a majority of the four previous appointments to this Board. Each member shall serve for a term of three (3) years and until his successor is duly appointed and qualified. Members shall be removable by the appointing authority for cause, upon written charges, after a public hearing(Ord. No. 80-29, adopted 08/21/80; abolished by Ord. No. 92-1564, adopted 01/16/92; reinstated under new name by Ord. No. 91-1543, adopted 12/19/91)
- (11) Runway: A defined area on an airport prepared for landing and takeoff of

aircraft along its length.

- (12) Visual Runway: A runway intended solely for the operation of aircraft using visual approach procedures with no straight-in instrument approach procedure and no instrument designation indicated on an FAA approved airport layout plan, a military service's approved military airport layout plan, or by any planning document submitted to the FAA by competent authority.
- (13) Utility Runway: A runway that is constructed for and intended to be used by propeller driven aircraft of 12,500 pounds maximum gross weight and less.
- (14) Non-precision Instrument Runway: A runway having an existing instrument approach procedure utilizing air navigation facilities with only horizontal guidance, or area type navigation equipment, for which a straight-in non-precision instrument approach procedure has been or planned, and for which no precision approach facilities are planned or indicated on an FAA planning document or military service's military airport planning document.
- (15) Primary Surface: A surface longitudinally centered on a runway. When the runway has a specially prepared hard surface, the primary surface extends 200 feet beyond each end of that runway; but when the runway has no specially prepared hard surface, or planned hard surface, the primary surface ends at each end of that runway. The width of the primary surface of a runway will be that width prescribed in Part 77 of the Federal Aviation Regulations, (FAR) for the most precise approach existing or planned for either end of that runway. The elevation of any point on the primary surface is the same as the elevation of the nearest point on the runway centerline.
- (16) Approach, Transitional, Horizontal, and Conical Zones: These zones apply to the area under the approach, transitional, and conical surfaces defined in FAR Part 77.

## **SECTION 3 - NON-CONFORMING AND CONDITIONAL USES AND MINIMUM STANDARDS**

### **SECTION 3.01 NON-CONFORMING USES**

Any building, structure or permitted use lawfully existing at the time of enactment of this ordinance may be continued as a non-conforming use even though such building, structure or use does not conform with the provisions of this ordinance for the use district in which it is located. Similarly, whenever a use district shall be changed thereafter, then the existing lawful use may be continued. Nonconforming uses shall be subject to the following regulations:

#### **3.0101 Continuance.**

No building, structure or premises containing a nonconforming use shall hereafter be extended, unless such extension or alteration shall conform to provisions of the use district in which it is located or unless approved by the Police Jury as set forth below in Section 3.0103.

#### **3.0102 Alterations.**

Structural alterations to a non-conforming building or structure may be permitted only when there is not increase in the cubical content of the building.

#### **3.0103 Expansions.**

Expansions including structural additions to a non-conforming building or structure may be permitted, provided:

- A. The total expansion shall not exceed twenty-five percent (25%) of the total area of the existing structures or uses.
- B. The proposed expansion shall not infringe on the side, front and rear yard requirements for the particular district in which the Non-Conforming Use is located.
- C. The parking requirements for the use shall be satisfied.
- D. The proposed expansion will not merely serve as a convenience to the applicant, but will relieve some demonstratable hardship.
- E. The proposed expansion shall not result in a diminution of surrounding conforming uses, nor cause any diminution or depreciation of property values of any surrounding property nor alter the essential character of the locality.
- F. The proposed expansion will not be detrimental to the public welfare or seriously affect or be injurious to other property or improvements in the neighborhood in which located, in that it will not impair an adequate supply of light and air, or increase substantially the congestion in the public streets, create a parking hazard, or permit inadequate parking, or increase the danger of fire, or substantially overburden existing drainage or sewerage systems, or

endanger the public safety nor cause serious annoyance or injury to occupants of adjoining premises by reason of emission of odors, fumes, gases, dust, smoke, noise or vibration, light or glare or other nuisances.

G. Expiration

The petitioner shall have six (6) months to obtain the appropriate building permits or occupy the expansion from the date of approval of the St. Tammany Parish Zoning Commission, unless otherwise stipulated by the St. Tammany Parish Zoning Commission.

3.0104 Procedures

A. Application

An application verified by the owner of record or authorized agent of said owner of the property involved shall be filed with the Department of Development for the attention of the Zoning Commission upon a form prescribed therefore, which shall contain, or be accompanied by, all required information.

B. Public Hearings

Upon receipt of such verified application, the Department of Development shall notice of a Public Hearing by posting the affected site in a conspicuous place at least ten (10) days prior to the intended permit hearing. Notice of such public hearing shall also be published in the official journal of the Parish at least ten (10) days prior to the intended public hearing. A record of pertinent information presented at the public hearing shall be made and maintained by the Zoning Commission as part of their permanent record relative to the applicant.

C. Determination (Amended OCS# 02-0417 1/10/2002)

The Zoning Commission shall then make its findings and the permit decision shall not become effective for ten (10) days, during which time an appeal can be made in written form to the Parish Council through the Parish Department of Planning. The procedure for appeals to the Parish Council is contained within Section 18-056.01 of the Parish Code of Ordinances.

3.0105 Abandonment of, or Restoration after Damage.

Any non-conforming building or structure which has been damaged to the extent of not exceeding fifty (50) percent of its replacement valuation by reason of fires, flood, explosion, earthquake, riot, war or act of God, may be reconstructed and reused as before if done within six (6) months from the time such damage occurred, provided that there is no increase in cubical content of the building or structure. If such damage is greater than fifty (50) percent of the replacement valuation, such building or structure may only be reconstructed to conform with the provisions of the use district in which it is situated. If any structure or building is removed from the site, such structure or building shall only be replaced if it conforms to current land use regulations or meet all criteria within the current zoning district in which it is located. Outside the GMA, any non-conforming building or structure which has been damaged by reason of fires,

flood, explosion, earthquake, riot, war or act of God, may be reconstructed and reused as before if the insurance company concurs with the determination that the destruction was an Act of God or nature, provided that there is no increase in cubical content of the building or structure, or increase in intensity of use.

3.0106 Change in Use.

A non-conforming use may be changed to one of a similar nature provided that Section 3.0105 does not apply. However, no building, structure or tract of land in which a non-conforming use has been changed shall be used as a more intense use unless a zoning change comparable to that use has been approved by the Police Jury. A building or structure which has a non-conforming use that does not involve or permit the sale and consumption of alcoholic beverages on the premises shall not be changed to a use which involves, permits or authorizes the sale and consumption of alcoholic beverages on the premises.

No building or structure or premises within the Growth Management Area where a non-conforming use has ceased for reasons other than those stated in Section 3.0105 for a period of more than six (6) months or has changed to a permitted or conforming use, shall again be used as a non-conforming use.

No building or structure or premises outside the GMA where a non conforming use has ceased for reasons other than those stated in Section 3.0105 for a period of more than one (1) year or has changed to a permitted or conforming use, shall again be used as a non-conforming use.

3.0107

Any outdoor storage use such as junk yards, salvage yards and storage yards, existing at the time of enactment or subsequent amendment of this ordinance, but not in conformity with its provisions, may be continued longer than six (6) months from and after the enactment of this ordinance so long as they are enclosed and screened from view by walls and/or fences and/or planting of not less than six (6) feet in height in a manner prescribed by the Director of Development.



## **SECTION 3.02      CONDITIONAL USES**

In order to accomplish the general purpose of these regulations, there are certain uses which must be recognized in addition to the regular permitted uses of a district because of unusual characteristics or the service they provide the public. Because the principle objective of this zoning ordinance is to promote an orderly arrangement of compatible building and land uses, these conditional uses require special regulation to achieve a compatibility with existing or planned development. Often the effect of these uses on the surrounding environment cannot be foreseen and evaluated until a specific site has been proposed. The conditions controlling the location and operation of such conditional uses are established by the following provisions of this ordinance.

### **3.0201      Authority, Conditions and General Standards for Approval of Conditional Uses**

#### **A.      Approval**

The Zoning Commission shall have the authority to permit the Conditional Uses of land or structures listed in each zoning district. However, if a formal appeal is lodged with the Secretary of the Police Jury, the final decision of any request to such approval or denial made by the Zoning Commission shall rest with the Parish Police Jury.

#### **B.      Conditions**

1.      All regulations of the district in which a conditional use is located shall apply to such uses, except where specific differences in requirements of any section of these regulations apply, or where requirements are specifically amended by the conditions under which the conditional use is granted.
2.      Zoning Commission may attach such conditions to the conditional use as are necessary to assure continuous conformance to all applicable standards and requirements.
3.      Failure to observe the conditions of the Commission, imposed pursuant to the issuance of the conditional use, shall be deemed to be a violation of these regulations and may be grounds for revocation of the conditional use.
4.      The Zoning Commission may approve uses subject to the regulations, and to any additional requirements imposed in the public interest to cover circumstances unique to the selected site including a drainage analysis of the site by an independent engineering firm.

#### **C.      General Standards**

1.      The location and size of the use, the nature and intensity of the operation involved in (or conducted in connection with) the use, the size

of the site in relation to the use, and the location of the site with respect to streets giving access to the site shall be such that the use will be in harmony with the land uses in the district in which it is located.

2. Time limit requirement for length of permit use.
3. Hours of operation for use, buffering and/or landscaping above the minimum parish requirements.
4. The location, nature and height of structures, walls and fences, and the nature and extent of landscaping on the site shall be such that the use will not hinder or discourage the development and use of adjacent land and structures.
5. Parking areas shall be of adequate size for the particular use, properly located and suitably screened from adjoining residential uses, and the ingress and egress drives shall be laid out so as to achieve maximum safety.
6. Conditional Uses may be approved on lots of less than the minimum lot size in any zoning district and the Zoning Commission may require alternate standards for landscaping and parking.
7. Conditional uses are not transferable. Once the use has ceased activity, a new permit must be acquired to occupy the site or reactivate the previous use.

D. General Criteria

In deliberating on any application, the Zoning Commission shall not grant approval of any Conditional Use Permit unless it makes findings based upon the evidence presented to it that each case shall indicate the following:

1. The permit, if granted, will not cause any diminution or depreciation of property values of any surrounding property or will not alter the essential character of the locality.
2. The permit, if granted, will tend to preserve and advance the property and general welfare of the neighborhood and community.
3. The granting of the Conditional Use Permit will not be detrimental to the public welfare or seriously affect or be injurious to other property or improvements in the neighborhood in which the property is located, in that it will not impair an adequate supply of light and air, or increase substantially the congestion in the public streets, create a traffic hazard, or permit inadequate parking, or increase the danger of fire, or substantially affect or overburden existing drainage or sewerage systems, or endanger the public safety, nor cause serious annoyance

or injury to occupants of adjoining premises by reason of emissions of odors, fumes, gases, dust, smoke, noise or vibration, light or glare or other nuisances.

E. Expiration

The petitioner shall have one (1) year to obtain the appropriate building permits or occupy the site from the date of approval of the St. Tammany Parish Zoning Commission, unless otherwise stipulated by the St. Tammany Parish Zoning Commission.

3.0202 Procedures (Amended ZC#04-09-078 OCS# 05-1163 8/04/2005)

A. Application

1. An application verified by the owner of record or authorized agent of said owner of the property involved shall be filed with the Department of Planning for the attention of the Zoning Commission upon a form prescribed therefore, which shall contain, or be accompanied by, all required information.
2. a. A Transportation Impact Analysis (TIA) study shall be required for all conditional uses when the following project threshold levels are met or exceeded. In the event that alternative threshold levels are specified (i.e., units vs. square footage) the more restrictive shall prevail.

Subdivision/ Development Type	Threshold
Single Family Residential	50 Units
Multi-Family Residential	5 Acres or 50 Units
Office	3 Acres or 50,000 Square Feet
Commercial/Institutional	2 Acres or 75,000 Square Feet
Industrial	8 Acres or 100,000 Square Feet
Commercial Outlets with Drive through Service	No Threshold (Applies to All)

In the case that a development does not meet or exceed the threshold level defined above, a transportation impact analysis may still be deemed necessary by the Parish Engineer under one or more of the following conditions:

- There are currently high traffic volumes on surrounding roads that may affect movement to and from the proposed development.
- The development will be located in an area that is currently undergoing substantial growth, or

- The development will be located in an area that is currently experiencing extreme problems with traffic congestion.

Expansion of an existing project may also be subject to a traffic study. When determining whether the project meets the threshold, trips from the existing land use shall be included in the trips that are considered “produced” by the project.

The Parish has the right in the administrative review process to require mitigation efforts by the applicant. However, a formal TIA may not be required. The applicant shall meet all applicable requirements found in the Parish Code. Additionally, the Parish has the right to request additional improvements or ingress/egress points above the current Parish standards.

- b. **PROCEDURES.** If a TIA is required for a project pursuant to the provisions of this section, the developer shall hire a qualified TIA Analyst from a list published by the St. Tammany Parish Department of Planning and the Department of Engineering in accordance with this section. The TIA shall be submitted with conditional use application. In the event that a TIA is required and no conditional use application is required, the TIA shall be submitted at the time of the filing for a building permit. In no case shall a building permit be issued for a development that is required by these regulations to provide a TIA until said TIA has been submitted and approved by the Parish Engineer. For each TIA submitted, the Parish Engineer will assess the project and make the decision as to whether a traffic model of the study area will be required. If a proposed development is located in an area for which the Parish has an existing base traffic model, then the traffic model shall be updated to show the impacts of the project. For other projects, the Parish may choose to generate a model for the critical intersections in the study area. This model will allow the Parish to make recommendations for improvements needed in order to mitigate the impacts of the development. These recommendations may be in addition to the recommendations made by the TIA and will be in accordance with standard engineering practice. In order for the Parish Engineer to model the effects of the new development (or update an existing base model), the following information shall also be provided at the time of submission of the conditional use application:

1. Existing Average Daily Traffic Counts at all intersections (identified by the Parish Engineer) as well as peak-hour counts (for all turning movements at each intersection). These counts shall be less than 1 year old. The applicant shall contact the Parish Engineer to check availability of current available counts. If current data is not available, the applicant will be required to perform the counts. Peak hours shall be determined by the Parish Engineer for each project, as peak hours will vary depending on the study area. Traffic Counts will be conducted

- only during weeks that do not contain a major school holiday and that are during the school year (September through May).
2. Projected Average Daily Traffic Counts (and peak hour counts) upon completion of project at same intersections, as well as any proposed site access driveways.
  3. Suggested timing/phasing plans for any proposed traffic signals, and/or proposed changes to existing timing/phasing plans.
  4. Any other recommendations or mitigation efforts that are proposed by the applicant.
  5. Any additional information deemed necessary by the Parish Engineer in order to complete or update a traffic model of the project area.

A review fee will be assessed to every applicant that is required to submit a TIA for this service. This fee shall consist of a \$50 Submittal Fee + \$50/mile of roadway to be studied + \$50/intersection in study area + \$50/proposed development in study area that have submitted a tentative plat or conditional use application. For example, a 3-mile long project study area consisting of 10 intersections along a stretch of highway that has 8 other proposed developments would have a fee of \$1100. (\$50 submittal fee + \$150 for 3 miles of roadway + \$500 for 10 intersections in study area + \$400 for 8 other proposed developments in study area.

A building permit or work order will not be issued unless the traffic model with all proposed improvements shows little or no impact on existing traffic conditions. Mitigation measures shall be in place prior to the initial phase of construction.

Mitigation shall also be in coordination with the most recent 2025 Master Plan and 10-Year Infrastructure Plan to benefit the area affected. Prior to approval, the developer must verify with the Department of Engineering whether a 2025 Master Plan or 10-Year Infrastructure Plan proposed route or improvement will affect the subject property. If so, access through the property along with any Right-of-Way needed shall be provided to the Parish as part of the applicant's mitigation efforts. The most recent map outlining the 2025 Master Plan is on file with the Department of Engineering. A copy of the 10-Year Infrastructure Plan can also be obtained from the Department of Engineering.

- c. TIA ANALYST. Following a request for qualifications, the Director of Planning and the Parish Engineer shall review all submissions and publish a list of qualified TIA analysts. This list shall include all individuals qualified to perform the Traffic Impact Analysis required in these regulations. In order to be considered for qualification as a TIA Analyst, an individual must be a registered Professional Engineer or an AICP certified planner, with the experience in Traffic Engineering.

Subsequent to the publication of this list, all individuals desiring to be qualified as a TIA Analyst for the purposes of this ordinance must submit a list of qualifications to the Director of Planning and the Parish Engineer for review. If that individual is deemed qualified to perform TIAs in accordance with this section, their name shall be added to the list of qualified TIA Analysts to be maintained by the Department of Planning.

A qualified TIA Analyst may be disqualified by the Director of Planning and the Parish Engineer from preparing TIA's for the purposes of these regulations for cause. Cause for disqualification includes, but is not limited to: the intentional submission of false or misleading information; unethical or illegal activities intended to influence the evaluation of a TIA; or consistent failure to provide the information required for the submission of a TIA in accordance with this section.

- d. TIA REPORT. The TIA report shall be prepared documenting the study, the data used, the findings, and the recommendations of the study. The TIA shall be prepared and signed by the TIA Analyst responsible for the supervision of the study and preparation of the TIA. The TIA shall be reviewed by both the Parish Engineer and the Planning Commission. If the Parish Engineer or the Planning Commission determines that the TIA is inadequate or not in accordance with this section, the applicant shall be required to supplement the TIA to address any deficiencies.
- e. TIA CONTENTS AND FORMAT. The contents of a TIA, as well as the TIA study area radius shall vary depending on the site and prevailing conditions. Content requirements, including the study area radius, shall be established by the Parish Engineer prior to the submittal of the TIA. Such requirements shall address site, project and corridor level traffic and transportation issues. Each TIA submitted must take into account all other proposed developments in the study area (all developments for which a tentative application has been submitted). This information shall be obtained from the Parish Engineer.

The TIA study shall be prepared in the following format.

1. Description of TIA study area, specifying boundary of study area and count and analysis sites. A site location map shall be provided. The map shall include roadways that allow access to the site, and are included in the study area. The Parish Engineer prior to initiation of the study shall determine the study area radius for the TIA.
2. Description of the Project. This description shall include the size of the parcel, general terrain features, access to the site anticipated completion date, and the existing and proposed uses of the site (including phasing). In addition, the square footage of

each use or number and size of units proposed shall be specified. A figure (Site Plan) that shows the site development as proposed shall also be included in the report.

3. Existing conditions. The existing conditions in the vicinity of the project shall be discussed, including a description of the area to be affected by the development. A field inventory of the site and study area shall be conducted. Existing traffic volumes, traffic controls, and geometrics (number of lanes, intersection configurations, etc.) shall be described in detail. This data shall be depicted graphically.
4. Existing Traffic Volumes within TIA Study Area. Average daily traffic counts shall be current (less than 1 year old). The applicant shall contact the Parish Engineer to obtain current available counts. If current data is not available, the applicant will be required to perform the counts. Peak hour counts shall be conducted at study area intersections during peak hours to be determined by the Parish Engineer. These counts shall show all turning movements. The counts shall be conducted during the school year (September through May) and during weeks that have no major school holidays. (These holidays shall include, but not be exclusive to, Thanksgiving, Christmas Break, Spring Break, Mardi Gras, Labor Day, and Exam weeks.) The Parish Engineer may be contacted for approval of the planned count dates.
5. Trip generation estimates and design hour traffic volumes. Traffic volumes expected to be generated by the proposed development shall be estimated using the latest edition of the Institute of Transportation Engineers' (ITE) Trip Generation manual. The calculation of traffic volumes used to determine impacts of the development shall be based on the maximum land use intensity allowed under the existing (or proposed) Zoning Ordinance.
6. Trip distribution and traffic assignments. Traffic generated by the site must be distributed and assigned to the roadway network in order to determine the project's impacts. The direction a vehicle will take to access or leave the project site is known as trip distribution. Traffic assignment refers to the actual routes taken by project traffic to and from the site. The methodology and assumptions which are used in the determination of trip distribution and traffic assignments shall be described. In the case of projects with several phases to take place over several years, the trip distribution and traffic assignment shall be estimated for the completion of each phase.
7. Projected traffic volumes within the TIA study area. Project generated and distributed traffic shall be estimated for all intersections in the study area, including any proposed site access driveways. The projected counts will represent the same

peak hours that were used for the existing traffic volume counts, and will show all turning movements. The trip generations from all other proposed developments in the study area shall also be taken into account. This information shall be obtained by the Parish Engineer. The growth rate percentage to be used for the study area shall also be established by the Parish Engineer.

8. Capacity analysis. Capacity analyses provide an indication of how well the study area intersections serve existing and future traffic demands. A description of the methodology and Level of Service (LOS) definitions shall be included within the TIA. For existing and future conditions, LOS at all study intersections, inclusive of the project driveway(s), shall be calculated for signalized and unsignalized intersections. Again, the other proposed developments in the study area shall also be taken into account. An overall LOS "D" shall be considered acceptable for signalized intersections within the Parish. For unsignalized intersections, the LOS for the critical movement shall be at LOS "D" or above. In the case where the existing Level of Service (LOS) is below "D", the mitigation efforts shall improve the LOS to "D" or above. Additionally, volume to capacity (V/C) and average stopped delay must also be presented for both signalized and unsignalized intersections. To assess quality of flow, roadway capacity analyses are required under the following conditions: Existing, No Build (per project phase), Build (per project phase), and Build (Total Build Out).
9. Traffic accidents. Three years of the most current accident data shall be obtained for intersections within the study area. This data shall be depicted in tabular form along with a brief description at each critical location. The applicant may contact the Parish Engineer to obtain contact information for the purpose of collecting this data.
10. Traffic improvements. Unsignalized intersections experiencing significant deficiencies (delays) shall be evaluated for potential signalization. Results of these analyses shall be discussed and recommendations presented. Any planned roadway improvements to be completed within the study area shall be identified and discussed.
11. Conclusions. This section of the traffic study shall summarize the required improvements and the proposed mitigation measures. This shall include, but not be excluded to, the following: Existing and future LOS results, Recommended Roadway improvements, and Resultant LOS with proposed improvements in place.
12. Summary, findings and recommendations. Mitigation measures shall be discussed in this section. This includes identifying the improvement measures necessary to minimize the impact of the project/development on the transportation system. The study area intersections shall be mitigated at a minimum to operate

better than or equal to the “No Build” case, based on the calculated V/C and average stopped delay. In the case where the existing Level of Service (LOS) is below “D”, the mitigation efforts shall improve the LOS to “D” or above. Mitigation measures shall be in place prior to the initial phase of construction.

- f. TRIP GENERATION RATES. For the purpose of determining whether the requirements of this section are applicable to the proposed project and for the purpose of preparing required transportation impact analyses, applicants shall use the trip rates contained in the most recent edition of the Institute of Transportation Engineers’ (ITE) *Trip Generation Manual*.
  
- g. ACTIONS BASED ON TIA. A proposed development which is subject to the TIA requirements of this section shall be disapproved when the results of the required TIA demonstrate that the proposed project shall overburden the roadway system or cause a reduction in service of affected roadways below the adopted Level Of Service of “D”. In the case where the existing Level of Service (LOS) is below “D”, the mitigation efforts shall improve the LOS to “D” or above. An applicant, in coordination with the Parish Engineer, may modify the development proposal to minimize the identified traffic-related impacts. Modifications to applications for projects may include, but shall not be limited to:
  - 1. Dedication of additional right of way;
  - 2. Rerouting of traffic and proposed access points serving the proposed project; or
  - 3. Participation in funding transportation facilities, including signals and intersection improvements;
  - 4. Traffic signal timing and/or phasing adjustments (with coordination and approval from the owner of the signal);
  - 5. Restriping or reconfiguration of the intersection;
  - 6. Adding additional intersection through or turn lanes;
  - 7. Installation of a signal; or
  - 8. Any other recommendations by the Parish Engineer upon review and analysis of the traffic model.

Applicants will be responsible for the cost and implementation of identified improvement which mitigates the traffic impact of their proposed development, unless funding can be provided through any

grant mechanism.

If a traffic mitigation is part of an approved Transportation Impact Study, all approved traffic improvements must be implemented prior to receipt of an occupancy or Final Plat approval, whichever is appropriate, unless otherwise provided for as part of the approved Transportation Impact Study and coordinated with St. Tammany Parish.

Mitigation shall also be in coordination with the most recent 2025 Master Plan and the 10-Year Infrastructure Plan to benefit the area affected. Prior to approval, the developer must verify with the Department of Engineering whether a 2025 Master Plan or 10-Year Infrastructure Plan proposed route or improvement will affect the subject property. If so, access through the property along with any Right-of-Way needed shall be provided to the Parish as part of the applicant's mitigation efforts. The most recent map outlining the 2025 Master Plan is on file with the Department of Engineering. A copy of the 10-Year Infrastructure Plan can also be obtained from the Department of Engineering.

- h. **WAIVER OF/EXEMPTION FROM TIA REQUIREMENTS.** The Zoning Commission may not waive the transportation impact analysis submittal requirements of this section.

(Amended ZC#02-03-014 OCS# 02-0471 5/02/2002)

**B. Public Hearings**

Upon receipt of such verified application, the Department of Development shall notice of a Public Hearing by posting the affected site in a conspicuous place at least ten (10) days prior to the intended permit hearing. A record of pertinent information presented at the public hearing shall be made and maintained by the Zoning Commission as part of their permanent record relative to the applicant.

**C. Determination** (Amended OCS# 02-0417 1/10/2002)

The Zoning Commission shall then make its findings and the permit decision shall not become effective for ten (10) days, during which time an appeal can be made in written form to the Parish Council through the Parish Department of Planning. The procedure for appeals to the Parish Council is contained within Section 18-056.01 of the Parish Code of Ordinances.

### **SECTION 3.03      MINIMUM STANDARDS**

For certain uses in this ordinance, the following minimum standards will apply. However, the Department of Development, the Zoning Commission, and/or the Police Jury shall at all times be allowed to set additional standards prior to issuing a permit for any conditional use.

#### **A.      ALUMINUM COLLECTION CENTER**

1.      This use may only be located on a parking lot in an enclosed vehicle.
2.      An aluminum collection center located on a parking lot may not occupy required off-street parking spaces. An aluminum collection center must be arranged so as to not impede free traffic flow.
3.      Receipt of and payment for aluminum at an aluminum at collection center located on a parking lot may take place outside the collection center but at a point no more than 20 feet from the opening of the enclosed vehicle where the aluminum is stored.
4.      The owner of the property and the owner and operator of the aluminum collection center shall not process of flatten aluminum on the site.
5.      The owner of the property and the owner and operator of the aluminum collection center remove aluminum stored at the collection center at least once a week.
6.      The owner of the property and the owner and operator of the aluminum collection center shall keep the aluminum collection center in proper repair and the exterior must have a neat and clean appearance.
7.      The owner of the property and the owner and operator of the aluminum collection center shall keep the building site clean and in a neat appearance and shall dispose of aluminum cans and other litter from the building site where the aluminum collection center is located.

#### **B.      AMBULANCE SERVICES**

1.      A site plan shall be submitted to the Department of Development prior to issuance of a building permit. This plan shall indicate at a minimum:
  - a.      Location of all structures on site including proposed structures.
  - b.      Proposed traffic movements and points of ingress and egress, including parking and site triangles.
  - c.      Location and coverage of lighting, signage and fencing.
  - d.      Adjacent land uses.
  - e.      Approved landscape plan.

- f. Additional information shall be submitted as determined by the Department of Development.
2. If this use abuts any residential district or use, a transitional yard shall be provided equal to the side or rear yard requirements of the residential zoning classification.
3. A minimum of 20% landscaped areas shall be required based on the gross square footage of the first story of all structures on site or as determined by the Department of Development.
4. Any fleet storage of vehicles not in operation shall be screened by a six (6') foot high screen of either 100% opaque non-living material or 70% opaque evergreen plants or as determined by the Department of Development.

C. ANIMAL RELATED USES

In all Residential Districts, these standards apply to all animal related uses including animals raised for household agriculture, stables and kennels.

1. A structure may be erected for a private stable, pen, barn, shed or silo for raising, treating and/or storing products raised on the premises. This structure may not include a dwelling unit.
2. Standing under roofed stables must be made of a material that provides for proper drainage so as not to create offensive odors, fly breeding or other nuisance.
3. Fences for pens or similar enclosures must be built with sufficient height and strength to retain the animals. No pen, fence or similar enclosure may be closer than 20 feet to an adjacent property line. The widths of alleys, street rights-of-way, or other public rights-of-way may be used to calculate the 10 foot requirement.
4. The regulations under this use do not apply to government agencies, governmentally supported organizations, or educational agencies that keep and maintain animals health research or similar purposes, nor do these regulations apply to special events such as circuses and livestock exhibitions which are otherwise regulated.

D. AUTOMOBILE SERVICE STATIONS

1. The following uses shall not be performed in conjunction with any automobile service station:
  - a. Outdoor repairs, including changing of oil and lubrication of automobiles;

- b. Outdoor Painting and body work on automobiles;
  - c. The outdoor storage of wrecked or abandoned vehicles. If an operable or wrecked motor vehicles remain outside on the premises for more than 24 hours, the premises shall be considered an outside salvage or reclamation use. However, a premises is not an outside salvage or reclamation use if the premise stores inoperable or wrecked motor vehicles each of which having a valid state registration, current safety inspection certificate, and documentary record of pending repairs or other disposition. All vehicles shall be screened from public view by a 100 %, 6 ft non-living or 70% living screen. Objects shall be stored at a minimum of five feet from this screen.
  - d. Sale of two or more automobiles, trailers, trucks, tractors, boats, or any other similar commodity;
  - e. Outdoor Storage of Automotive Parts;
  - f. Bulk plants.
2. The minimum lot size for a automobile service station, or any facility with retail gasoline sales, shall be twenty thousand (20,000) square feet. Twenty (20) percent of each site must be landscaped open space.
  3. A site plan must be approved by the Zoning Commission prior to issuance of a building permit. At a minimum, this plan must illustrate the following:
    - a. Location of the main structure and secondary structures;
    - b. Location of storage tanks;
    - c. Proposed traffic movements and points of ingress and egress;
    - d. Approved landscape plan;
    - e. Location and coverage of lighting, location and design of signage, and finishes and colors to be used on all surfaces.
  4. Where an automobile service station is allowed as a conditional use, evidence must be presented to the Zoning Commission in support of the following criteria:
    - a. That there is a public need for the proposed facility based upon location of existing facilities and market demand;
    - b. That the proposed facility will not create traffic or safety hazards, or adversely affect existing or logical future development of the neighborhood in which the station will be located;
    - c. That hours of operation will conform to existing patterns in the neighborhood;
    - d. That adequate buffer yards will be installed and maintained to shield non-compatible adjacent uses.
    - e. That the design of all structures and signage, including materials, textures, and colors, be harmonious with the surrounding neighborhood.
  5. If the service station provides minor repairs, a minimum of six (6) parking

spaces shall be provided.

E. BARS, LOUNGES, AND NIGHTCLUBS

1. Hours of operation should conform to established uses in the neighborhood and may be adjusted by the Zoning Commission and/or Police Jury.
2. Live entertainment will only be allowed when it does not adversely affect the surrounding neighborhood because of noise and other factors.
3. The use of neon signs exposed to the exterior shall be limited to two sign units which both are directly related to the subject facility and are not corporate advertisements for products sold in the facility.
4. The premises on which a bar, lounge or nightclub is located and the public rights-of-way within one hundred (100) feet of such facility must be maintained in a clean and orderly manner.

F. Camps within the Pearl River Basin (Amended 3/7/2002 OCS# 02-0430)

- A. Boundaries: The minimum standards in this subsection shall apply to that area of the Pearl River Basin south of old Highway 11 and east of a line beginning at the intersection of Interstate 59 and old Highway 11 and following the southerly course of Interstate 59, Military Road and Highway 190 to its intersection with Highway 90, and extended due south to the Rigolets.
- B. For purposes of this subsection, a “camp” is defined as a dwelling located on or near the banks of a waterway and accessible only by means of a boat or other water vessel.
- C. Any lot of ground on which a camp is to be constructed shall have a minimum water frontage width of 200 feet.
- D. Front building lines for all camps constructed pursuant to this subsection shall be set back a minimum of 50 feet from the natural tree line fronting the waterway on which the camp is located.
- E. No trees having a caliper greater than four (4) inches shall be cut within 25 feet of the natural tree line on the waterway on which the camp is located.
- F. All camps shall have an on-site sewerage and wastewater treatment plant meeting all applicable parish, state and federal regulatory and permitting requirements.

G. CAR WASHES

1. A site plan shall be submitted to the Department of Development prior to issuance of a building permit. This plan shall indicate at a minimum:
  - a. Location of all structures on site including proposed structures.
  - b. Proposed traffic movements and points of ingress and egress, including parking and site triangles.
  - c. Approved landscape plan.
  - d. Location and coverage of lighting, signage and fencing; including materials, textures and colors to be used on all surfaces.
  - e. Adjacent land uses.
  - f. Additional information shall be submitted as determined by the Department of Development.
2. If this use abuts any residential district or use, a transitional yard shall be provided equal to the side or rear yard requirements of the residential zoning classification.
3. The design of all structures and signage; including materials, textures and colors; shall be harmonious with the surrounding neighborhood.

#### H. CEMETERIES AND MAUSOLEUMS

In addition to all Federal and State laws, the following requirements must be met:

1. Graves shall be considered as structures for the purpose of determining setbacks from property lines and in no case located closer than ten (10) feet from the property line.
2. Each lot or group of lots forming a cemetery or mausoleum center shall be fenced to a height of four (4) feet or more and be provided with a seventy (70) percent opaque sight obscuring screen of living or one hundred (100) percent opaque sight obscuring screen of non-living material.

#### I. CHURCHES AND OTHER RELIGIOUS INSTITUTIONAL USES

1. A site plan shall be submitted to the Department of Development prior to issuance of a building permit. This plan shall indicate at a minimum:
  - a. Location of all structures on site including proposed structures.
  - b. Proposed traffic movements and points of ingress and egress, including parking and site triangles.
  - c. Approved landscape plan.
  - d. Location and coverage of lighting, signage and fencing; including materials, textures and colors to be used on all surfaces.
  - e. Adjacent land uses.

- f. Additional information shall be submitted as determined by the Department of Development.
2. If this use abuts any residential district or use, a transitional yard shall be provided equal to the side or rear yard requirements of the residential zoning classification.

J. COMMERCIAL RECREATIONAL USES

1. For freestanding units, a minimum of 20% landscaping shall be required based on the gross square footage of the first story of all structures on site or as determined by the Department of Development.
2. If the use abuts a residential district, a transitional yard located outside the required screening shall be provided equal to the side or rear yard requirements of the residential district classification.
3. A site plan shall be approved by the Department of Development prior to issuance of a building permit. At a minimum, this plan shall include the following:
  - a. Location of main structures and any secondary structures on the site.
  - b. Proposed traffic movement and points of ingress and egress, including parking and site triangles.
  - c. Landscaping.
  - d. Location and coverage of lighting, signage and any outside facilities.
  - e. Parking lots and areas designated for open space shall not be used as part of the recreational activity.
  - f. Additional information shall be provided as determined by the Department of Development.

K. CONTRACTORS' STORAGE YARDS

1. This use shall be screened from public view by a 100% opaque six (6') foot tall non-living screen or a six (6') tall 70% opaque living screen or as approved by the Department of Development.
2. If an inoperable or wrecked motor vehicle remains outside on the premises for more than twenty-four (24) hours, the premises shall be considered an outside salvage or reclamation use and subject to violation. However, a premises is not an outside salvage or reclamation use if the premises stores inoperable or wrecked vehicles each having a valid state registration, current safety inspection certificate and documentary records of pending repairs or other disposition.
3. A site plan shall be submitted to the Department of Development prior to issuance of a building permit. This plan shall indicate at a minimum:

- a. Location of all structures on site including proposed structures.
- b. Proposed traffic movements and points of ingress and egress, including parking and site triangles.
- c. Approved landscape plan with a minimum of 20 % open space shall be required for each site.
- d. Adjacent land uses.
- e. Additional information shall be submitted as determined by the Department of Development.

L. DAY CARE CENTERS

- 1. Prior to issuance of a building permit, a site plan shall be submitted for approval to the Department of Development indicating the following:
  - a. Location of all structures on site including signage
  - b. Minimum landscape requirements
  - c. Minimum parking requirements
  - d. Ingress and egress to the site
  - e. Adjacent land uses
- 2. In addition to all Federal and State laws, the following requirements must be met:
  - a. A minimum play area of 25 square feet for each child which is enclosed to a minimum height of not less than 4 feet.
  - b. An off-street loading area shall be provided to accommodate a minimum of five (5) automobiles. This loading area shall be provided in addition to the minimum parking requirements, or as determined by the Department of Development.
  - c. Where a day care center adjoins any residential zoning district, a buffer yard must be provided which is a minimum of ten feet in depth and in which evergreen shrubs are planted to form a screen that within two years time will become a seventy (70%) percent opaque sight obscuring screen or a six foot (6') tall one hundred (100%) opaque screen is installed.
- 3. Additional information shall be submitted as determined by Department of Development.

M. DRIVE IN BANKS

- 1. Where drive-through windows are used, automobile stacking areas shall be set back a minimum of ten (10') feet from the property line and five (5') feet from on-site automobile parking areas. The stacking area shall be so located as not to cause patrons parking on-site to move through the stacking area to get from their cars to the entrance.

2. Where banks are allowed as a conditional use, evidence shall be presented to the Zoning Commission in support of the following:
  - a. That the proposed size, hours and operational standards shall not adversely affect the surrounding neighborhood.
  - b. Adequate parking shall be provided.
  - c. The design of all structures and signage; including materials, textures and colors; shall be harmonious with the surrounding neighborhood.
  - d. Approved landscape plan.
  - e. Additional information shall be submitted as determined by the Department of Development.

N. FREESTANDING DRIVE THROUGH PHOTO STORES, BANKS AND SIMILAR RETAIL USES

1. A site plan shall be submitted to the Department of Development prior to issuance of a building permit. This plan shall indicate at a minimum:
  - a. Location of all structures on site including proposed structures.
  - b. Proposed traffic movements and points of ingress and egress, including parking and site triangles.
  - c. Adjacent land uses.
  - d. Approved landscape plan.
  - e. Location and coverage of lighting, signage and fencing; including materials, textures and colors to be used on all surfaces.
  - f. Additional information shall be submitted as determined by the Department of Development.
2. If this use abuts any residential district or use, a transitional yard shall be provided equal to the side or rear yard requirements of the residential zoning classification.

O. HELIPORTS

1. When a heliport is allowed as a conditional use, evidence must be submitted to the Zoning Commission in support of the following criteria:
  - a. Location of all structures on site including any proposed structures.
  - b. Location of any storage.
  - c. Location of all adjacent land uses.
  - d. Location of all abutting streets and intersections.
  - e. For all commercial heliports, evidence must be presented to the Zoning Commission that there is a public need for the facility based on location of existing facilities and market demand.
  - f. Evidence must be presented that the heliport will not present a safety hazard or adversely affect existing or logical future development of adjacent properties and neighborhoods.

- g. Adequate transitional yards shall be provided and maintained to shield non-compatible adjacent uses.
2. No use, object or structure may be erected that causes interference with radio communications or transmissions of electronic signals with the aircraft, impairs the visibility of the aircraft in relation to the lights of the runway, endangers landing, takeoff or maneuvering of the aircraft.
3. Heliports shall be lighted to provide adequate visibility at night or in inclement weather.
4. Heliports are limited to helicopters with a gross weight of less than 12,500 pounds.
5. If fueling is provided on site all storage tanks must be located underground or as approved by the Department of Development.
6. Any service uses provided shall be for private use of the property owner or petitioner only.
7. All heliports must be approved by the Federal Aviation Agency (FAA). Copy of such approval will be kept on file in the Department of Development and the Department of Permits and Inspections.
8. Additional information shall be submitted as determined by the Department of Development.

P.(1) HOME OCCUPATION (LIMITED)

1. Must be clearly incidental and secondary to the primary use of the property as a residence by the applicant.
2. Home occupation limited is for those business activities which are associated or similar to providing services or products which are primarily a part of hobby oriented activities for services of music, art or dance instruction (similar types of activities) and/or retail products for arts and craft fairs/exhibitions or consignment purposes.
3. The area allowed for a limited home occupation shall not exceed 15 percent of the primary residence up to a maximum of 400 square feet. Request for the utilization of over 400 square feet must be approved through the conditional use process.
4. Limited Home Occupation involving retail sales or product manufacturing. (Additional Standards)
  - a. Retail sales shall not occur on site;

- b. No more than 1 employee who is not a related to the resident family can be engaged in the operation.
- c. Assembly is allowed as long as it is within an enclosed space such as in the residence, accessory structure or garage.
- d. No more than 1 vehicle trip (round trip) per month which utilizes a parcel delivery service is allowed.
- e. Deliveries are not allowed which utilize a vehicle which is larger than a typically parcel service truck( 2 axles ) in residential areas. The maximum amount of unloading time for deliveries made by a private service is 30 minutes.
- f. No more than 5 vehicle trips (round trips) associated with the business are allowed. The temporary unloading of a delivery from a parcel service is not counted as one of the five vehicle trips. (A vehicle trip standard for parcel delivery is enumerated above)
- g. No more than 2 vehicles associated with the home office are allowed on the site at any one time.
- h. Parking of any vehicle with the exception of temporary provision provided by a parcel service must occur along the driveway or in a garage, unless the provided parking spaces are properly screen. Parking of any vehicle associated with the limited home occupation in the designated road right -of-way is not allowed, including the residents vehicles when they are parked in the right-of-way to allow for parking for the limited home occupation

5. Limited Home Occupation for Educational Instruction (Additional Standards)

- a. Only 1 student is allowed per session of instruction, unless the customer is part of a family seeking the service, utilizing one vehicle to arrive at the site.
- b. Instruction to more than 1 individual, who are not related, is prohibited unless approved by a conditional uses.
- c. Student for instruction can not arrive before 9:00 A.M. or after 7:00 P.M.
- d. Retail sales of products shall not occur on site;
- e. No assembly of products is allowed on the site.
- f. No more than 5 vehicle trips (round trips) associated with the business are allowed. The temporary unloading of a delivery from a parcel service is not counted as one of the five vehicle trips. (A vehicle trip standard for parcel delivery is enumerated above)
- g. Deliveries by a parcel service or freight service is not allowed.
- h. No more than 2 vehicles associated with the home office are allowed on the site at any one time.
- i. Parking of any vehicle with the exception of temporary provision provided by a parcel service must occur along the driveway or in a garage, unless the provided parking spaces are properly screen. Parking of any vehicle associated with the limited home occupation in the designated road right -of-way is not allowed, including the residents vehicles when they are parked in the right-of-way to allow for parking for

the limited home occupation.

P.(2) HOME OCCUPATION (GENERAL)

Permitted only in R Rural, SA Suburban Agriculture and A-1 Suburban Districts.

1. Must be clearly incidental and secondary to the primary use of the property as a residence.
2. No more than one (1) person who is not related to the resident family can be engaged in the operation of such a business.
3. The area allowed for a home occupation shall not exceed fifteen (15%) percent of the area of the primary residence unless permitted or approved through the Conditional Use Permit process.
4. No retail services can be conducted on the premises without the acquisition of a Conditional Use Permit.
5. No construction, assembly or manufacturing of any kind without the acquisition of a Conditional Use Permit..
6. No outdoor storage unless the site is over 1 acre and properly screen and has a maximum area of 400 sq. ft. unless approved through a Conditional Use Permit process.
7. No more than seven (7) vehicle trips (round trips) a day.
8. No more than three (3) vehicles associated to the home occupation on site at any one time.
9. No more than 1 vehicle trip (round trip) per month which utilizes a parcel delivery service is allowed.
10. Deliveries are not allowed which utilize a vehicle which is larger than a typically parcel service truck( 2 axles ) in residential areas. The maximum amount of unloading time for deliveries made by a private service is 30 minutes.

Q. HOME OFFICE

1. Must be clearly incidental and secondary to the primary use of the property as a residence by the applicant.
2. The area allowed for a home office shall not exceed 15 percent of the area of the primary residence up to a maximum of 400 square feet. Requests for the utilization of over 400 square feet must be approved through the conditional use process.

3. The use of the designated area is to perform clerical functions, such as filing, billing, receiving or making phone calls, appointment scheduling etc. that are typically associated with a business operation.
4. Retail sales or services, which are not provided at an off site location or through the mail, phone, or similar activity, can not be conducted on the premises, unless approved through a conditional use process.
5. No more than 1 person who is not related to the resident family can be engaged in the operation of such a business.
6. No construction, assembly or manufacturing can occur on the premise as part of this administrative permit.
7. No more than 5 vehicle trips (round trips) associated with the business are allowed.
8. No more than 2 vehicles associated to the home office is allowed on the site at any one time.
9. Parking of any vehicle associated with the home office must occur along the driveway or in a garage, unless the provided parking spaces are properly screen. Parking of any vehicle associated with the home office in the designated road right-of-way is not allowed, including the residents vehicle when they are parked in the right-of-way to allow for vehicle parking for the home office in the driveway or garage.
10. Goods, materials or supplies of any kind delivered to or from the site shall be delivered by the resident's passenger vehicle.
11. This administrative permit for the home office is not transferable to a different applicant or location.
12. Prohibited Uses:
  - a. No home professional office shall permit the use, sale or exchange of:
    - i. Alcohol
    - ii. Flammable liquids or chemical agents
    - iii. Firearms
    - iv. Fireworks
    - v. Other similar uses
  - b. Massage parlors, tattoo parlors, fortune tellers, faith healers and other activities of like character.
  - c. Engine repairs including, but not limited to auto and autobody repairs, boat repairs, equipment repairs.

R. MANUFACTURED HOMES OR MOBILE HOMES

1. GENERAL:

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Manufactured Homes or Mobile Homes shall be subject to the regulations in this section, unless elsewhere allowed as a permitted use in a zoning district.

2. PROCEDURE FOR APPLICATION:

All applications for a Manufactured Home or Mobile Home Permit shall be filed with the Department of Development. Those applications which require Zoning Commission approval shall be forwarded to the Zoning Commission and scheduled for a public hearing in accordance with the provisions of Section 3.2 Conditional Use.

3. APPLICATION REQUIREMENTS:

All applications for a Manufactured Home or Mobile Home Permit shall include but not limited to the following:

- a. Site plan showing the location of the manufactured home or mobile home. This shall include the setbacks of the structure from all property lines, existing structures on site, surrounding land uses, driveways and proposed parking.
- b. Vicinity map.
- c. Legal description.
- d. Photo and/or specifications of the manufactured home or mobile home.
- e. Any other information as determined by the Department of Development.

4. MINIMUM CONDITIONAL USE PERMIT REQUIREMENTS:

The Zoning Commission may approve applications for a Conditional Use Permit for a manufactured home or mobile home for a single family residence in any zoning district in which such residences are permitted, provided that:

- a. The manufactured home or mobile home is attached to and installed on a permanent foundation and the provisions of the Louisiana Revised Statutes 9.1149.4 are complied with; and/or the structure meets the minimum standards for tie-downs as per the St. Tammany Parish Police Jury Ordinance No. 89-1099, As Amended St. Tammany Parish Building Code; and
- b. The manufactured home or mobile home is compatible, as defined herein, to surrounding site-built housing on both sides of the street or road within 300 feet and all abutting property; and
- c. The exterior shall be similar in materials to the surrounding housing within 300' on both sides of the street or road and all abutting property; and
- d. The main roof shall be similar in materials and roof pitch to the surrounding housing within 300' on both sides of the street or road and all abutting property.

5. WAIVER OF PUBLIC HEARING AND FEE:

- a. The Department of Development shall waive the requirements of approval by the Zoning Commission, public hearing, notice and part of the fee for the application if the applicant presents a petition of "no objection", executed by 100% of the property owners on both sides of the street or road, within 500 feet of said property and all abutting property owners. Should the property be situated on a corner or intersection of two or more streets, then in this event, the said petition shall be executed and obtained from 100% of the property owners, on both sides of said streets and/or roads, within a radius of 500 feet thereof and all abutting property owners; and the site of the manufactured home or mobile home is located in a residential subdivision or residential neighborhood consisting of ( $\frac{1}{2}$ ) one-half or more occupied manufactured homes or mobile homes, and:
  - i. The manufactured home or mobile home is attached to and installed on a permanent foundation and the provisions of the Louisiana Revised Statutes 9:1149.4 are complied with and/or the structure meets the minimum standards for tie-downs as per the St. Tammany Parish Police Jury Ordinance No. 89-1099, As Amended St. Tammany Parish Building Code; and
  - ii. The minimum floor area of the manufactured home or mobile home is not less than 720 square feet; and
  - iii. Appropriate skirting is affixed to the manufactured home or mobile home; and
  - iv. The applicant meets the minimum requirements for the manufactured home or mobile home evaluation prepared and determined by the Department of Development.
  - v. Screening by landscaping or opaque fence is required when the property abuts or adjoins site built housing or a pattern has been established along a developed block.
- b. In lieu of the procedures set forth in Subparagraph 5a, an applicant for a conditional use permit, to place a mobile home in a subdivision that has received prior Zoning Commission consideration and Council consideration and approval for utilization of the blanket conditional use procedure for administrative issuance of such permits, may be issued a permit through the administrative process, without the necessity of public hearing and approval of the permit by the Zoning Commission, provided the applicant meets the requirements set forth in i through v, which are set forth immediately herein above, and the following requirements:

(Amended 10/6/2005 ZC05-08-054 OCS# 05-1186)

  - i. Only one habitable structure per lot is allowed. A mobile home or a site built structure, which is intended to be used as a second residence, or guest house/garage apartment, is prohibited.

- ii. The mobile home shall be less than two years old, prior to the issuance of the building and administrative permit, or it has been determined by the department to be in excellent condition. The windows, siding, roof and doors must not be in need of repair. A photograph must be submitted prior to the issuance of the permit;
  - iii. If the lot size does not meet the minimum requirements of 22,500 square feet, the lot of record setback requirements apply: a 25' setback from the front, a rear setback of 20% of the lot depth or 25 feet, whichever is the lesser, and a 5-foot setback on each side of the lot. However, on corner lots, there shall be a side yard setback from the side street of not less than 10 feet;
  - iv. All site grading must be completed, including the installation of a driveway with a wearing surface of gravel, limestone, asphalt, concrete or other materials which may be of higher quality;
  - v. The conditions of the administrative permit will be incorporated in and become part of the approved building permit. The Parish reserves the right to deny occupancy or disconnect temporary electric service based on the failure to meet the requirements of the administrative permit.
  - vi. Prior to releasing the occupancy of the structure, the applicant must provide written notice, certifying that all of the requirements of the administrative permit have been met.
  - vii. The applicant may request an extension of up to 60 days to complete the required skirting and/or landscaping requirements.
- c. In the event that the administrative determination of approval is dissatisfactory to the petitioner, applications may be forwarded to the Zoning Commission, for a public hearing in accordance with the provisions of Section 3.2 Conditional Uses. (Amended 10/6/2005 ZC05-08-054 OCS# 05-1186)

S. MINI WAREHOUSES

1. A minimum of 20% landscaping shall be provided, based on gross square footage of a parking lot or gross square footage of the first floor of a multi-story structure or as determined by the Department of Development. If this use abuts a residential district, a transitional yard shall be provided equal to the side or rear yard requirements of the residential district classification.
2. A site plan of the use must be approved by the Department of Development. At a minimum, this plan shall include the following information:

- a. Location of all structures on the site.
  - b. Proposed traffic movements and point(s) of ingress and egress, including parking and site triangles.
  - c. Location and coverage of lighting, signage and fencing; including materials, textures and colors to be used on all surfaces.
  - d. Pedestrian access to adjacent sites.
  - e. Approved landscape plan.
  - f. Any additional information as determined by the Department of Development.
- 3. A minimum of six (6) parking spaces shall be provided in addition to any other applicable requirements.
  - 4. A minimum lot area of 20,000 square feet shall be required.
  - 5. Parking areas shall not block the entrances to storage areas.
  - 6. Any associated outdoor storage shall be screened with a six foot high 100% nonliving screen or 70% living screen or as approved the Department of Development.

T. NEW AND USED CAR LOTS

- 1. A site plan of the use must be approved by the Department of Development. At a minimum, this plan shall include the following information:
  - a. Location of all structures on the site.
  - b. Proposed traffic movements and point(s) of ingress and egress, including parking and sight triangles.
  - c. Location and coverage of lighting, signage and fencing; including materials, textures and colors to be used on all surfaces.
  - d. Pedestrian access to adjacent sites.
  - e. Approved landscape plan.
  - f. Approved layout of parking area(s) for vehicles for sale and/or lease.
  - g. Any additional information as determined by the Department of Development.
- 2. A minimum of 6 parking spaces shall be provided in addition to any other applicable requirements.
- 3. A minimum lot area of 20,000 square feet shall be required.

U. OUTDOOR ADVERTISING (BILLBOARDS) (Amended 03/15/2001 ZC01-02-011 OCS# 01-0264)  
 In addition to all Federal and State laws, the following standards must be met:

- 1. The number and location of Off-Premises Outdoor Advertising Signs will be limited as established in these regulations. Off-Premises Outdoor Advertising

Signs will not be permitted unless in accordance with these and any other applicable regulations.

2. Prohibited Signs and Locations Thereof  
No Off-Premises Outdoor Advertising Signs shall be permitted along Parish Roads, unless said sign is parallel to and within two hundred (200) feet of any State or Federal Highway.
  - a. No Roof, piggy-back, stack signs, side by side and multiple panel signs shall be permitted.
  - b. No off - premise advertising sign or structure shall be located or situated in a manner as to obscure or otherwise physically interfere with the effectiveness of any official traffic sign, signal or devise, or obstruct or physically interfere with the driver's view of approaching, merging or interstate traffic.
3. Location Standards of Off - Premise Signs
  - a. An off - premise sign must be located within two hundred feet of the highway right of way. An off - premise sign must be setback at least fifteen feet from the highway right of way
  - b. An off - premise sign is not allowed within or nearer than five hundred feet of a residential zoned district abutting the same highway to which the sign is oriented.
  - c. An off-premise sign may not be located within a triangular area formed by the highway rights-of-ways lines and a line connecting them at points fifty (50) feet from the rights-of-ways intersection or 500 feet from an interstate entrance/exit ramp.
4. Size of Off-Premise Signs
  - a. Billboard faces and supporting framework shall not exceed the following sign areas.
    1. New billboards shall be a maximum of 300 square feet in area
    2. Replacement billboards, existing billboards 400 square feet or larger in face area may be replaced at a size up to 400 square feet; billboards with face areas between 399-245 square feet shall be replaced at a size up to 300 square feet. Existing billboards of less than 245 square feet shall be restricted to their current size in the event they are relocated.
  - b. When two off-premise signs are placed back-to-back or V-type on the same structure with an angle between them of not more than sixty (60) degrees, each sign facing shall conform to the maximum size limitations.
  - c. The lowest point of any off-premise sign shall extend not less than ten (10) feet and the highest point shall extend not more than forty-five (45) feet measured from either the ground level at its supports or the nearest edge of the main traveled way, whichever is higher in elevation.
5. Spacing of Off-Premise Signs
  - a. No two off-premise outdoor advertising structures shall be spaced less than 1,000 feet apart. In determining the physical spacing of billboards, the Parish will consider existing billboards and approved Conditional Use billboard locations.

- b. V-Type or back-to-back signs on the same structure with an angle between them of not more than sixty (60) degrees shall be considered one sign
6. Lighting - Signs may be illuminated, subject to the following restrictions:
- a. No revolving or rotating beam or beacon of light that simulates any emergency light or device shall be permitted as part of any sign. Flashing devices shall not be permitted upon a sign.
  - b. External lighting, such as flood lights, thin line and goose neck reflectors are permitted provided the light source is directed on the face of the sign and is effectively shielded so as to prevent beams or rays of light from being directed into any portion of the main travel way of the highway system, or into a residential use area.
  - c. No internal illumination or "diamond-vision" type technology may be utilized as part of any outdoor advertising sign. (Amended 5/14/03 ZC03-03-015 OCS#03-0673)
7. Construction
- a. All structural elements of off-premise signs shall be of metal construction.
  - b. A free standing off-premise sign having a size or area of four hundred (400) square feet shall have no more than (1) support.
  - c. Every free standing off-premise sign shall henceforward be so erected or construed in such a manner as to withstand a wind load factor of thirty (30) pounds per square foot.
8. Erection and Maintenance of Signs - The following signs shall not be allowed to remain or to be erected:
- a. Signs which are obsolete, including outdoor advertising that has been blank for twelve (12) months, out-of-date political advertising and advertising of defunct business, and signs or structures which have been erected without a building permit having been issued.
  - b. Signs which are illegal under state laws or regulations.
  - c. Signs which are not clean and in good repair.
  - d. Signs that are not securely fixed on a substantial structure.
  - e. Signs which attempt or appear to attempt to regulate, warn or direct the movement of traffic or which interfere with, imitate or resemble any official traffic sign, signal or device.
  - f. Signs which are not consistent with the standards in this section.
  - g. Signs located on public property, unless placed thereon under lease arrangements or otherwise permitted by legal authority.
9. Vegetation Control - No trees or other vegetation may be cleared, cut or removed on a State right of way without first obtaining a state vegetation control permit.
10. Permits and Fees -No off-premise outdoor advertising structure shall be erected, nor shall construction commence thereon, without first obtaining a permit from the St. Tammany Parish Department of Permits and Inspections.
11. Billboard Credit: Permits to erect new billboards shall only be issued to those persons possessing a "Billboard Credit."
- a. Billboard Credit: Billboard credits shall be issued by the Parish to those

billboard owners who have removed a previously existing, lawfully erected billboard after the effective date of this ordinance. It will be the responsibility of the permit applicant to show the ownership, location and date of removal of the billboard.

- b. Expiration of Billboard Credit: Billboard credits shall be utilized within five (5) years from the date of removal of the billboard. (Amended 6/19/03 ZC03-04-020 OCS#03-0685)
  - c. Credit Basis: Billboard credits shall be issued on a per face and per structure basis. One (1) credit shall be issued for each billboard face removed and one (1) credit for each structure removed. If a billboard is not located upon a separate supporting structure, the building or other structure to which the billboard is attached shall constitute a single structure for the purpose of receiving one (1) credit.
    - 1. No credit shall be granted for the partial removal of faces
    - 2. No credit shall be granted for the removal of billboard faces which are less than 84 square feet.
  - d. Credit Utilization A billboard credit may only be used in a location which meets all standards of this Zoning Code.
  - e. Transfer of Credits: Credits may be transferred between parties through legal means.
  - f. Credits will allow billboards to be reconstructed at the following sizes:
    - 1. A credit for a new 400 square foot billboard will be issued for billboards which are removed that are in excess of 399 square feet.
    - 2. A credit for a new 300 square foot billboard will be issued for billboards which are removed that are between 245-399 square feet.
    - 3. A credit will be issued for a new billboard of equal size for billboards which are removed that are less than 245 square feet.
12. Cap on number of billboards.
- a. Restricted Corridors. There shall be a cap on the number of billboards within the restricted corridors. No new billboards shall be allowed within these areas except with the removal of an existing billboard from the same corridor/area. Permits for new billboards within the Restricted Corridors will only be issued to those persons possessing a "Billboard Credit" indicating they have removed a billboard from the same Corridor. All new billboards within Restricted Corridors shall comply with the design standards as set forth in this Code.
  - b. Parish-Wide Cap. There shall be a limit of Two Hundred Twenty (200) total billboard locations within un-incorporate St. Tammany Parish. This limit shall be in place until December 31, 2005 at which time the limit on the number of billboard locations will be reviewed by Parish Council
13. Exemptions: This section shall not pertain to the following types of off premises signs:
- a. State approved signs within State highway rights of way.
  - b. Off-premise temporary signs which comply with the provisions of this

Zoning Code.

V. OUTDOOR SALVAGE YARDS

1. This use shall be screened from public view by a 100% opaque eight (8') foot tall screen consisting of wood, solid masonry, concrete or other material as approved by the Department of Development.
2. The owner of an outside salvage or reclamation use shall not stack objects higher than eight (8') feet high within forty (40') feet of the visual screen. The owner of an outside salvage or reclamation use may stack objects one (1') above the eight (8') feet for each additional five (5') of setback beyond the original forty (40') feet.
3. If an inoperable or wrecked motor vehicle remains outside on the premises for more than twenty-four (24) hours, the premises shall be considered an outside salvage or reclamation use and subject to violation. However, a premises is not an outside salvage or reclamation use if the premises stores inoperable or wrecked vehicles each having a valid state registration, current safety inspection certificate and documentary records of pending repairs or other disposition.
4. A minimum distance of 200 feet is required between an outside salvage or reclamation use and a residential district subject to landscape requirements of M-2 and M-3 industrial uses abutting residential districts.
5. A site plan shall be submitted to the Department of Development prior to issuance of a building permit. This plan shall indicate at a minimum:
  - a. Location of all structures on site including proposed structures.
  - b. Proposed traffic movements and points of ingress and egress, including parking and site triangles.
  - c. Approved landscape plan with a minimum of 20 % open space shall be required for each site outside of the fenced area.
  - d. Adjacent land uses.
  - e. Hours of operation.
  - f. Additional information shall be submitted as determined by the Department of Development.

W. PRIVATE LANDING STRIPS

1. Minimum of 5 acres is required for this site.
2. No use, object or structure may be erected that causes interference with radio communications or transmissions of electronic signals with the aircraft, impairs the visibility of the aircraft in relation to the lights of the runway, endangers

landing, takeoff or maneuvering of the aircraft.

3. All commercial landing strips shall be lighted to provide adequate visibility at night or inclement weather.
4. If fueling is provided on site, all storage tanks must be located underground or located 200' from an adjacent runway.
5. Any service uses provided shall be for private use of the property owner of petitioner only.
6. All landing strips shall be approved by the Federal Aviation Agency (FAA). Copy of such approval will be kept on file in the Department of Development and Department of Permits and Inspections.
7. A site plan shall be submitted to the Department of Development indicating at a minimum:
  - a. Location of all structures on site including proposed structures.
  - b. Location of fuel storage tanks.
  - c. Location and coverage of landing strip including lighting.
  - d. Location of adjacent land uses in relation to the site and any possible signs and/or utility easements.
  - e. Evidence shall be presented that the landing strip will not create a hazard or adversely affect existing or logical future development of adjacent properties.
  - f. Additional information shall be submitted as determined by the Department of Development.

X. PRIVATE RECREATIONAL USES ISSUED AS ADMINISTRATIVE PERMITS

1. For freestanding units, a minimum of 20% landscaping shall be required based on the gross square footage of the first story of all structures on site or as determined by the Department of Development.
2. If the use abuts a residential district, a transitional yard located outside the required screening shall be provided equal to the side or rear yard requirements of the residential district classification.
3. A site plan shall be approved by the Department of Development prior to issuance of a building permit. At a minimum, this plan shall include the following:
  - a. Location of main structures and any secondary structures on the site.
  - b. Proposed traffic movement and points of ingress and egress, including parking and site triangles.
  - c. Approved landscape plan.

- d. Location and coverage of lighting, signage and any outside facilities.
- e. Parking lots and areas designated for open space shall not be used as part of the recreational activity.
- f. Additional information shall be provided as determined by the Department of Development.

Y. PUBLIC PARKING LOTS AND GARAGES

- 1. A minimum of 20% landscaping shall be provided, based on gross square footage of a parking lot or gross square footage of the first floor of a multi-story structure or as determined by the Department of Development. If this use abuts a residential district, a transitional yard shall be provided equal to the side or rear yard requirements of the residential district classification.
- 2. A site plan of the use must be approved by the Department of Development. At a minimum, this plan shall include the following information:
  - a. Location of all structures on the site.
  - b. Proposed traffic movements and point(s) of ingress and egress, including parking and site triangles.
  - c. Location and coverage of lighting, signage and fencing; including materials, textures and colors to be used on all surfaces.
  - d. Pedestrian access to adjacent sites.
  - e. Approved landscape plan.
  - f. Any additional information as determined by the Department of Development.

Z. PUBLIC RECREATIONAL USES INCLUDING RECREATIONAL FACILITIES AND PRIVATE TOURS (Other than commercial recreation)

- 1. When a recreational use is allowed as a conditional use, evidence must be submitted to the Zoning Commission in support of the following criteria:
  - a. Location of existing and proposed structures
  - b. Proposed traffic movements and points of ingress and egress including parking and site triangles
  - c. Landscaping
  - d. Location and coverage of lighting and signage
  - e. Pedestrian access and movement
  - f. Additional information as determined by the Department of Development
- 2. Off street parking shall be provided. No parking shall be permitted on the Rights-of-Way. Parking shall be screened from view of adjacent residences by a 70% living screen or 100% non-living screen.
- 3. Signage is permitted with Department of Development approval

4. In residential neighborhoods, no buses greater than 15 passenger occupancy shall be permitted. In all other cases buses greater than 15 passengers shall not be permitted on residential streets.
5. Additional stipulations may be required as determined by the Department of Development.

AA. RECYCLING COLLECTION STATIONS

1. This use may only be located on a lot in an enclosed bins.
2. A transfer station located on a parking lot may not occupy required off-street parking spaces. An collection center must be arranged so as to not impede free traffic flow.
3. The owner of the property and the owner and operator of the collection center remove stored materials at the collection center at least once a week.
4. The owner of the property and the owner and operator of the collection center shall keep the aluminum center in proper repair and the exterior must have a neat and clean appearance.
5. The owner of the property and the owner and operator of the collection center shall keep the building site clean and in a neat appearance and shall dispose of litter from the building site where the collection center is located.

AB. RECYCLING TRANSFER STATIONS

1. This use may only be located on a lot in an enclosed buildings.
2. The owner of the property and the owner and operator of the transfer center shall keep the center in proper repair and the exterior must have a neat and clean appearance.
3. The owner of the property and the owner and operator of the collection center shall keep the building site clean and in a neat appearance and shall dispose of litter from the building site where the collection center is located.
4. Any associated outdoor storage shall be screened from public view by a 70% living or 100% nonliving screen.
5. A site plan shall be submitted to the Department of Development prior to issuance of a building permit. This plan shall indicate at a minimum:
  - a. Location of all structures on site including proposed structures.
  - b. Proposed traffic movements and points of ingress and egress, including parking and site triangles.

- c. Approved landscape plan with a minimum of 20 % open space shall be required for each site.
- d. Adjacent land uses.
- e. Additional information shall be submitted as determined by the Department of Development.

AC. RESTAURANTS

- 1. All refuse disposal areas shall be screened as provided for in Section 5.14.
- 2. Where drive-through windows are used, automobile stacking areas shall be set back a minimum of ten (10) feet from the property line and five (5) feet from on-site automobile parking areas. The stacking area shall be so located as not to cause patrons parking on-site to move through the area to get from their cars to the restaurant entrance. Where a stacking area abuts a property line or on-site parking, landscaping shall be provided in the form of a landscaped berm, trees or dense plantings to a minimum height of three (3) feet along the required setback.
- 3. Where restaurants are allowed as a conditional use, evidence must be presented to the Zoning Commission in proof of the following:
  - a. That the proposed size, hours and operational standards will not adversely affect the neighborhood in which the proposed facility will be located;
  - b. That adequate parking will be provided;
  - c. That the design of all structures and signs, including materials, textures and colors, will be harmonious with the surrounding neighborhood.

AD. RETAIL REPAIR ESTABLISHMENTS; INCLUDING AUTOMOBILES, BOATS, TRUCKS, TRAILERS, TRACTORS AND MOBILE HOMES

- 1. Outside body work and painting or other repairs are not permitted.
- 2. The outdoor storage of junked, wrecked or abandoned vehicles stored on the premises solely for the purpose of using parts to repair other vehicles shall not be permitted.
- 3. All outdoor storage of vehicles awaiting repair shall be screened from public view by a 100% opaque six (6') foot tall non-living screen or a six (6') tall 70% opaque living screen. Objects shall be stored a minimum of five (5') feet from this screen.
- 4. Sale of two (2) or more vehicles or other similar commodities is prohibited.
- 5. Any fleet storage of vehicles utilized in connection with this use shall be screened by a six (6') foot high screen of either 100% opaque non-living

material or 70% opaque evergreen plants or as determined by the Department of Development.

6. If this use abuts any residential district or use, a transitional yard shall be provided equal to the side or rear yard requirements of the residential zoning classification.
7. A site plan shall be submitted to the Department of Development prior to issuance of a building permit. This plan shall indicate at a minimum:
  - a. Location of all structures on site including proposed structures.
  - b. Location of fuel storage tanks.
  - c. Proposed traffic movements and points of ingress and egress, including parking and site triangles.
  - d. Approved landscape plan.
  - e. Location and coverage of lighting, signage and fencing; including materials, textures and colors to be used on all surfaces.
  - f. Additional information shall be submitted as determined by the Department of Development.
8. If an inoperable or wrecked motor vehicle remains outside on the premises for more than twenty-four (24) hours, the premises shall be considered an outside salvage or reclamation use and subject to violation. However, a premises is not an outside salvage or reclamation use if the premises stores inoperable or wrecked vehicles each having a valid state registration, current safety inspection certificate and documentary records of pending repairs or other disposition.
9. A minimum of six (6) parking spaces for public use shall be provided.

#### AE. RETAIL STORAGE YARDS

1. If an inoperable or wrecked motor vehicle remains outside on the premises for more than twenty-four (24) hours, the premises shall be considered an outside salvage or reclamation use and subject to violation. However, a premises is not an outside salvage or reclamation use if the premises stores inoperable or wrecked vehicles each having a valid state registration, current safety inspection certificate and documentary records of pending repairs or other disposition.
2. A site plan shall be submitted to the Department of Development prior to issuance of a building permit. This plan shall indicate at a minimum:
  - a. Location of all structures on site including proposed structures.
  - b. Proposed traffic movements and points of ingress and egress, including parking and site triangles.
  - c. Approved landscape plan with a minimum of 20 % open space shall be

- required for each site.
- d. Adjacent land uses.
- e. Additional information shall be submitted as determined by the Department of Development.

AF. RVP RECREATIONAL VEHICLE PARK

1. Purpose: The purpose of these requirements is to provide for, on a temporary basis, recreational vehicle campers for recreation, camping or travel and accessory uses supporting such activities. A recreational vehicle shall be construed within this ordinance as any vehicle or temporary dwelling mobile unit whether motorized or not used for occupancy during its stay in the park. The intent of these requirements is to also provide an assured compatibility with surrounding land uses, and to avoid health and safety hazards.
2. Locational Standards:
  - a. Campgrounds shall not be located adjacent to developed or developing residential areas in such a way that the traffic or noise generated by campgrounds would interfere with the surrounding neighborhoods.
  - b. The design of campground ingress/egress points and the internal road circulation system shall be regulated so as to be compatible with the surrounding road system as well as safe and convenient for vehicular traffic and emergency traffic at all times.
  - c. The location of RV Campgrounds shall be located in areas where fragile environmental areas such as wetlands and wildlife domains will not be adversely effected. Also campgrounds shall not be located near hazardous areas where rapid flooding or ground subsidence occur.
3. Permitted Uses:
  - a. Recreational Vehicles
  - b. Offices (for the conducting of campground business)
  - c. Boathouse
  - d. Public Restrooms
  - e. Laundry Room (to serve only those utilizing the Campground facilities)
  - f. Convenience Store no larger than 1500 sq. ft. and providing a limited range of groceries, toiletries, souvenirs, and recreational equipment.
  - g. Recreational facilities such as but not limited to swimming pools, tennis courts, golf courses, trails and bike paths.
  - h. Tents for camping purposes.
4. Prohibited Uses:
  - a. The occupancy of a Recreational Vehicle for a period exceeding 3 months in any 12 month period shall be deemed permanent occupancy and is prohibited.

- b. Any uses which are not specifically, provisionally or by reasonable implication permitted herein.
5. Height Regulations:  
No building or structures shall exceed 45 feet in height above base flood elevation as set forth in flood hazard ordinance 791.
6. Area Requirements:
- a. Campsite area: Each RV Campsite and incidental site shall be at least 1200 sq. ft. in size with minimum dimensions of 30` X 40'. No campsite or structure shall be located closer than 150 feet from any adjacent residences.
  - b. Front yard: All structures shall setback a distance of at least 15 feet from any roadway or front campsite line.
  - c. Side yard: All structures shall setback a of at least 10 feet from one another. RV's shall not be closer than five (5) feet to a side campsite line.
  - d. Rear yard: All structures shall setback a distance of at least 10 feet or 20% of the depth of the site, whichever is the less restrictive.
7. Parking:  
Each campsite shall have at least one 10` X 19' off-street parking stall composed of shell, gravel or other suitable paving material. All other uses that are permitted in a RV Park shall meet the Off-Street Parking Rules as set forth in Section 4, Ordinance No. 523.
8. Development Standards:
- a. Soil and Ground Cover: Exposed ground surface in all parts of the recreational vehicle park shall be paved, or covered with stone screenings, or other solid materials, or protected with a vegetative growth that is capable of preventing soil erosion and objectionable dust.
  - b. Drainage Requirements: Surface drainage plans for the entire park shall be submitted and reviewed by the Parish Police Jury and Permit Division which shall determine if the plan is compatible with the existing drainage pattern of the area.
  - c. Park Size and Density: Each RV Park shall be at least five (5) acres in size with a density no greater than fifteen (15) campsites per acre.
  - d. Roadways: All internal roadways shall be paved with concrete or asphalt materials in accordance with Parish construction standards if the park density exceeds 8 campsite per acre. In all other cases shell or gravel type materials may be used. All roadways shall be at least 20 feet in width for two way and 12 feet for one-way traffic. All internal roads shall be privately maintain by the developer unless otherwise specified by the Parish Police Jury at the time of Subdivision review.
  - e. Open Space and Recreational Area: At least 40% of the park's total

- land area shall remain as open space and/or recreational use.
- f. Buffering and Landscaping: A minimum buffer area of 30 feet shall be imposed around the perimeter of the RV Park and shall be landscaped in such a fashion as to achieve a 70% visual screen of living plant material at time of planting. Also, at least 50% of all the trees within the perimeter of the RV Park shall remain intact.
  - g. Water System: All RV Parks shall have a portable water supply. A water station for filling RV water storage tanks shall be provided at a rate of one station per every 100 campsites.
  - h. Sewerage Disposal: Where a public sewer system is available within 300 feet, the RV Park shall be required to tie in to the system. If a public sewer system is not available, a private sewerage collection and disposal facility shall be installed which meets the requirements of the Louisiana Department of Public Health and Welfare.
  - i. Sanitary Facilities: Central toilet and lavatory facilities shall be provided for every 10 campsites. A central bathhouse shall also be provided containing at least one shower receptacles for every 15 campsites.
  - j. Maintenance Requirements:
    - 1. Storage of Vehicles is prohibited.
    - 2. No pets shall be allowed to roam free within the RV Park. Pets shall be confined in a fenced yard or on a leash.
    - 3. Large trash receptacles shall be screened by a six (6) foot sight obscuring fence. Small trash receptacles shall be aesthetically decorated and blend in with the environment of the RV Park.
  - k. Utilities: Electrical and/or gas utilities shall be provided for each RV Park. However, individual hookups are not required for all RV Campsites.
  - l. Lighting: RV Parks shall be lighted during the hours of darkness in a way as to ensure the safety of the occupants. Such lighting shall be the responsibility of the developer of the RV Park.
9. Site Plan Approval:  
All Recreational Vehicle Parks must apply for rezoning as well as comply with the procedures established by the St. Tammany Parish Subdivision Regulatory Ordinance No. 499 for development of land. All applicants filing for zoning of a Recreational Vehicle Park must submit a site development plan to the Department of Development consisting of the following information.
- a. The title of the project and the names of the project planner and the developer.
  - b. Scale, date, north arrow, and general location map which indicates existing land use within 500 feet of the proposed RV Park.
  - c. Boundaries of the property involved; all existing streets, buildings, water courses, easements, section lines, and other existing streets, buildings, water courses, easements, section lines, and other existing important physical features in and adjoining the property.
  - d. Master plan locations and the acreage of each component thereof of the

different uses proposed (e.g. open space designation; campsites, recreational facilities, other uses incidental to the RV Park).

- e. Master Plan showing access and traffic flow and how vehicular traffic will be separated from pedestrian and other types of traffic.
- f. Tabulations of total gross acreage in the development, and the percentage thereof proposed to be devoted to each use.

In addition, the Zoning Commission or Parish Police Jury may require additional material such as plans, maps, studies, and reports which may be needed in order to make the necessary findings and determinations that the applicable standards and guidelines have been complied with.

- 10. Zoning Commission Findings and Recommendations: After a public hearing, the Zoning Commission may recommend approval subject to any stipulations made regarding the companion site development plan.
- 11. Fire Marshall Approval: A certificate attesting to the State Fire Marshall's approval of plans for all construction and improvements as per the state fire code must be provided to the Department of Permits and Inspections prior to the issuance of a building permit (Ord. No. 791).
- 12. Application Fee: Applications with required supporting data should be filed with St. Tammany Parish Department of Development. The filing fee shall be as follows: One hundred and fifty dollars (\$150.00) initial fee, fifty dollars (\$50.00) per acre up to a maximum of fifteen hundred dollars (\$1500.00). An additional fifty dollars (\$50.00) shall accompany the application to cover final advertising cost and can be refunded for failure of such zoning application to be adopted.

AG. STORAGE FACILITIES ASSOCIATED WITH INSURANCE OFFICES AND RELATED FACILITIES

- 1. A site plan shall be submitted to the Department of Development prior to issuance of a building permit. This plan shall indicate at a minimum:
  - a. Location of all structures on site including proposed structures.
  - b. A minimum of 20% landscaped areas shall be required based on the gross square footage of the first story of all structures on site or as determined by the Department of Development.
  - c. Proposed traffic movements and points of ingress and egress.
  - d. Location of adjacent land uses.
  - e. Location and coverage of lighting, signage and parking lots.
  - f. Approved landscape plan.
  - g. Additional information shall be submitted as determined by the Department of Development.
- 2. The proposed facility shall not create a traffic or safety hazard, or adversely

affect the existing or logical future growth of the surrounding neighborhood.

3. Hours of operation shall conform to existing patterns established in the neighborhood.
4. If this use abuts any residential district or use, a transitional yard shall be provided equal to the side or rear yard requirements of the residential zoning classification.
5. The design of all structures and signage; including materials, textures and colors; shall be harmonious with the surrounding neighborhood.
6. A maximum of 15,000 square feet of storage areas shall be permitted.
7. Outside body work and painting or other repairs are not permitted.
8. The outdoor storage of junked, wrecked or abandoned vehicles stored on the premises solely for the purpose of using parts to repair other vehicles shall not be permitted.
9. All outdoor storage of vehicles awaiting repair shall be screened from public view by a 100% opaque six (6') foot tall non-living screen or a six (6') tall 70% opaque living screen. Objects shall be stored a minimum of five (5') feet from this screen.
10. Sale of two (2) or more vehicles or other similar commodities is prohibited.
11. Any fleet storage of vehicles utilized in connection with this use shall be screened by a six (6') foot high screen of either 100% opaque non-living material or 70% opaque evergreen plants or as determined by the Department of Development.
12. If an inoperable or wrecked motor vehicle remains outside on the premises for more than twenty-four (24) hours, the premises shall be considered an outside salvage or reclamation use and subject to violation. However, a premises is not an outside salvage or reclamation use if the premises stores inoperable or wrecked vehicles each having a valid state registration, current safety inspection certificate and documentary records of pending repairs or other disposition.

AH. SWIMMING POOLS (Amended 03/21/2002 ZC01-11-076 OCS# 02-0449) (Amended 2/19/2004 OCS# 04-0824)

1. Swimming pools which are not located within an appropriate commercial zoning district shall not be operated as a business, however private swimming lessons are permitted.
2. All swimming pools shall be completely enclosed within a permanent and solidly

constructed fence or wall of not less than four (4) feet in height.

3. All gate or door openings through a fence or wall enclosure shall be equipped with a self-closing and self-latching device for keeping the gates or doors closed and locked at all times when not in actual use.
4. Above ground swimming pools can only be located on the property in either a side or rear yard area. The inside edge, lip or structure of each swimming pool shall setback at least five (5) feet from the side property line and ten (10) feet from the rear property line. However, in no instance shall a swimming pool be located within any documented servitude or easement.
5. In ground swimming pools (less than 12 inches above grade) can only be located on the property in either a side or rear yard area. The inside edge, lip or structure of each swimming pool shall setback at least five (5) feet from the side property line and five (5) feet from the rear property line. However, in no instance shall a swimming pool be located within any documented servitude or easement.
6. All portable or accessory swimming pools that are less than eighteen (18) inches in water depth shall be exempt from any fencing or wall requirements.
7. No pool may be maintained in such a way that it is attractive to rats, mice, mosquitos, or other such vermin. No pool may be maintained in such a way as to be hazardous to adjacent property owners.

AI. TEMPORARY CONSTRUCTION AND SALES OFFICE

1. A temporary construction and/or sales office must be located on a platted lot within the subdivision or site approved by the Department of Development within an area with an approved preliminary plat.
2. The Department of Permits and Inspections shall issue a temporary building permit for a period of one year for a temporary construction or sale office. The Police Jury may grant up to two extensions of one year each to the building permit for a construction office if the builder maintains active or continuous construction within the subdivision, or for a sales office or model home for display purposes provided a minimum of ten lots in the subdivision are un sold.
3. A temporary construction or sales office may not be located in another subdivision or used for construction or sale in another subdivision.
4. All landscaping and parking requirements shall apply.

AJ. TEMPORARY SEASONAL USES

1. Administrative Permit must be secured and kept on the site at all times
2. The Administrative Permit is not transferable to other vendors
3. All signs must be professionally rendered and approved by the Department of Development. Signs located in an MIO must adhere to the regulations of the adjacent municipality
4. A maximum of two signs may be permitted
5. Total sign area including both signs for temporary uses shall not exceed 150 square feet.
6. No off premise signs for temporary uses may be permitted.
7. Signs shall not be located in the Rights-of-Way
8. A minimum of five (5) off street parking spaces must be provided excluding two (2) spaces for employee parking.
9. Maximum lot coverage for all uses on the lot shall not exceed 50%.
10. State law mandates restroom facilities must be made available to employees. When a RV is located on the site, the petitioner must provide documentation that restroom facilities shall be provided by either of the following ways.
  - a. Port-o-lets located on the site, RV facilities shall not be used.
  - b. Contract between petitioner and a waste disposal company.
  - c. Letter from adjacent property owners permitting use of restroom facilities and RV
11. No alcoholic beverages shall be permitted without prior approval of the Police Jury.
12. All structures used in connection with the Administrative Permit shall be removed ten (10) days after expiration of Administrative Permit.

AK. TOWNHOUSES

1. These regulations are for townhouses which are permitted in an A-6 District only.
2. In no case will the density be greater than that allowed in the district where townhouses are to be constructed. However, substandard lots of record may be developed containing an area of not less than two thousand (2,000) square feet per unit.

3. Building frontage, measured at a building line, for individual units of a townhouse may not be less than fifteen (15) feet. Lot width for end units shall be adequate to provide required front and side yard for the district in which the townhouses are located.
4. For the purpose of the side yard regulation, a townhouse building shall be considered as one building on one lot with side yard required for end units only. Townhouses with three (3) or more units where the side yard is adjacent to a single family residential district shall not be less than fifteen (15) feet.
5. The yard required for townhouses shall be as required for the district in which they are being constructed.
6. A detached garage, carport, or other accessory building shall be permitted in the required rear yard on a lot occupied by a townhouse, but in no instance shall be permitted in any other required yard area on the lot.
7. No more than eight (8) dwelling units shall be included in any one townhouse building.
8. The facades of dwelling units in a townhouse shall be varied by changed front yards of not less than three (3) feet and variation in materials or design so that no more than two (2) abutting units will have the same front yard depth and the same or essentially the same architectural treatment of facades and roof lines.
9. Required off-street parking space of two (2) spaces per dwelling unit must be provided on the lot or within one hundred and fifty (150) feet of the lot in any permitted area and cannot occur in the required front yard.

AL. TRUCK STOPS, RAILROAD TERMINALS, BUS TERMINALS AND OTHER TRANSPORTATION RELATED USES

1. A site plan shall be submitted to the Department of Development prior to issuance of a building permit. This plan shall indicate at a minimum:
  - a. Location of all structures on site including proposed structures.
  - b. A minimum of 20% landscaped areas shall be required based on the gross square footage of the first story of all structures on site or as determined by the Department of Development.
  - c. Proposed traffic movements and points of ingress and egress.
  - d. Location of adjacent land uses.
  - e. Location and coverage of lighting, signage and parking lots.
  - f. Approved landscape plan.
  - g. Additional information shall be submitted as determined by the Department of Development.

2. Applicant shall indicate present need for this use based upon the location of existing facilities and market demand.
3. The proposed facility shall not create a traffic or safety hazard, or adversely affect the existing or logical future growth of the surrounding neighborhood.
4. Hours of operation shall conform to existing patterns established in the neighborhood.
5. If this use abuts any residential district or use, a transitional yard shall be provided equal to the side or rear yard requirements of the residential zoning classification.
6. The design of all structures and signage; including materials, textures and colors; shall be harmonious with the surrounding neighborhood.

AM. WAREHOUSES, DISTRIBUTION CENTERS AND SIMILAR STORAGE FACILITIES

1. If this use abuts any residential district or use, a transitional yard shall be provided equal to the side or rear yard requirements of the residential zoning classification.
2. A minimum of 20% landscaped areas shall be required based on the gross square footage of the first story of all structures on site or as determined by the Department of Development.
3. Any fleet storage of vehicles utilized in connection with this use shall be screened by a six (6') foot high screen of either 100% opaque non-living material or 70% opaque evergreen plants or as determined by the Department of Development.

AN. TOWERS AND ANTENNAS (Amended 3/7/2002 OCS# 02-0448)

In addition, the following standards will be applicable for permitted and conditional uses.

I. Towers (Amended 6/1/2006 ZC#06-04-031 OCS# 06-1315)

A. Towers may be permitted in the following, subject to the applicable minimum standards.

1. On property owned by the Parish, provided however, the Parish shall authorize the application and use of Parish property after the applicant executes a lease agreement acceptable to the Parish. The Parish shall have no obligation whatsoever to execute such lease even if the applicant can meet the criteria set forth herein.

B. Towers may be allowed as a conditional use in the following zoning districts, subject to the applicable minimum standards: R-Rural, SA-Suburban Agriculture, LC-Light Commercial, C-1 Neighborhood Commercial, C-2-Highway Commercial, C-3-Planned Business Center, M-Industrial, and ID-Institutional.

C. Minimum Standards. Except where a conditional use exception is granted, every tower must meet the following minimum standards.

1. Prior to the issuance of a building permit, a site development plan shall be presented for approval to the Department of Planning. Each application for a proposed tower shall include all requirements for site development plan approval. The Director of Planning may at the time of application waive all or some of these provisions for stealth towers which are designed to emulate existing structures already on the site, including but not limited to, light standards or power poles; or for co-location sites with two or more carriers .

2. A statement shall be submitted, prepared by a professional registered engineer licensed to practice in the State of Louisiana, which through rational engineering analysis certifies the tower's compliance with applicable standards as set forth in the Building Code and any associated regulations; and describes the tower's capacity including an example of the number and type of antennas it can accommodate. No tower shall be permitted to exceed its loading capacity. For all towers attached to existing structures, the statement shall include certification that the structure can support the load superimposed from the tower. All towers shall have the capacity to permit multiple users; at a minimum, monopole towers shall be able to accommodate two (2) users and at a minimum , self-support/lattice shall be able to accommodate three (3) users.

3. Height\setbacks and related location requirements shall be as follows:

a. The height of a tower shall not exceed two hundred and fifty (250) feet. Tower height shall be measured from the crown of the nearest public street.

b. Towers, not located on Parish owned property, shall be setback from the property line a distance equal to the height of the tower or shall conform with the setbacks established from the underlying zoning district, whichever is greater.

c. Monopole or lattice s towers shall not be located within seven hundred and fifty (750) feet of any existing monopole, lattice or guyed tower.

d. All buildings and other structures to be located on the same

property as a tower shall conform with the setbacks established for the underlying zoning district.

#### 4. Buffering

a. Where a tower site abuts a suburban agricultural, single family or duplex residentially zoned parcel, or an industrially zoned parcel abutting anything but industrial, the planting area shall be a minimum of 25 feet in depth. The planting area shall contain a minimum of one (1) Class C tree (see definition) for every 10 feet of lot perimeter with a minimum height of 4 feet tall. Additionally, an 8 feet opaque fence with one (1) vine per 10 feet of fence or a 6 foot fence with 70 percent opaque screen of evergreen shrubs shall be provided.

b. Where a tower site abuts a non residentially zoned parcel, the planting area shall be a minimum of 5 feet in depth. The planting area shall contain a minimum of one (1) Class C tree (see definition) for every 30 feet of lot perimeter with a minimum height of 4 feet tall. Additionally, an 8 feet opaque fence or a 6 feet fence with 70% opaque screen of evergreen shrubs shall be provided.

5. Equipment storage. Mobile or immobile equipment not used in direct support of a tower facility shall not be stored or parked on the site of the tower, unless repairs to the tower are being made.

6. Removal of abandoned or unused facilities. All abandoned or unused tower facilities shall be removed by the tower owner/operator within one-hundred eighty (180) days of the cessation of use, Towers being utilized for other purposes, including but not limited to light standards and power poles, may be exempt from this provision. The Director of Planning may extend this time period or waive this requirement if it is shown that the facility has not been abandoned.

The Parish shall have the right to cause the removal of the facility, including BTS (base transceiver station) and all other items of property related to the tower and its function, in the event of discontinuation of use beyond one-hundred eighty (180) days. The property owner shall be responsible for and shall reimburse the Parish for any and all direct and indirect costs associated with such action including but not limited to attorneys' fees, demolition and disposal costs, overhead, and insurance.

7. Signs and advertising. The use of any portion of a tower for signs or advertising purposes, including company name, banners, streamers, etc., shall be strictly prohibited. This does not apply to an installation

where a Outdoor Advertising sign is used as the base foundation for an antenna installation.

8. Accessory buildings or structures. All accessory buildings or structures shall meet all building design standards as listed in this Code, and be in accordance with the provisions of the Southern Building Code. All accessory buildings or structures shall require a building permit issued by the Department of Permits.

9. Colors. Except where superseded by the requirements of other parish, state, or federal regulatory agencies possessing jurisdiction over towers, towers or monopoles shall be constructed of galvanized or painted metal. Painted metal shall be designed to blend in with pale blue sky or surrounding environment.

10. Each application to allow construction of a tower shall include a statement that the construction and placement of the tower:

a. is in compliance with Federal Aviation Administration (FAA) regulations.

b. is in compliance with the rules and regulations of other federal or state agencies that may regulate tower siting, design and construction.

c. is in compliance with current radio frequency emissions standards of the Federal Communications Commission (FCC), and

d. will not interfere with any public safety communications and the usual and customary transmission or reception of radio and television service enjoyed by adjacent residential and non-residential properties.

11. A red obstruction lighting system will be utilized on all towers, and support structures more than 165 feet (46 m) AGL and less than 200 feet (61 m) in height, as follows:

a. at least one red flashing beacon should be installed at the top of the structure in such a manner as to ensure an unobstructed view of one or more lights by a pilot,

b. two or more steady burning white lights should be installed on diagonally or diametrically opposite positions as a height equal to one-half of the total structure height.

c. if a rod, antenna, or other appurtenance located on the tower,

20 feet or less in height, is incapable of supporting a red flashing beacon, than the beacon may be placed at the base of the appurtenance. If the mounting location does not allow unobstructed viewing of the beacon by a pilot, then additional beacons should be added.

d. if a rod, antenna, or other appurtenance is located on the tower, and exceeding 20 feet in height, is incapable of supporting a red flashing beacon, a supporting mast with one or more beacons should be installed adjacent to the appurtenance. Adjacent installations shall not exceed the height of the appurtenance and shall be within 40 feet of the tip to allow the pilot an unobstructed view of at least one beacon.

e. the provisions of this section may be waived through a Conditional Use Permit, following a written recommendation by the Director of the applicable Mosquito Abatement District.

12. If a Mosquito Abatement District is established in an area with a tower that has been granted a waiver, the tower will have to comply with the lighting standards as established according to the Parish lighting guidelines within six (6) months of inclusion in the District.

13. The applicant shall provide evidence that a certified letter has been sent to the applicable Mosquito Abatement District and the Fixed Base Operator (FBO) for the Greater St. Tammany Airport and the Slidell Municipal Airport. The letter shall contain the exact location and height of the tower and shall be sent to be received prior to construction.

14. Guyed Towers in excess of 50 feet in height are expressly prohibited.

15. An emergency response plan for each tower must be filed with the Office of Homeland Security and Emergency Preparedness. All telecommunication towers must be outfitted in accordance with the most recent edition of the National Fire Protection Association's publication - NFPA 110 – Emergency and Standby Power Systems, including but not limited to emergency power sources, generators, etc., so as to be able to continue the operations of said tower during power outages for a period of at least one week.

Said mandatory operations shall include, but is not limited to, 1) the provision of telecommunication services during the emergency situation and 2) the continuous operation of all lighting systems required under Section I.C.11 of these regulations. Said plan shall be reviewed and if necessary updated each April.

D. Existing towers.

1. Notwithstanding the above provisions of this section, antennas shall be permitted uses if placed on existing towers with sufficient loading capacity after approval by the Director of Planning.

2. Notwithstanding the above provisions of this section, towers in existence as of January 1, 1997, may be replaced with a tower of equal or less visual impact after approval by the Director of Planning . However, if the proposed new tower would not be consistent with the minimum standards under this section, replacement must be approved by the Parish.

3. An emergency response plan for each tower must be filed with the Office of Homeland Security and Emergency Preparedness. All telecommunication towers must be outfitted in accordance with the most recent edition of the National Fire Protection Association's publication - NFPA 110 – Emergency and Standby Power Systems, including but not limited to emergency power sources, generators, etc., so as to be able to continue the operations of said tower during power outages for a period of at least one week.

Said mandatory operations shall include, but is not limited to, 1) the provision of telecommunication services during the emergency situation and 2) the continuous operation of all lighting systems required under Section I.C.11 of these regulations. Said plan shall be reviewed and if necessary updated each April.

## II. Antennas not located on towers.

### A. Antennas shall be permitted as follows:

1. Stealth rooftop or building mounted antennas may be permitted as an accessory use in the following zoning districts:

- a. R Rural
- b. C Commercial
- c. I Industrial
- d. ID Institutional

2. Stealth rooftop or building-mounted antennas shall be conditionally permitted as uses only in the following zoning districts, subject to the minimum standards:

- a. SA Suburban agriculture
- b. A-6 Multiple Family

### B. Minimum standards.

1. Building or rooftop antennas shall be subject to the following minimum

standards:

- a. No Commercial advertising shall be allowed on an antenna, unless such antenna is actually located on an existing, approved sign;
- b. No signals, lights, or illumination shall be permitted on an antenna, unless required by the Federal Aviation Administration.
- c. Any related unmanned equipment building shall not contain more than 750 square feet of gross floor area or be more than fourteen (14) feet in height; and
- d. If the equipment building is located on the roof of the building, the area of the equipment building shall not occupy more than twenty five percent (25%) of the roof area.
- e. Each application shall contain a drawing and description of the antenna including, but not limited to, colors and screening devices. This shall be subject to administrative approval for consistency with the definition of stealth facility.

### III. Shared Uses

A. Notwithstanding any other provision of this article, to minimize adverse visual impacts associated with the proliferation and clustering of towers, co-location of facilities on existing or new towers shall be encouraged by:

1. issuing permits only to Qualified Shared Facilities at locations where it appears there may be more demand for towers than the property can reasonably accommodate; or
2. giving preference to Qualified Shared Facilities over other facilities in authorizing use at particular locations.

B. For a facility to become a "Qualified Shared Facility," the facility owner must show that:

1. the facility is appropriately designed for sharing; and
2. the facility owner is prepared to offer adequate space on the facility to others on fair and reasonable, nondiscriminatory terms.

C. Co-location of communications antennas by more than one provider on existing or new towers shall take precedence over the construction of new single-use Telecommunications towers.

D. For any tower approved for shared use, the owner of the tower shall provide notice of the location of the tower to the Parish.

E. When seeking approval of a new tower location, the applicant must provide the following information to the Department of Permits, at the of application for conditional use and/or building permit, for review by the Zoning Commission and/or staff to determine the appropriateness of the proposed new tower location:

1. The location of all towers, buildings, or other structures which could serve as a platform for antennas within a two mile radius of the proposed tower site.

2. A full explanation outlining the reasons that the proposed antennas can not be placed on the towers, buildings, or structures listed. This explanation must be given on each structure individually.

3. If the inability to secure a suitable lease arrangement prevents an antenna from being placed upon an otherwise suitable tower, building or structure, the points of disagreement, including but not limited to proposed lease payments, must be provided to the Zoning Commission.

4. Prior to the issuance of a permit for a new tower or co-location, each carrier must provide intermodulation studies by a licensed engineer analyzing the proposed transmission of the carriers and the existing transmissions of public agencies. This study must demonstrate and certify that the carriers signals will not interfere with the signals of the public agencies.

#### IV. Transfer of Use

A. Approved Telecommunications towers or antennas may be transferred to successor and assigns of the approved party, subject to all of the conditions which apply to initial approval. Transfer of ownership of towers shall be reported to the Department of Permits within thirty days (30) of transfer.

#### V. Annual Inspections (Amended 6/1/2006 ZC#06-04-031 OCS# 06-1315)

A. All towers shall be inspected for compliance with applicable Parish Regulations on each April by the Office of Homeland Security and Emergency Preparedness. An inspection fee will be charged in accordance with Section 2-09.00 of the St. Tammany Parish Code of Ordinances. The owner/agent shall provide a current structural evaluation of the tower, upon request of the Office of Homeland Security and Emergency Preparedness.

B. Failure to pay for inspection or the failure of any tower to comply with applicable parish regulations may result in fines of \$100.00 per day.

AO. COMMUNITY SEWERAGE SYSTEMS

1. Whenever Wastewater (or Waste-Water or Waste Water) Treatment Facilities or Public Utility Facilities are approved for use as a Conditional Use within a land use district established in and subject to the provisions of Zoning Ordinance No. 523, the subject Wastewater Treatment Facility or Public Utility Facility may be approved for expanded use by an Administrative Permit, but only if all of the following conditions are fulfilled.
  - i. The Wastewater Treatment Facility exists and is functional at the time the application for an Administrative Permit is submitted to the Zoning Administrator, but that a Public Utility Facility other than a Wastewater Treatment Facility shall be eligible to receive an Administrative Permit irrespective if such exists or is proposed.
  - ii. As such relates to the design, construction, and operation of the Wastewater Treatment Facility or Public Utility Facility, all regulatory approvals and authorizations have been issued by appropriate and applicable state and parish regulatory agencies.
  - iii. The owner and/or operator of the Wastewater Treatment Facility or Public Utility Facility possesses a valid franchise agreement consistent and/or in conformance with the provisions of LA R.S. 33:4064.6(B).
  - iv. The Wastewater Treatment Facility or Public Utility Facility, and any and all associated or adjunct elements of the subject sewerage system, have the actual and/or anticipated capacity which will be required to realize the peak sewage demand of its actual, anticipated, intended, and/or proposed use, and the operation and maintenance of which are likely to be in accordance and compliance with all regulatory requirements; all as determined and affirmed by the Environmental Services Commission of St. Tammany Parish.
2. Public Utility Facilities may include a Limited Wastewater Treatment Facility, but not a Regional Wastewater Treatment Facility, whenever Public Utility Facilities are authorized as a conditional use within the subject district.
3. An Administrative Permit shall not be approved whenever the subject Wastewater Treatment Facility is a Regional Wastewater Treatment Facility located within a district other than an industrial or institutional district.
4. Public Utility Facilities may include a Limited Wastewater Treatment Facility or a Regional Wastewater Treatment Facility whenever Public Utility Facilities are authorized as a permitted use within the subject district.
5. As such relates to any Administrative Permit which is authorized for the purposes herein, whenever facts and circumstances exist that, in the opinion of the Zoning Administrator, would merit the imposition of other relevant and reasonable terms and conditions, the Zoning Administrator is hereby authorized to impose any such term or condition in the Administrative Permit and/or as a

prerequisite to the issuance of the Administrative Permit.

AP. ADULT USES (Amended 7/6/2000 ZC00-06-054 OCS# 00-0164)

1. The distance between any adult use and any residential district or dwelling shall be a minimum of one thousand (1,000) feet measured in a straight line, without regard to intervening structures, from the nearest point of the property line of the residential district or dwelling to the nearest point of the property line of the adult use or the property on which it is situated, if it is one of several business establishments on the property, whichever is greater.
2. The distance between any two adult uses shall be a minimum of one thousand (1,000) feet measured in a straight line, without regard to intervening structures, from the closest property lines of each adult use.
3. The distance between any adult use and any existing school, child care center, church or place of worship, park or recreational area, public library, museum, or community center shall be a minimum of one thousand (1,000) feet measured in a straight line, without regard to intervening structures, from the nearest point of the property line of the adult use to the nearest point of the property line of the school, child care center, church or place of worship, park or recreational area, public library, museum, or community center.
4. The adult use shall comply with Parish Code of Ordinances Chapter 3 - Alcoholic Beverages and Chapter 15 - Offenses - Miscellaneous, and all necessary state and parish licenses and/or permits as required.
5. Hours of operation shall conform to established uses in the neighborhood and may be adjusted by the Zoning Commission and/or the Parish Council.
6. Live entertainment, when expressly authorized and permitted, will only be allowed when it does not adversely affect the surrounding neighborhood because of noise, crowd, and other factors.
7. The use of neon or other similar lighting technology exposed to the exterior shall be limited to one sign unit which conforms to all other code signage requirements, is directly related to the subject facility, and is not advertisement for products or services provided or sold in the facility.
8. The premises on which the adult use is located and the public rights of way within one hundred (100) feet of such facility must be maintained in a clean and orderly manner.
9. The premises in which an adult theater establishment is located shall operate only as an adult theater and shall not contain or offer any items or services consistent with that of an adult cabaret, adult store, massage parlor, or escort agency. Any of the afore-mentioned businesses shall constitute a separate

adult use and must independently conform with all of the requirements of this Section.

10. Adult theaters offering viewing of film, photograph material or live performances to audiences smaller in size than five (5) persons per seating, are expressly prohibited.

AQ. Methadone Centers and Clinics (Amended 10/19/2000 OCS# 00-0206)

1. The distance between any methadone centers and clinics and any residential district or dwelling shall be a minimum of one thousand (1,000) feet measured in a straight line, without regard to intervening structures, from the nearest point of the property line of the residential district or dwelling to the nearest point of the property line of the said use or the property on which it is situated, if it is one of several business establishments on the property, whichever is greater.
2. The distance between any methadone center/clinics and any existing school, child care center, church or place of worship, park or recreational area, public library, museum, or community center shall be a minimum of one thousand (1,000) feet measured in a straight line, without regard to intervening structures, from the nearest point of the property line of the methadone center or clinic to the nearest point of the property line of the school, child care center, church or place of worship, park or recreational area, public library, museum, or community center.
3. The distance between any methadone center or clinic and any other methodone center or clinic shall be a minimum of one thousand (1,000) feet measured in a straight line, without regard to intervening structures, from the nearest point of the property line of the methadone center or clinic to the nearest point of the property line of the second methadone center or clinic.
4. Hours of operation shall conform to established uses in the neighborhood and may be adjusted by the Zoning Commission and/or the Parish Council.

AR. Composting facility (Amended 07/19/2001 ZC01-05-041 OCS# 01-0341)

1. The distance between any composting facility and any residential dwelling shall be a minimum of one thousand (1,000) feet measured in a straight line, without regard to intervening structures, from the nearest point of the property line of the residential district or dwelling to the nearest point of the property line of the said use or the property on which it is situated, if it is one of several business establishments on the property, whichever is greater.
2. Hours of operation shall conform to established uses in the neighborhood and

may be adjusted by the Zoning Commission and/or the Parish Council.

3. Any and all additional conditions, as determined by the Zoning Commission, placed upon the specific operation to mitigate potential negative impacts of the operation.

**AS. Bed & Breakfast** (Amended 7/11/02 ZC02-05-028 OCS#02-0503)

1. A site & landscape plan shall be submitted to the Department of Planning. The plan shall indicate at a minimum:
  1. Location of all structures on site including proposed structures.
  2. Drawing of residence interior and including the number of room and area to be used for the bed & breakfast.
  3. Proposed traffic movements and points of ingress & egress, including parking & site triangle.
  4. Drawing showing the location of proposed sign, setback from property line & dimensions.
- b. Where a bed & breakfast is allowed as a conditional use permit, the proposed use shall meet the following criteria:
  - a. A Bed and Breakfast facility must be in a one-family dwelling.
  - b. The exterior of the building shall maintain a residential appearance.
  - c. The facility shall be the residence of the operator, who is the owner or lease holder of the building.
  - d. Rooms may not be rented for more than seven consecutive days, and no more than fifteen days per person in any thirty-day period.
  - e. A morning meal must be served on premises and included within the room charge for guests of the facility and shall be the only meal provided.
  - f. The facility must meet applicable Parish and State health, safety (including but not limited to the Uniform Building Code requirements concerning maximum occupancy) and liability requirements.
  - g. One off-street parking space will be required for each rented bedroom, in addition to the number of spaces required for each dwelling unit.

**AT. Agricultural and Decorative Ponds** (Amended 8/28/03 ZC03-06-038 OCS#03-0728)

1. A site plan shall be submitted to the Department of Planning. The plan shall indicate at a minimum:
  - a. Purpose and use of the pond
  - b. Location, size, setbacks and general shape of the pond.
  - c. Indicate whether or not dirt will be removed from the site.
  - d. Proposed hours and days of operation of heavy equipment.

- e. Indicate time frame to complete the pond.
  - f. Show where the dirt removed from the pond will be deposited on site and how it will be used.
  - g. Section through the pond showing depth and slopes of pond and levee. Depth of the pond must show the depth measurements at different intervals around the pond.
  - h. Indicate with arrows, the general drainage patterns onto and off the site.
2. The size of the pond shall not exceed 1 acre on site of 5 acres or less.
  3. The pond shall be setback a minimum of twenty five (25') from the front, sides and rear property lines.
  4. The property shall be kept posted with warning signs set no further than fifty (50') feet apart and clearly visible, indicating that the property is an excavation site.
  5. The perimeter of the land containing the excavation shall be fenced by a wire mesh fence or as determined by the Department of Development of not less than four (4') feet in height and all gates or entrances shall be locked when not in use.
  6. The final depth of the pond shall not exceed 15' maximum.
  7. Sloped sides for fishing and swimming at a 2:1 ratio.
  8. The pond shall be inspected and monitored 6 month after completion.
  9. Road bond must be secured prior to excavation, if required by the Parish Department of Public Works.
  10. Plot plan review & approval required, from Department of Engineering.

AU. Garage Sales (Amended 1/29/04 ZC03-11-074 OCS#04-0809)

1. Definition - a "garage sale" is the occasional, non-business, public sale of secondhand household goods and other secondhand goods incidental to household use. Garage sales shall include any yard sale, home sale, patio sale, or any other sale similarly conducted.
- ii Frequency; Duration - Not more than one (1) garage sale may be conducted by any person or upon any lot or parcel of land during any period of three (3) consecutive months. Such garage sales shall not be conducted for longer than two (2) consecutive days.
3. Other Sales Prohibited - The sale of personal property to the general public by means of a garage sale on any residentially zoned real property is prohibited except as permitted by this section.
4. Exemptions - The provisions of this section shall not apply to the following:
  - ii Charitable or religious organization's occasional sales when the proceeds from such sales are used solely for charitable or religious purposes.

- ii Sales conducted pursuant to process or order of any court of competent jurisdiction.



## **SECTION 4 OFF STREET PARKING AND LOADING REGULATIONS**

### **PURPOSE AND INTENT**

The purpose of this section is to properly regulate the number of required off-street parking spaces so as to provide for the needs of occupants, customers, visitors or others involved in use or occupancy of any building, structural improvement or place of assembly plus eliminating undue use of the surface street system for parking purposes; to promote and protect the public health, safety, comfort, convenience and general welfare of the people; to define the powers and duties of the administrative officers responsible for the regulation of this Section.

### **SECTION 4.01 GENERAL REQUIREMENTS**

- A. Off-street parking and loading facilities required by these regulations for residential uses shall be provided on the same lot premises with such structure or land use. Off-street parking and loading spaces required for structures or land uses on two or more adjoining lots may be provided in a single common facility on one or more of said lots; if said lots are owned in common, or are subject to recorded covenants or easement agreements for parking.
- B. For non-residential uses, all parking spaces required in this ordinance may be located on the same lot with the building or use served or within 100 feet of the main building. Where the required parking is not located on the same lot with the building or use served, or where such spaces are collectively or jointly provided and used, such parking space shall be established by a recorded covenant or agreement as parking space to be used in conjunction with the principal use. Parking shall be reserved as such through an encumbrance on the title of the property to be designated as required parking space. This encumbrance is to be valid for the total period the use or uses for which the parking is needed exists. Such agreement or covenant shall be duly recorded in the office of the Clerk of Court and certificate furnished to the Director of Development. (Amended 10/17/02 ZC02-10-071 OCS#02-0558)
- C. When the intensity of use of any building, structure or premises shall be increased through the following:
1. additional dwelling units,
  2. gross floor area,
  3. seating capacity or
  4. other units of measurements;
- parking and loading facilities as required herein shall be provided for such increase in intensity of use.
- D. Whenever the existing use of a building or structure is changed to a new use, parking or loading facilities shall be required as provided for such use. However, if the building or structure was erected prior to the effective date of

this ordinance, additional parking or loading facilities are mandatory only in the amount by which the requirements of the new use would exceed those for the existing use.

- E. The approval of the Department of Development is required for all parking lots over ten spaces to ensure compliance with the parking section of this ordinance. The arrangement, character, extent, width, grade and location of all parking areas shall be considered in relation to the following:
1. existing and planned streets
  2. reasonable circulation for traffic within and adjacent to parking areas
  3. topographical conditions
  4. runoff of storm water
  5. public convenience and safety and in their appropriate relations to the proposed uses to be served
  6. Any structures, uses or premises changed, converted or partially altered or enlarged shall conform to all current parking regulations.

All traffic intersections must encourage safe and efficient traffic flow. In order to meet these requirements, the Zoning Commission may, upon recommendation of the Department of Development, vary the strict interpretation of the parking area standards contained herein.

- F. In no case shall dedicated public rights-of-way be used to provide facilities required by these regulations.
- G. At least one handicapped parking stall shall be provided in all off-street parking areas larger than 15 spaces. Additional handicapped parking shall be provided at the rate of one handicapped stall per 100 standard stalls. Handicapped parking stalls shall be at least twelve (12) by twenty (20) feet for ninety (90) degree parking and shall be proportionally larger at other angles. All stalls shall be appropriately marked and signed, be located in close proximity to the principal building and shall offer barrier free access to the principal building. The designation of handicapped parking stalls shall constitute consent by the property owner to the enforcement of the restriction of such spaces to handicapped motorists by the Parish.
- H. When determination of the number of off-street parking spaces required by this ordinance results in a requirement of a fractional space, any fraction of one-half or less may be disregarded, while a fraction in excess of one-half shall be counted as one parking space.
- I. Off-street parking facilities for separate uses may be provided collectively. However, total number of spaces must not be less than the sum of the separate requirements for each such use and provided that all regulations governing location of accessory parking spaces in relation to the use served are adhered to.

- J. The use of any required parking space for storage of any motor vehicle for sale, or for any other purpose other than the parking of motor vehicles, is prohibited.
- K. All on-street parking is prohibited.

**SECTION 4.02      DESIGN STANDARDS**

A.     The following minimum design standards shall be observed in laying out off-street parking facilities:

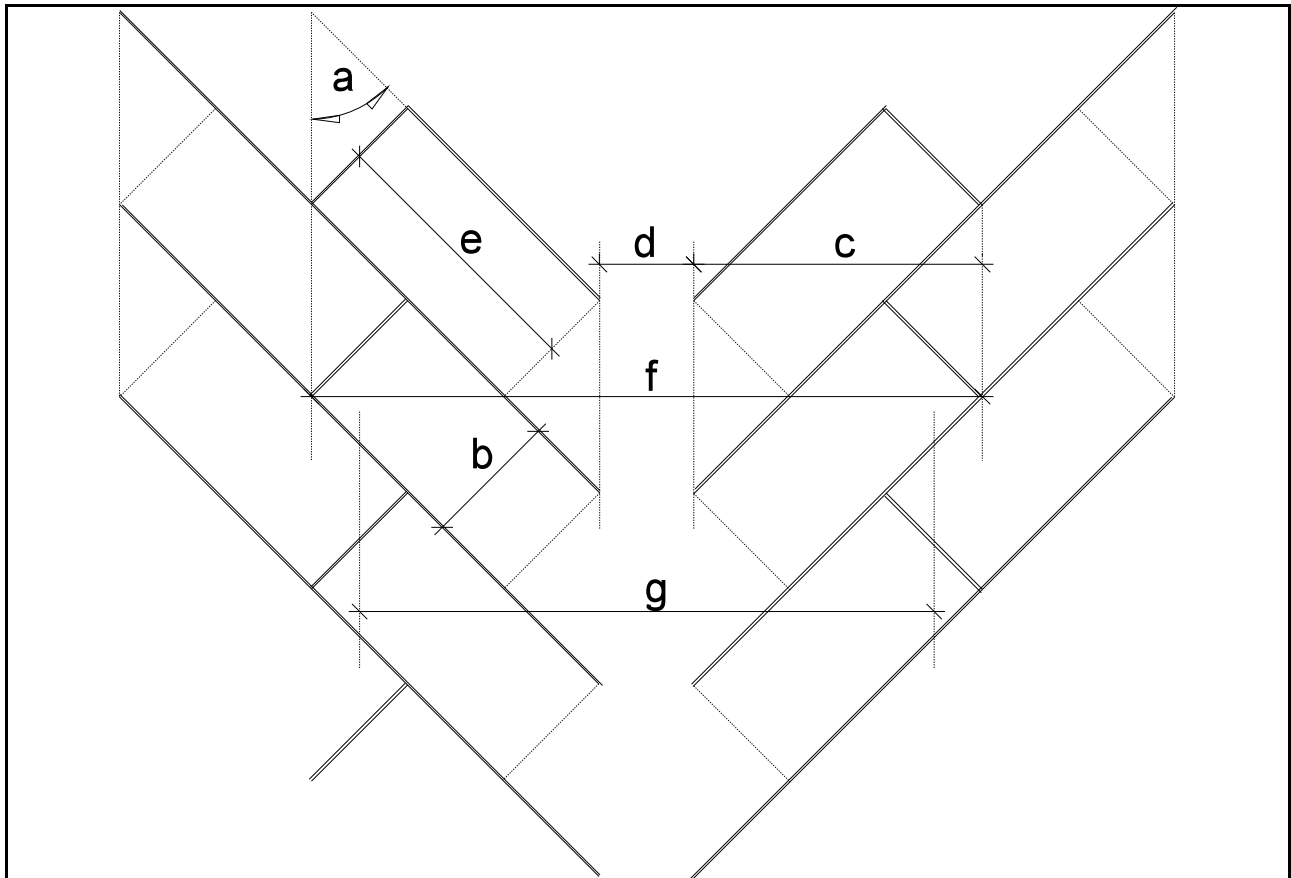


Figure 4-1 - Off-Street Parking Facility Design Standards

<u>a</u> <u>PARKING</u> <u>ANGLE</u>	<u>b</u> <u>STALL</u> <u>WIDTH</u>	<u>c</u> <u>ISLE</u> <u>TO CURB</u>	<u>d</u> <u>AISLE</u> <u>WIDTH</u>	<u>e</u> <u>STALL</u> <u>LENGTH</u>	<u>f</u> <u>CURB</u> <u>TO CURB</u>	<u>g</u> <u>OVERLAP</u> <u>TO CURB</u>
0°-15°	9 feet	9 ft.	12 ft	23 ft	30'/38'6"	0'/30'0"
16°-37°	9 feet	16'9"	11 ft	18 ft	44'6"	36'8"
38°-57°	9 feet	19'7"	13 ft	18 ft	52'2"	46'4"
58°-74°	9 feet	20'0"	18 ft	18 ft	58'	55'0"
75°-90°	9 feet	18'0"	22 ft	18 ft	58'	58'0"

B.     Off-street parking facilities shall be drained to eliminate standing water and

prevent damage to abutting property and/or public streets and alleys. Off-street parking areas shall be maintained in a clean, orderly and dust-free condition at the expense of the owner or lessee and not used for the sale, repair, or dismantling or servicing of any vehicles, equipment, materials or supplies.

- C. Off-street parking spaces shall be separated from walkways, sidewalks, streets, or alleys by a wall, fence or curbing or other approved protective device, or by distance so that vehicles cannot protrude over publicly owned areas.
- D. Location and design of entrances and exits shall be in accord with the requirements of applicable Parish traffic regulations and standards. Landscaping, curbing or approved barriers shall be provided along lot boundaries to control entrance and exit of vehicles or pedestrians.
- E. Interior drives shall be of adequate width to serve a particular design arrangement of parking spaces.
- F. Parking spaces in lots of more than 10 spaces shall be marked by painted lines or curbs or other means to indicate individual spaces. Signs or markers shall be used as necessary to insure efficient traffic operation of the lot.
- G. Adequate lighting shall be provided if off-street parking spaces are to be used at night. The lighting shall be arranged to eliminate glare on residential property by location of light fixtures or use of fixtures designed to eliminate direct view of luminaries in fixtures from residential property.
- H. When surface off-street parking areas for ten (10) or more automobiles are located closer than fifty (50) feet to a lot in a residential district, or to any lot upon which there is a dwelling as a permitted use under these regulations, and where such parking areas are not entirely screened visually from such lot by an intervening building or structure, there shall be provided along the lot line a continuous visual screen with a minimum height of six (6) feet. Such screen may consist of a compact evergreen hedge or foliage screening or a louvered wall or fence.

**SECTION 4.03      MINIMUM PARKING REQUIREMENTS**

**RESIDENTIAL**

ZONING DISTRICT CLASSIFICATION OR USE	MINIMUM OFF-STREET PARKING SPACE REQUIREMENT
<b>SINGLE FAMILY</b>	
Single and two family residential	2.0 per dwelling unit
Single Family - Attached	2.0 per dwelling unit
<b>MULTI-FAMILY</b>	
Multi-Family - 1 bd. rm.	1.5 per dwelling unit
Multi-Family 2 bd. rm.	1.75 per dwelling unit
Multi-Family - 3 (+) bd. rm.	2.0 per dwelling unit
Apartment complexes	2.0 per dwelling unit
<b>OTHER RESIDENTIAL USES</b>	
Apartment Hotel	1 space per permanent dwelling unit and/or 1 space per each 2 non-transient sleeping rooms
Tourist Homes	1 space per each unit or room plus 1 for the owner or manager.

**OFFICE/PROFESSIONAL USES**

ZONING DISTRICT CLASSIFICATION OR USE	MINIMUM OFF-STREET PARKING SPACE REQUIREMENT
<b>OFFICE/PROFESSIONAL USES</b>	
Office/Professional Office and/ or groups of buildings of similar nature	1 space per each 350 S. F. of gross floor area excluding storage areas which shall not exceed 15% of the gross square footage.
For other permitted uses in such districts parking space shall be provided on the basis of the appropriate category:	
* Uses involving public assembly of groups of people for whatever reason	1 space per each 4 seats, based on total capacity

\* Uses involving institutional functions 1 space per each 200 Sq. Ft. of gross floor area

**ZONING DISTRICT CLASSIFICATION OR USE**                      **MINIMUM OFF-STREET PARKING SPACE REQUIREMENT**

**HEALTH AND MEDICAL USES**

Institutional and Commercial Medical Uses, Clinics, Medical Office Buildings 1 space per each 175 Sq. Ft. of gross floor area plus 1 space per doctor on duty and 2 for every 3 employees on duty

Out-patient clinics, out-patient facilities a part of hospitals, medical centers, etc. 1 space per each 175 Sq. Ft. of gross floor area plus 1 space per doctor on duty and 2 for every 3 employees on duty

Nursing homes, sanitariums, convalescent homes, institutions for care of aged, children, etc 0.5 per bed plus 1 space per doctor on duty and 2 for every 3 employees on duty

Hospital, medical center, other treatment facility 1.75 per bed, plus the number required, based on Sq. Ft. measurements for office, clinic, testing, research, administrative, teaching and similar activities associated with the principal use, at 1 space per each 175 Sq. Ft. of gross floor area except for teaching facilities which shall be 1 space per each 4 seats.

Veterinary Clinics and Hospitals 1 space per 175 square feet of office area excluding area for boarding. A minimum of six (6) spaces shall be provided

**COMMERCIAL USES**

**ZONING DISTRICT CLASSIFICATION OR USE**                      **MINIMUM OFF-STREET PARKING SPACE REQUIREMENT**

Light or Neighborhood Commercial (LC or C-1) Uses

Specialty retail shops for the sale of books, educational and/or arts and craft supplies; floral items; gifts; antiques; and clothing and photographic studios 1 space per each 350 Sq. Ft. of gross floor area excluding storage areas which shall not exceed 15% of the gross square footage

Dance and music studios	1 space for every 4 students based upon the maximum occupancy, plus 2 for every 3 employees.
Neighborhood (C-1) or Highway Commercial (C-2) Uses	
Retail uses such as barber shops, beauty shops, bakeries, drug stores, hobby shops, dry cleaning and/or laundries, food stores, garden supply stores, hardware stores, stationary stores, jewelers, shoe stores, sporting goods stores, toy stores and accessory uses incidental to such typical uses listed above.	1 space per each 350 Sq. Ft. of gross floor area excluding storage areas which shall not exceed 15% of the gross square footage
Convenience stores	1 space per each 350 Sq. Ft. of gross floor area excluding storage areas which shall not exceed 15% of the gross square footage with a minimum of 6 customer spaces
Drive-In Banks, and similar uses	1 space per each 350 Sq. Ft. of gross floor area excluding storage areas which shall not exceed 15% of the gross square footage plus reservoir space as determined by Department of Development
Automobile service stations and garages for minor repair (excluding body shop, engine repair, painting)	1 space per each 350 Sq. Ft. of area plus 2 spaces for every 3 employees with a minimum of 6 spaces for customer vehicles
Restaurants and restaurants with lounges	1 space per every 4 seats plus 2 spaces for every 3 employees

**COMMERCIAL USES (Contd.)**

**ZONING DISTRICT  
CLASSIFICATION OR USE**

**MINIMUM OFF-STREET PARKING SPACE  
REQUIREMENT**

**Highway Commercial (C-2) Uses**

Retail and service uses such as banks, financial institutions, bicycle sales and repair, blueprinting and photocopy establishments, business machine sales and service, carpet stores, interior decorating shops, building supply, paint and wallpaper stores, post offices, TV and radio repair shops and accessory uses incidental to such typical uses listed above

1 space per each 400 Sq. Ft. of gross floor area excluding storage areas which shall not exceed 15% of the gross square footage

Amusement establishments

1 space per each 4 occupants based on maximum occupancy of the use plus 2 for each 3 employees

Autobody repair

6 spaces for customer vehicles

Automotive and mobile home sales

1 space per each 400 Sq. Ft. of gross floor area plus 1 space per each 700 Sq. Ft. of total outdoor sales area with a minimum of 6 spaces for customers

Car washes

1 space per each employee plus reservoir space for at least 6 times the bay capacity of the facility, with a minimum of 10

Bars and lounges

1 space per each 4 seats and 2 spaces for every 3 employees

Catering Establishments

1 space per each 4 occupants based on maximum occupancy of the use plus 2 spaces for every 3 employees

Hotels and motels

1 space per each room plus additional spaces as required for other functions such as bar, restaurant, etc.

Liquor Stores

1 space per each 350 Sq. Ft. of gross floor area excluding storage areas which shall not exceed 15% of the gross square footage with a minimum of 6 spaces for customer vehicles

Department stores	1 space per each 350 Sq. Ft. of gross floor area
Motion picture theaters	1 space per each 4 seats
Funeral Parlors	1 space per each 4 chapel seats
Mini warehouses	A minimum of 6 spaces for customer parking. No parking shall block storage bays

<b>ZONING DISTRICT CLASSIFICATION OR USE</b>	<b>MINIMUM OFF-STREET PARKING SPACE REQUIREMENT</b>
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Highway Commercial (C-2) Uses (Contd.)

Storage, testing, repairing or similar service uses	1 space per each 700 Sq. Ft. of storage area plus 1 space per each 400 Sq. Ft. of office, sales or other space to be used by visitors, customers or salesmen
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Other commercial uses	As may be established by the Department of Development and/or made a condition of Conditional Use Permits
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**INDUSTRIAL USES**

<b>ZONING DISTRICT CLASSIFICATION OR USE</b>	<b>MINIMUM OFF-STREET PARKING SPACE REQUIREMENT</b>
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Light Industrial Uses (M-1)

Battery and tire stations, building material sales, bus terminals, machinery sales, printing establishments, service establishments, trailer sales and rental and special uses as permitted	1 space per each 400 Sq. Ft. of gross floor area excluding storage areas which shall not exceed 15% of the gross square footage
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Storage, testing, repairing, warehousing or similar establishments	1 space per each 1,000 Sq. Ft. of storage area plus 1 space per each 350 Sq. Ft. of office, sales or other space to be used by visitors, customers or salesmen
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Other light industrial uses	1 space per 1,000 Sq. Ft. plus 1 space per each 350 Sq. Ft. of office, sales or similar space
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Intermediate Industrial Uses (M-2)

Assembly, manufacturing, processing, packaging and treatment plants 1 space per 1,250 Sq. Ft. plus 1 space per each 350 Sq. Ft. of office, sales or similar space

Heavy industrial uses (M-3)

Canneries; paper, petroleum, rubber or wood product manufacturing; steel mills 1 space per 1,500 Sq. Ft. plus 1 space per each 350 Sq. Ft. of office, sales or similar space

Asphalt or concrete batching plants, bulk petroleum product storage uses and landfills 2 spaces for each 3 employees plus 1 space per each 350 Sq. Ft. of office, sales or similar space

**EDUCATIONAL & RELATED USES** (Amended 11/01/07 ZC07-09-054 OCS#07-1706)

ZONING DISTRICT CLASSIFICATION OR USE MINIMUM OFF-STREET PARKING SPACE REQUIREMENT

Learning Center (with a maximum of 15 students) 1 space per 3 students plus one for each employee on duty

Day Care Centers Minimum of 5 spaces plus 2 for every 3 employees, or as determined by Department of Development

High Schools 1 space per each employee plus 1 space for every 10 students

Elementary Schools 1 space per each classroom and each other room used by students plus 1 for each 10 full time students

Colleges, Junior Colleges, Technical Schools, Universities, etc. As determined by the Department of Development

Fraternities, Sororities, Dormitories and Related Buildings 0.5 per bed.

School Auditoriums\* 1 space per each 4 seats.

School Gymnasiums, Stadiums, Field Houses, Grandstands and related structures or facilities.\* 1 space per each 4 seats.

\* Credit for spaces available on the campus may be granted for up to 100% of the space requirement for these uses.

## **RECREATIONAL USES**

<b>ZONING DISTRICT CLASSIFICATION OR USE</b>	<b>MINIMUM OFF-STREET PARKING SPACE REQUIREMENT</b>
Parks, athletic fields, tennis and pool facilities, golf courses, etc.	As determined by Department of Development.
Recreational and community center buildings, recreation clubs, related uses	Spaces equal to 30% of total permitted occupancy or as determined by Department of Development.
Enclosed recreational buildings, specialized facilities and related uses	As determined by Department of Development.
Open recreational facilities including camps, youth facilities, training facilities, etc.	As determined by Department of Development.
Gymnasiums, stadiums, field houses, grandstands and related facilities.	Spaces equal to 30% of total permitted occupancy or as determined by Department of Development
Commercial recreation	As determined by Department of Development

## **MISCELLANEOUS USES**

<b>ZONING DISTRICT CLASSIFICATION OR USE</b>	<b>MINIMUM OFF-STREET PARKING SPACE REQUIREMENT</b>
Planned Unit Development	As required for each individual use or as may be determined by Department of Development based on the review of project plans and the determination of parking requirements
Public Utility or Public Service Uses	As determined by Department of Development
Religious Institutions, Churches, Temples, Chapels, etc.	1 space per each 4 seats, based on total capacity.
Convents, seminaries, rectories, parish houses, other religious uses	As determined by Department of Development
Clubs, lodges and fraternal organizations	1 space per each 4 occupants based on maximum occupancy of the use plus 2 for each 3 employees.

Public libraries, museums and other non-recreational public facilities	1 space per each 600 Sq. Ft. of floor area open to the public
Convention centers	1 space per each 4 occupants based upon maximum occupancy of use plus 2 spaces for every 3 employees
Marinas	As determined by Department of Development
Farmer's markets and vegetable stands	1 space per each 350 Sq. Ft. of area with a minimum of 6 spaces for customer vehicles.
Home Occupations	As determined by Department of Development

**SECTION 4.04      MINIMUM OFF-STREET LOADING REQUIREMENTS**

- A. Every hospital, institution, hotel, commercial or industrial building or use having a gross floor area in excess of seventy-five hundred (7,500) square feet of space and requiring delivery trucks shall have at least one permanently maintained off-street loading space for each seventy-five (7,500) square feet of gross floor area or fraction thereof and so located as not to hinder the free movement of pedestrians and vehicles over sidewalks, streets, and alleys.
- B. Retail operations, wholesale operations and industrial operations with a gross floor area of less than seventy-five hundred (7,500) square feet shall provide sufficient off-street loading space (not necessarily full berth if shared by an adjacent establishment) so as not to hinder the free movement of pedestrians and vehicles over a sidewalk, street, or alley.
- C. Each required off-street loading and/or unloading space shall be designed with direct access via an approved access drive, to a deeded right-of-way which offers satisfactory ingress and egress for trucks. Access drives or aisles shall be laid out with a width of at least twelve (12) feet for one-way circulation and at least twenty four (24) feet for two-way circulation.

Off-street loading and/or unloading space shall be so designed and constructed so that all maneuvering for loading and/or unloading can take place entirely within the property lines of the premises. Such off-street loading and/or unloading space shall be so located as not to hinder the free movement of pedestrians and vehicles over sidewalk, street, road, highway or deeded rights-of-way.

- D. The off-street loading and/or unloading requirements, as listed in this ordinance, shall apply at any time any building is enlarged or increased in capacity by adding floor area.
- E. Design and Maintenance
  - 1. Lighting - Any lighting used to illuminate off-street loading and/or unloading areas shall be directed away from property in any residential district as well as public roads in such a way as not to create a nuisance.
  - 2. Spaces Allocated to Any Off-Street Loading and/or Unloading Spaces - These spaces shall not be used to satisfy the space requirements for any off-street parking facilities or portion thereof.

**SECTION 4.05      REDUCTION OF REQUIRED SPACES**

- A. Joint use up to fifty (50) percent of required parking spaces may be permitted for two or more uses provided that:
  - 1. The applicant for development approval can demonstrate that the uses will not substantially overlap in hours of operation; or;
  - 2. The proposed development is a bank, office, retail sales establishment, or manufacturing company and the applicant intends to share parking facilities with a church, theater or restaurant.
- B. Joint use of up to one hundred (100) percent of the required parking spaces may be permitted for churches or schools if the parking will be provided off-site, the total amount of required parking, provided in conjunction with a bank, office, retail sales establishment or manufacturing company.
- C. If an applicant for development approval can demonstrate that employee parking facilities will be provided off-site, the total amount of required parking, provided on site or within five hundred (500) feet of the site, may be reduced up to fifteen (15) percent.
- D. Compact car stalls will be allowed only for hotels and office parking. The maximum number of compact car stalls allowed is as follows:

Number of Parking Spaces Provided for the Use	Percentage Compact Spaces Allowed
0-99	0%
100-199	10%
200-299	15%
300-399	20%
400-499	25%

**SECTION 4.06 SALE OF MOTORIZED VEHICLES, WATERCRAFT AND TRAILERS ON PRIVATE PROPERTY AND PUBLIC RIGHTS OF WAY.** (Amended 03/15/2001 ZC00-11-078 OCS# 01-0281)

- A. No person shall park any motor vehicle, watercraft or trailer upon any private property owned by another, at any given time, for the purpose of displaying such motor vehicle, watercraft or trailer for sale, hire or rental without the express written permission of the property owner prominently displayed on the motor vehicle, watercraft or trailer.
- B. No property owner shall give permission to any other person for display of a

motor vehicle, watercraft or trailer for sale, hire or rental more frequently than three (3) occasions per calendar year.

- C. The parking of any motor vehicle, watercraft or trailer upon any state or parish rights of way for purposes of advertising same for sale, hire or rental is expressly prohibited.
- D. Nothing in this section shall prohibit the display of vehicles upon the property of any duly zoned and permitted new or used car, trailer or watercraft dealership.
- E. Nothing in this section shall prohibit the owner of any motor vehicle, watercraft or trailer from displaying said vehicle for sale, hire or rental on his or her own private property.
- F. Penalties - Violations of this section by the owner of any private property or the owner of any motor vehicle, watercraft or trailer shall subject either or both parties to the penalties described in Section 1-011.00 of the Parish Code of Ordinances.

## SECTION 5. SUPPLEMENTARY DISTRICT REGULATIONS

### SECTION 5.01 SIGHT DISTANCE LINES AT INTERSECTIONS

The following statements are definitions of the sight distance area.

- A. Sight triangle at intersections of two public streets - On any corner lot, a triangle formed by measuring from the point of intersection of the front and exterior side lot lines a distance of 25 feet along said front and side lot lines and connecting the points so established to form a sight triangle on the area of the lot adjacent to the street intersections. (See Figure 5.01-1)

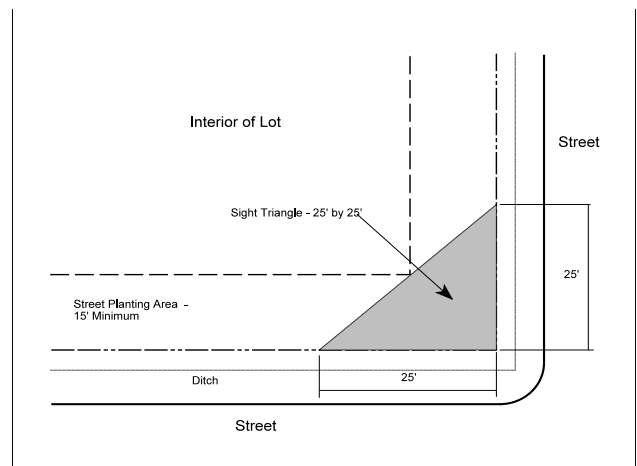


Figure 5.01-1 - Sight Triangle for the Intersection of Two Streets

- B. Sight triangle at the intersection of a public street and a private accessway - Except for single-family residential accessways, the sight triangle shall have sides of fifteen (15) feet along the accessway and twenty-five (25) feet along the public street. (See Figure 5.01-2)

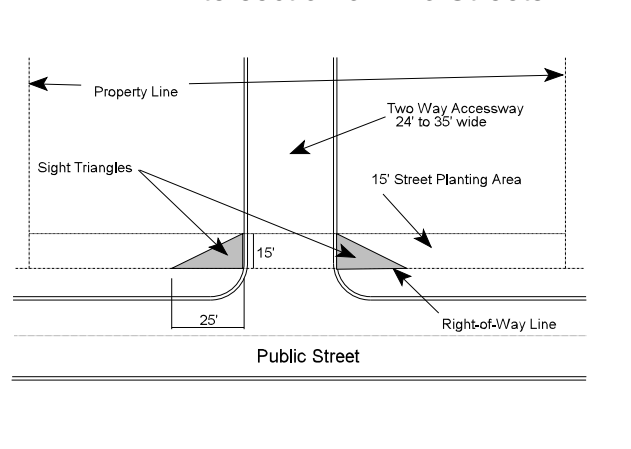


Figure 5.01-2 - Sight Triangle for the Intersection of a Street and an Accessway (Private Drive)

- C. Sight Obstructions - No parking, wall, fence, sign, structure or any plant growth other than grasses shall be placed or maintained within the sight distance area so as not to impede vision between a height of two and one half (2 ½) feet and ten (10) feet above the center line grades of the intersecting streets and/or drives.
- D. Landscape Materials - No plant materials except grass or ground cover shall not be located closer than three (3) feet from the edge of any accessway pavement.

### SECTION 5.02 FENCES, WALLS AND HEDGES

Notwithstanding other provisions of this ordinance, fences, walls or hedges may be

located along property lines and within required yards, providing no fence, wall or hedge may be located around or in a required front and side yard within 20' of an intersection.

Unless otherwise specifically provided for, fences must be constructed and maintained in accordance to the following regulations.

1. Barbed wire shall be prohibited in residential districts of less than five acres. In all cases barbed wire shall not project beyond the property line.
2. Fencing may consist of site obscuring materials such as masonry, wood, glass, metal, fabric and plastic. However, none of these materials shall be utilized in a fashion as to cause bodily harm and injury to the general public.

**SECTION 5.03      SIGN REGULATIONS** (Amended 2/13/03 ZC02-06-040 OCS#03-0607)

5.0301      Statement of Need and Purpose.

The purpose of this section is to facilitate the location and choice of signs to ensure better communication between people and their environment and to avoid visual clutter that is potentially harmful to traffic and pedestrian safety, property values, business opportunities, and community appearance. With these purposes in mind, it is the intent of this section to authorize the use of signs which are compatible to the unique environment of St. Tammany Parish, appropriate to the activity that displays them, creative and expressive of the identity of both individual activities and the community as a whole, and legible in the environment in which they are seen.

5.0302      Applicability, Permits, Variances, Waivers, Appeals and Identification

A. Applicability (Amended 7/3/08 ZC08-05-022 OCS#08-1858)

1. **General Applicability, Billboards Excluded.** Section 5.03 is applicable to all signs except billboards and off-premise outdoor advertising signs which are regulated by Section 3.03.U. No billboard or off-premise outdoor advertising sign shall be allowed except to the extent to which they are allowed and regulated by Section 3.03.U.

Additional special design criteria found in Section 2.21 Planned Corridor District shall be applicable to the following areas:

- a. Lots with frontage along LA Highway 21 between the Tchefuncte River and LA Highway 1077.
2. **Applicability According to Land Uses.** The Sign Regulations in this Section 5.03 are categorized so that certain of these regulations are applicable to certain land uses and other of these regulations are made applicable to other land uses. The following is a table of the land uses and the regulations, by section number,

applicable to these land uses:

Uses	Regulation Section Numbers
Commercial, Industrial and Institutional	5.0302
Uses and All Uses except Residential Uses	5.0303
	5.0304
	5.0305
	5.0306
	5.0307
	5.0308
	5.0309
	5.0310
Single Family and Two-Family Residential	5.0311
Multi-Family Residential and Condominiums	5.0312
Residential Subdivision and Center Median Entrance Signs	5.0313

3. Prohibited Signs. Prohibited signs as set forth in Section 5.0314 are applicable to all uses.
  4. Regulation of Legally Non-conforming Signs. The regulation of legally non-conforming signs as set forth in Section 5.0315 are applicable to all uses.
  5. Definitions. Definitions are set forth in Section 5.0316.
- B. Requirement of Sign Permit. A permit is required from the Department of Planning for every new sign and every modification, alteration or repair of a sign except (i) miscellaneous signs for non-residential uses as provided for in Section 5.0308, (ii) temporary signs without permits as provided for in Section 5.0309, (iii) signs for

single family and two family residential uses as provided for in Section 5.0311, and (iv) the signs allowed for multiple family and condominium uses as provided in Section 5.0312A.

- C. Variances by Board of Zoning Adjustments. If the application for a new sign or for a modification or alteration of an existing sign shows that all requirements of this Section 5.03 are complied with, the Director of Planning shall issue a permit without the necessity of any public hearing before the Zoning Commission or any other public body. If the application for the permit is denied, the applicant may, subject to the provisions of Section 5.0302 D, seek a variance from the Board of Zoning Adjustments pursuant to the provisions of Section 7.04. Appeals from the Board of Adjustments shall be made to the District Court for the Parish of St. Tammany as provided in Section 7.0404.
- D. Conditional Use Review. If a Conditional Use is required, the Zoning Commission has the authority to amend the conditions and requirements of this Section in accordance with Section 3.0201.B.1 of these regulations.
- E. Criteria for Variances and Waivers. Pursuant to Section 5.0302 C, the Board of Zoning Adjustments may grant variances from the sign regulations in this Section 5.03 and pursuant to Section 5.0302 D, the Zoning Commission and Parish Council (on appeal to the Parish Council) may grant waivers from the regulations in this Section 5.03. Such variances and waivers may be granted to diminish sign regulation requirements when one or more of the following exists: unusual elevations or shape of the lot, unusual landscaping and/or tree preservation problems, unusual architectural design of the building or structures, unusual effect of the requirements of the signs to be placed on the lot or building, problems with servitudes, and any other problem or matter which affects signage that the Board of Zoning Adjustments or the Zoning Commission determines to be in the public interest to consider; provided that variances and waivers shall not be based solely on cost or economic consideration. Furthermore, the Board of Zoning Adjustments may grant variances from the provisions of this Section 5.03 due to any hardships or other matters that are a proper basis for a variance.
- F. Permit Procedure. Application for sign permits shall be submitted on forms prepared by the Department of Planning. These forms shall require plans, scaled drawings, specifications, dimensions and height, parcel identification, sign location and such other data with respect to the sign as the Department of Planning shall deem appropriate for the administration and enforcement of this Section 5.03.

5.0303 Standards Applicable to Non-Residential Uses.

The following standards are applicable to all signs erected or displayed for commercial, industrial and institutional uses and for all other uses except residential uses:

- A. Internal Illumination - Internal illumination is allowed creating a negative contrast, i.e. light lettering against a dark, opaque background.

- B. External Illumination - Externally illuminated signs may be illuminated in white light only, not to exceed 3,000 lumens per side per sign or otherwise unreasonably intrude on a residence and such illumination shall not constitute a traffic hazard.
- C. Colors - Only spectrum colors are allowed. No iridescent colors or reflective lettering are allowed.
- D. Plywood and Particle Board - Signs (other than temporary signs) may not be constructed of rough or unfinished plywood or particle board.
- E. Neon - Neon will only be allowed if it is considered as an integral part of the sign being regulated. Anything within the boundary of the outline of the neon will be considered a part of the sign face.
- F. Changeable Message Sign Limitation - Movie theater signs are allowed changeable message signs without limitation. All other changeable message signs shall be incorporated into a sign face, but the changeable component must occupy less than one-half the total area of the sign face. (Amended 12/06/07 ZC07-11-068 OCS#08-1724)
  - 1. If changeable copy is used, it shall be located adjacent to or integrated into the sign face.
  - 2. Internal illumination, if any, shall be negative contrast.

5.0304 Monument Signs Applicable to Designated Uses

- A. Definition of Ground Signs. Ground signs are specifically defined in Section 5.0316, but they consist of monument signs and pole signs. Monument signs are allowed as provided for in Section 5.03, but pole signs are prohibited.
- B. Number of Monument Signs. One monument sign shall be allowed for each 1,000 feet of street frontage or fraction thereof in excess of the 1,000 foot increments. A property with more than one street frontage shall be allowed one monument sign for each 1,000 feet of street frontage or fraction thereof in excess of the 1,000 foot increments.
- C. Location of Monument Signs. A monument sign, or monument signs if more than one is allowed, may be located at any place from the street property line, including the street planting area, back to the building facade as long as it is set back from the street property line at least five (5) feet. If there is no building facade behind the sign, then the sign may be located up to 50 feet back from the property line. Monument signs shall not be located within a sight clearance triangle as defined below:
  - 1. A sight clearance triangle shall be the triangle at the corner of two intersecting street rights of way, two sides of which shall be located along the street lines and shall run a distance of 15 feet from the intersecting corner of the street

rights of way, and the third side of the triangle shall be a straight line linking the ends of the street lines of the triangle.

2. A sight clearance triangle, as described immediately above, between the street rights of way and a railroad right of way, a street right of way and a pedestrian or bicycle right of way, and a driveway and a street right of way.

D. Monument Signs for Designated Uses

1. Where Allowed - Monument signs are allowed to be erected and displayed for commercial, industrial and institutional uses and for multi-family and residential condominiums as provided for and subject to the limitations of Section 5.0312B, and for all other uses except other residential uses.
2. Area - The total sign area for each allowed monument sign constructed shall not exceed the following limits:

Building Type	Square Footage Per Side
Single Occupancy	32 sq. ft.
Multiple Occupancy	70 sq. ft.

3. Height of Monument Signs - The height of monument signs shall not be greater than nine (9) feet.

E. The following standards shall be applied to publicly owned events center property within one (1) mile of an Interstate interchange. (Amended 2/03/05 ZC04-10-091 OCS#05-1057)

- (1) Publically owned events centers, when created under the authority of the State of Louisiana in accordance with title 33, Chapter 11 of the Louisiana Revised Statutes are permitted a single sign as follows:
  - a. If the publically owned events center property is located within one mile of an Interstate interchange, the sign may be located off-site on property within 5000 feet of said interchange when the property on which the sign is located is owned/leased by the events center district.
  - b. Maximum height allowed shall not exceed 90 feet from grade.
  - c. Maximum signage area allowed shall not exceed 1000 square feet, with no single sign exceeding 425 square feet in area. This area shall not include the video display, when permitted.
  - d. Video display shall be allowed, but shall not exceed 300 square feet in area. This area shall not be calculated as signage area limited by Section 5.0304.E(1)e.

- e. Interior illumination shall comply with the standards established in Section 5.0303.A

5.0305 Wall Signs for Non-Residential Uses.

In addition to the monument signs allowed under Section 5.0304, the following wall signs shall be allowed for each occupant of a single or multi- occupancy premises, for commercial, industrial and institutional uses and all other uses except residential, as follows:

- A. Signs, Location - Each occupant shall be permitted a sign, or signs on the facade of that store front not to exceed a total combined area of one square foot of sign area per linear foot of the facade of the store front. For store fronts of less than thirty-two (32) linear feet the allowable size sign shall be thirty-two (32) square feet. All wall signs shall maintain a minimum distance of one foot from the lease line of the occupant's portion of the facade and the linear footage shall be measured along the wall of the facade on which the sign will be located. Each store may have multiple fronts based upon the definition of "store front" in the definition sections of this section. (Amended 10/16/2003 OCS# 03-0771)
- B. Corner Buildings - On store frontages located at the corner of a building, which face two different street frontages, or if a business occupies an entire separate structure within a center, additional wall signs, the area of which shall be calculated as per Section 5.0305 A above, shall be allowed, provided that a minimum distance of thirty (30) feet, measured along the store front, is maintained between the extremities of any two signs and each sign is mounted on a separate wall facing in a separate direction. However, under no circumstances shall a wall sign be allowed on a wall which is finished in a manner inferior to the quality of the facade where the main entrance is located or on a wall where the placement of the sign will call attention to building equipment or the unfinished side of a false building facade.

5.0306 Awning, Marquee or Canopy Signs Applicable to Non-Residential Uses.

In lieu of a wall sign as provided for in Section 5.0305, an occupant, for a commercial, industrial and institutional use and for any other use other than residential, is allowed either an awning, marquee or canopy sign, and all of the provisions of Section 5.0305 relating to size, distance from lease line, signs on or extending from inferior quality walls, or signs calling attention to building equipment or the unfinished side of a false building facade must be adhered to. If the occupant uses an awning, marquee or canopy sign, a wall sign is not allowed.

5.0307 Other Occupant Signs for Non-Residential Uses.

In addition to the monument signs and wall signs and awning, marquee or canopy signs allowed in Sections 5.0304, 5.0305 and 5.0306, the following signs are allowed to occupants with commercial, industrial or institutional uses or any other use other than residential:

- A. Rear Doors - One rear identification wall sign must be displayed on or at a rear door

of each separate business entity for purposes of emergency access and deliveries only. Such sign shall be limited in size to the minimum size required by the state fire marshal. Any door not utilized as a primary entrance-way for patrons during normal business hours or not opening directly onto the patron area of any premise shall be considered a rear door. No door located on any store frontage on which there exists a door utilized as a primary entrance-way for patrons during normal business hours or which opens directly onto the patron area of any premise shall be considered a rear door.

- B. Identification and Address Signs - An occupant shall be allowed one non-illuminated identification and address sign not to exceed eight (8) square feet in area identifying the occupant, and such additional sign shall be located on or within ten (10) feet of the primary public entrance of the occupant.

#### 5.0308 Miscellaneous Signs for Non-Residential Uses.

Subject to all provisions and requirements of this Section 5.03, the following signs may be erected and displayed, for commercial, industrial and institutional uses and any other use other than residential, without the necessity of a sign permit:

- A. Public Directional Signs - Public Directional signs are allowed.
- B. Official Notices - Official notices duly issued by any court, public agency or officer are allowed.
- C. Flags and Insignia of Any Government - Flags and insignia of any government, except when displayed in connection with a commercial promotion, are allowed.
- D. Integral Decorative or Architectural Features of Buildings - Integral decorative or architectural features of buildings, other than neon lights, letters, trademarks, logos, or any feature containing moving parts or moving or flashing lights, are allowed.
- E. Indoor Signs - Indoor neon signs, not greater than 6 square feet in area are allowed at or near windows, provided that, they do not, in the aggregate, exceed 40 square feet of the windows in any one side of a building and provided that they do not, in the aggregate, cover more than 25% of the area of any windows in which such signs are displayed. Other indoor signs, not visible from any street right-of-way, are also allowed.
- F. Private Directional Signs - Private directional signs, not exceeding four (4) square feet in sign area per sign, are allowed.
- G. Fuel Service Station Pump Signs, Oil Rack Signs, and Pricing Signs - Fuel service station pump signs, oil rack signs, and pricing signs are allowed pursuant to the following:
  - 1. Fuel Service Station Pump Signs - Fuel service station pump signs may be

displayed on fuel pumps to provide required information to the public regarding the available fuel such as "gallons," "price," "octane rating" and "type of fuel." If a trade name of the business or supplier is incorporated into the name or designation of the different types of fuels available, said trade name and any associated symbols therewith may be displayed on the pumps provided that such signs are flat signs that do not exceed three (3) square feet per sign face and an aggregate area of six (6) square feet of sign face per pump.

2. Oil Rack Signs - If a fuel service establishment markets engine oil on the pump island, any identification signs on the merchandise itself visible to the public shall be allowed. Additional signs on the oil rack may be allowed provided that each such sign shall not exceed three (3) square feet per sign face with an aggregate area of six (6) square feet of sign face per rack.
3. Tire Rack Signs - If a fuel service station, tire store, auto repair shop or any other business which markets tire displays the tires on racks visible to the public, additional signage on the tire rack identifying the tires displayed on that rack may be allowed, provided that such additional signage shall not exceed three (3) square feet per sign face with an aggregate area of six (6) square feet of sign face per rack.
4. Pricing Signs - A sign advertising the price of motor fuel, other than pump signs, shall be allowed provided that such sign shall be included and made part of the allowable sign area as set forth in Section 5.0304.

H. Menu Boards - Menu boards for drive-thru [drive-through] facilities providing food for off-premise consumption, which do not exceed forty-eight (48) square feet in sign area and which are located so as not to be visible from the street right-of-way from which primary access to the premise is obtained, are allowed. Menu boards and similar data for drive-in parking spaces for drive-in restaurants shall not exceed nine (9) square feet.

I. Vehicle and Trailer Signs

1. Vehicle and trailer signs may be displayed on any vehicle or trailer operated in the daily conduct of any business enterprise so long as such signs:
  - (a) Are not parked in front of or in line with any greenbelt or planting areas when on the premise of the business entity operating or advertising on such vehicle or trailer;
  - (b) Are on a vehicle or trailer which is operable and not parked primarily for the purpose of signage.
2. Vehicle and trailer signs shall not be used as off-premise signs and shall not be displayed or parked on sites other than the premise of the business entity

operating such vehicle other than when the vehicle is being used in connection with the business operations of the entity operating said vehicle or trailer. Such vehicles and trailers may also be parked at the residence of its operator, so long as such vehicle is operated by a resident of the residential property as conveyance to work on a daily or near daily basis. Billboards may not be erected or displayed on any vehicle or trailer.

- J. Licensed Roadside Vendor Sign - One Roadside Vendor Sign for licensed road vendors will be allowed on signs facing each side not to exceed 16 square feet per side.
- K. Handicapped Parking and Access Signs - Handicapped parking and access signs are allowed and are regulated in accordance with state or federal law.

5.0309 Temporary Signs Without Permits.

The following temporary signs are allowed, without the necessity of a permit, for commercial, industrial and institutional uses and for uses allowed in the RC Recreational/Conservation District:

- A. Business Award Signs -Chamber of Commerce, Business of the Month, banners for the month of the award are allowed.
- B. Temporary Window Signs - Temporary window signs displayed on the inside of windows and intended for the purpose of disseminating information about special sales or promotional campaigns are allowed pursuant to the following:
  - 1. Materials - Shall be constructed of such materials as to indicate the temporary nature of the sign;
  - 2. Area Covered - Shall not, in the aggregate, cover more than twenty-five (25%) percent of the area of any windows in which such signs are displayed;
- C. Temporary Real Estate Signs - Temporary real estate signs are allowed pursuant to the following:
  - 1. Number and Size - Signs shall be limited to the owner of or to one real estate sign per listing broker on any premises offered for sale, rent or lease. Such sign shall be non-illuminated. A double-faced real estate sign is allowed, provided that such sign shall not exceed sixteen (16) square feet in area per sign face and an aggregate sign face area of thirty-two (32) square feet for single family residences and multiple family residences, or thirty-two (32) square feet in area per sign face and an aggregate sign face area of sixty-four (64) square feet in area for commercial and institutional properties. If freestanding, any such sign, whether single or double-faced, shall not exceed seven (7) feet in height. Property with two (2) or more premises Street frontages shall be allowed to display one additional sign conforming with all of the requirements of this subsection on a second frontage.

2. Condominiums - For purposes of the regulation under this code of real estate signs only, each separately designated unit of a condominium development created by virtue of written instruments duly recorded in the office of the St. Tammany Parish Clerk of Court shall be considered a separate premise and real estate signs relating to any such unit shall be regulated depending upon the use of the unit in question, in accordance with the applicable provisions of this Sign Code.
  3. Construction, Placement - Temporary real estate signs may be attached to stakes or rods which are placed in the ground, they may be constructed of plywood or they may be constructed and placed in any other way that meets the requirements of this Section 5.03.
- D. Public Service Signs (Churches) - Public Service Signs, including banners, are allowed without permits in connect with the promotion or identification of special events or programs offered by the church or related organizations when the sign or banner is located on church property and not within the 15 foot site triangle of any ingress or egress to a public street. (Amended 12/11/2003 OCS# 03-0797)

5.0310 Temporary Signs Requiring Permits for Non Residential Uses.

The following temporary signs are allowed, provided that a permit is obtained, for commercial, industrial and institutional uses and any other use other than residential:

- A. Public Service Signs - Public service signs including Street banner signs are allowed only in connection with the promotion or identification of special events of a civic, philanthropic, charitable or religious purpose.
1. General Application - Any person, firm, corporation or organization in charge of any festival, spectacle, play, show, or other event of such a general civic and public nature and who is in charge of placing, erecting, constructing and maintaining any public service banner, flag, emblem, bunting or freestanding public service sign upon or over any public Street, or other public place in the Parish shall first secure a temporary permit subject to the approval of the Planning Department and the conditions provided herein prior to the placement of the sign.
  2. Application for Permit - Applications for such a permit shall state the name of the person, firm, corporation or organization sponsoring the event; the location where such device or devices are to be installed and the contemplated dates during which such devices shall remain upon or over any Street or other public place in the Parish. Such application shall have attached to it a chart or drawing showing that the device would not interfere with traffic or the safety of persons using such public places.
  3. Duration - Such signs or banners may be displayed for a period not to exceed fourteen (14) consecutive calendar days upon issuance of a temporary permit by the Planning Department. The sign area of such signs or banners shall not

exceed 32 square feet.

B. Flags, Streamers, Banners and Pennants - Flags, streamers, banners, pinwheels, spinners or pennants may be displayed in connection with grand openings or special events no more than twice a year for any one business entity or applicant. Such signs may be displayed for a period not to exceed fourteen (14) consecutive calendar days upon the issuance of a temporary permit by the Planning Department. Applications for such a temporary permit must state the name of the person, firm, corporation or organization sponsoring the event, the locations where such device(s) are to be installed and the contemplated dates during which such devices shall remain on display. Banners shall not exceed 32 square feet and shall be limited to one banner per premise.

C. Political, Public Issue and Religious Signs

1. Applicability, Political Signs - Political signs are allowed on billboards and on off premise outdoor advertising signs as provided for in Section 3.03.U and the provisions of Section 5.0310 C do not apply to billboards and off premise outdoor advertising signs.
2. General Provisions, Political Signs - Any person desiring to distribute or display political signs in connection with an organized campaign in support of or opposition to any candidacy, political slate or ticket, or ballot proposal shall first make application to the Department of Planning for the issuance of a temporary sign permit. Such application shall include the name, address and telephone number of the applicant. The applicant for the permit shall provide the Department of Planning with specimen copies of all signs to be distributed or displayed under the permit.
3. Fee, Political Signs - The applicant shall include, with his application for a political sign, a fee in accordance with the following:

National Offices - \$500.00

United States House of Representatives, United States Senate, and President

Major Office - \$500.00

- (a) Offices elected statewide
- (b) Public Service Commissioner, Supreme Court Justice and BESE
- (c) Any office with an election district containing a population in excess of 250,000

District Office - \$250.00

- (a) Office of a member of the Louisiana Legislature
- (b) Offices elected parish wide
- (c) Offices elected in more than one parish (unless the population exceeds 250,000)

(d) Offices elected in a district with a population in excess of 35,000 but less than 250,000

Any Other Office - \$100.00

“Any Other Office” means offices not considered a major district, i.e., offices elected in a district having a population of 35,000 or less and not elected parish wide.

4. Distribution, Erection and Display of Political Signs - Said permit for a political sign shall authorize the distribution, erection and display of an unlimited number of signs of the type or types submitted as specimens by the applicant and shall allow for the placement of one sign to be erected per premise/Street frontage.
5. Time Period of Permit for Political Signs - Any such permit for a political sign shall be issued for a period of time not to exceed ninety (90) consecutive calendar days; provided, however, that in the event that signs are distributed, erected or displayed under any such permit in connection with any candidacy or ballot proposal which involves more than one election, the permit shall be automatically extended to the tenth day following the date of the general election to which the sign pertains.
6. Political Signs Prohibited on Public Rights of Way - No political sign shall be erected or displayed in any public right-of-way.
7. Size, Political Signs - No political sign shall exceed thirty-two (32) square feet in sign face area. No political sign can be stacked one on top of the other in billboard fashion.
8. Type, Political Signs - Political signs may be attached to rods or stakes placed in the ground or they may be made out of plywood or they may be made in any other way that meets the requirements of this Section 5.03.
9. Removal of Political Signs - The applicant shall remove all political signs erected or displayed under any permit issued to him under the provisions of this section no later than ten (10) calendar days following the last election to which the sign pertains. Upon the failure to timely remove such signs the Parish may thereafter remove and dispose of any remaining signs.
10. Religious and Public Issue Signs - One religious or public issue sign, not to exceed 4 square feet in sign area, shall be permitted, on any premises, without the necessity of a permit; provided that, (i) they shall not be placed in a public right of way, (ii) they shall not be in place for more than three months, (iii) they meet the requirements of Section 5.0310 C 8, and (iv) nothing in this Section 5.0310 C 10 shall affect the rights of religious institutions to erect signs in connection with their buildings or structures as permitted in other provisions of this Section 5.03.

D. Construction Signs Non-illuminated construction signs may be allowed on the premises being developed or improved subject to the following conditions and requirements:

1. Building Permit Required - A building permit for the project must have been obtained prior to the issuance of the sign permit.
2. Residential District - In residentially zoned districts such signs shall not exceed four (4) square feet in area and shall be limited to the denoting of the architect, engineer, contractor, subcontractor, owner and/or financing agency providing labor, materials, services or financial capital for the proposed construction. Such sign may be displayed only during construction and for a period of not more than ten (10) days after completion of actual construction identified by the first issuance of a certificate.
3. Non-Residential or Combined Use Districts - In any non-residential or combined use district, one such sign shall be allowed not to exceed thirty-two (32) square feet in area and all other signs shall not exceed four (4) square feet in area. All such signs shall be limited to the name of the project and the denoting of the architect, engineer, contractor, subcontractor, owner and/or financing agency providing labor, materials, services or financial capital for the proposed construction. Such signs may be displayed only during actual construction and for a period of not more than ten (10) days after completion of the construction as identified by the first issuance of a certificate of occupancy for the project or development in question or upon expiration of the building permit for the project or development, whichever is first to occur.
4. Set Back Requirements - The location of such signs shall be on the property to which the sign is applicable. Without limiting the other provisions of this Section, such signs shall not be placed on trees or in street rights of way.

E. Proposed Project Signs One non-illuminated temporary sign announcing a proposed land development may be erected on the premise proposed for the project provided that such sign does not exceed fifty (50) square feet in area, is set back at least ten (10) feet from any property line, and is removed within one year from the date the sign permit for its erection was issued or upon the issuance of the sign permit for a construction sign or the lapse of sixty (60) days from the issuance of a building permit for the project whichever is first to occur. The Parish may remove the sign, at their discretion, if it is not removed after the permit expires, and the sign permit application shall give the Parish the right to remove the sign.

F. Temporary Signs Preceding Permanent Sign Approval

1. Size, Duration - One temporary attached identification sign not exceeding thirty-two (32) square feet may be allowed for a period of not more than thirty (30)

days for an occupant who has no other on-premise signs to identify the occupant's business subsequent to the filing of a complete application for sign approval and approval of the Planning Department.

2. Extension of Time - An additional sixty (60) days extension may be requested in writing from the Department of Planning by the sign applicant.

G. Seasonal Banners - Temporary seasonal banners such as, but not limited to, those attached to light standards within a parking area may be allowed on multi-occupant premises upon review of and approval by the Planning Department. Prior to issuance of a temporary permit for the display of such banners, the following requirements shall be met:

1. No seasonal banner shall exceed eight (8) square feet in area.

2. The total number, location and method of attachment display shall be approved by the Planning Department.

3. No advertising message shall be conveyed on the banners, however, non-advertising seasonal greetings are allowed.

4. The identifying name of the multi-occupant premises may be included on the banner but such name shall not exceed fifty (50) percent of the banner area.

5.0311 Signs for Single Family and Two Family Residential Uses.

The following non-illuminated signs, using only spectrum colors, are allowed to be erected and displayed, without permit, for single family residential and two family residential:

A. Resident Identification Signs - Resident identification signs not exceeding three (3) square feet in sign area are allowed.

B. Home Occupation Signs - Home occupation signs, not exceeding two (2) square feet in sign area which are non-illuminated and which are mounted flat against and parallel to the plane of the wall of the building to which the sign is attached, are allowed in zoning districts where home occupations are allowed.

C. Official Notices - Official notices duly issued by any court, public agency or officer are allowed.

D. Flags and Insignia - Flags and insignia are allowed except when displayed in connection with a commercial promotion.

E. Public Directional - Public Directional signs are allowed.

F. Temporary Real Estate Signs - Temporary real estate signs are allowed pursuant to the following:

1. Number and Size - Signs shall be limited to the owner of or to one real estate sign per listing broker on any premises offered for sale, rent or lease. Such sign shall be non-illuminated. A double-faced real estate sign is allowed, provided that such sign shall not exceed eight (8) square feet in area per sign face and an aggregate sign face area of sixteen (16) square feet. If freestanding, any such sign, whether single or double-faced, shall not exceed six (6) feet in height. Property with two (2) or more premises Street frontages shall be allowed to display one additional sign conforming with all of the requirements of this subsection on a second frontage. Boxes for real estate pamphlets for single family residential are also allowed; provided that, they shall not exceed a size necessary for 8 ½" x 14" pamphlets.
2. Condominiums - For purposes of the regulation under this code of real estate signs only, each separately designated unit of a condominium development created by virtue of written instruments duly recorded in the office of the St. Tammany Parish Clerk of Court shall be considered a separate premise and real estate signs relating to any such unit shall be regulated depending upon the use of the unit in question, in accordance with the applicable provisions of this Sign Code.
3. Construction, Placement - Temporary real estate signs may be attached to stakes or rods which are placed in the ground, they may be constructed of plywood or they may be constructed and placed in other way that meets the requirements of this Section 5.03.

G. Temporary Yard or Garage Sale Signs - Temporary yard, real estate directional, open house or garage sale signs shall be limited to one non-illuminated sign displayed on the residential premises at which the sale is conducted; provided that, such erection and display shall be limited to three (3) days in any sixty-day period. Such sign shall not exceed six (6) square feet in sign area. Two (2) additional garage sale signs, a maximum of six (6) square feet may be placed off-premise on private property with permission of the property owner.

H. Vehicle and Trailer Signs - Vehicle and trailer signs are allowed for single family and two family uses to the extent they are allowed in Section 5.0308 I.

I. Alarm Signs - Signs for burglar alarms are allowed; provided that, they do not exceed an area of three (3) square feet.

J. Beware of Dog Signs - Beware of dog signs are allowed without a permit; provided that, they do not exceed an area of three (3) square feet.

K. Residential Entrance Archways - Signs constructed across the primary driveway(s) of a residential property greater than 10 acres in area, not to exceed 60 square feet in area.

5.0312 Signs for Multiple Family, Residential and Condominium Uses.

The following signs are allowed to be erected and displayed, for multiple family, residential and condominiums:

- A. Multiple Family and Condominiums - Multiple family and residential condominiums are allowed, without a permit, all of the signs which are allowed to single family and two family residential in Section 5.0311.
- B. Multiple Family Only - Additionally, multiple family residential projects, including residential condominiums, shall be entitled, after having obtained a permit, to monument signs which are allowed for single occupancy buildings as set forth in Section 5.0304; E2 and E3, and located as set forth in Section 5.0304C.

5.0313 Residential Subdivision and Center Median Entrance Signs.

Residential subdivision entrance signs not greater than forty-eight (48) square feet in sign area per side (two sided signs are allowed) may be located at the entrances to approved residential subdivisions or within the center median at the entrance to the approved subdivision. In addition to the other signs permitted for commercial, industrial and institutional uses, a monument sign shall be permitted in the center median at the entrance to a commercial, industrial or institutional subdivision, which monument sign shall comply with the provisions of Section 5.0304.

5.0314 Prohibited Signs Applicable to All Uses.

The following types of signs are prohibited:

- (1) Abandoned signs
- (2) Audible signs
- (3) Beacons
- (4) Bench signs
- (5) Billboards and off premises outdoor advertising signs except as allowed in Section 3.03.U.
- (6) Flashing signs
- (7) Inflatable signs except for use in conjunction with grand openings and special events limited to two (2) times per year for a maximum of two days each time.
- (8) Lasers
- (9) Moving Message or Changing Image sign except public service signs, or as permitted in Section 5.0304E. (Amended 2/03/05 ZC04-10-091 OCS#05-1057)
- (10) Parapet signs
- (11) Portable signs
- (12) Projected signs

- (13) Revolving or rotating signs
- (14) Roof signs
- (15) Search lights except as allowed in Section 5.05.
- (16) Signs attached to trees, shrubs or any living vegetative matter
- (17) Signs, other than public directional signs, public service signs, public information signs, subdivision signs or official notices which encroach into a public right-of-way
- (18) Signs resembling traffic control devices or emergency devices
- (19) Signs which restrict or impair visibility at the intersection of the right-of-way lines of two streets, or of a Street and a railroad right-of-way, or of a Street and a pedestrian or bicycle right-of-way, or of a driveway and street right of way.
- (20) Snipe signs other than temporary real estate signs as allowed in Section 5.0309 C3 and political signs as allowed in Section 5.0310 C8.
- (21) Murals that serve to advertise or promote a business, service, product, activity, cause or event.
- (22) String of lights except to the extent allowed in Section 5.0509 F.
- (23) Pole signs.
- (24) Signs attached to or made part of a fence.
- (25) Any sign not specifically defined and allowed by the provisions of this Section 5.03.

5.0315 Regulation of Legally Non-conforming Signs

- A. Definition. The term “legally non-conforming sign” shall mean (i) any sign located within the Parish which does not conform with the provisions of this Section 5.03 at the time this Section 5.03 becomes effective, or (ii) any sign not yet constructed, but which has been granted a permit, at the time this Section 5.03 becomes effective.
- B. Loss of Legally Non-conforming Status. A legally non-conforming sign shall immediately lose its legally non-conforming designation if:
  - 1. The sign is altered in any way, which tends to make the sign less in compliance with the requirements of this code than it was before the alteration; or
  - 2. The sign structure is relocated; or

3. The sign is abandoned for a period of 180 days or more; or
4. The sign is replaced with a sign face which differs in sign message (except for copy on a sign allowed as a changeable message sign); or
5. The building on the premises, on which the sign is situated, is no longer allowed under the provisions of Section 3.01.
6. If it is completely replaced, or if it is repaired or improved by any means to an extent of more than thirty percent (30%) of its replacement cost as determined by at least two independent bids from sign vendors at time of repair or improvement.

C. Compliance After Loss of Legally Non-conforming Status. On the happening of any one of the events in Section 5.0312 B, the sign shall be immediately brought into compliance with this Section 5.03 and a new permit secured thereof, or the sign shall be removed. In any event, the following signs, which are not in compliance with this section upon the date of adoption of this Section 5.03 must be brought into compliance or removed as follows:

1. Signs on any public right-of-way which are not in compliance shall be removed and brought into compliance within 30 days after adoption of this Section 5.03, except that entrance signs within a center median shall not be subject to this provision.
2. Moving signs or devices designed to attract attention, all or any part of which move by means of fluttering, spinning, etc., which are set in motion by movement of the atmosphere including such signs or devices as pennants, ribbons, streamers, spinners, propellers, or discs, must be removed within 90 days after adoption of this Section 5.03.
3. Strings of light, except as permitted in Section 5.0509 F, shall be removed within 90 days after adoption of this Section 5.03.
4. Portable signs shall be removed within 90 days after adoption of this Section 5.03.
5. Snipe signs or other signs attached, affixed, or otherwise located on poles trees, shrubs or any living vegetative matter shall be removed within 30 days after adoption of this Section 5.03.
6. Inflatable signs, except as permitted in Section 5.0314, shall be removed within 30 days after adoption of this Section 5.03.
7. Banners, except as permitted in Section 5.0310, shall be removed within 30 days after adoption of this Section 5.03.

- D. Substituting Panels in Non-conforming Multi-occupancy Signs. Any new tenant in a multi-occupancy building may substitute a panel in an existing nonconforming multi-occupancy sign without affecting the nonconforming status of the sign as long as the sign is not altered in any way which tends to make the sign less in compliance.
- E. Maintenance and Repair of Legally Non-conforming Signs. Nothing in this Section shall relieve the owners or users of legally non-conforming signs or the owners of the property on which legally non-conforming signs are located from any provisions of this section regarding safety, maintenance and repair of signs provided, however, that any repainting, cleaning or other normal maintenance or repair of the sign or sign structure does not materially alter or modify the sign.
- F. Enlargement and Alteration Causing Greater Non-compliance. No legally non-conforming sign may be enlarged or altered in a way which would increase its nonconformity with the provisions of this section.
- G. Damage to Legally Non-conforming Signs. Should any legally non-conforming sign be damaged by any means to an extent of more than thirty percent (30%) of its replacement cost as determined by at least two independent bids from sign vendors at time of damage, it shall be removed and not reconstructed except in conformity with the provisions of this Section 5.03.
- H. Closed Businesses. Any business that has closed shall remove any on or off-premise signs associated with the business within 60 days after the business is closed. The sign owner shall have the responsibility to remove such signs within the 60 day period.
- I. Non-conforming Signs Do Not Prohibit Other Conforming Signs. The existence of a non-conforming sign on a single or multiple occupancy premise shall not prevent the erection or placement of another sign on such premises which meets the requirements of this Section 5.03.

#### 5.0316 Definitions for Sign Regulations.

The following definitions relate to the sign regulations contained in Section 5.03.

These definitions are intended to also be set forth in Section 10 simultaneously with the adoption of Section 5.03 or at a later date.

**Abandoned On-Premise Sign:** An abandoned on-premise sign is an on-premise sign which no longer correctly directs or exhorts any person, advertises a bona fide business, lessor, owner, entity, product, or actively conducted, or product available on the premises where such sign is displayed.

**Abandoned Off-Premise Sign:** An abandoned off-premise sign is an off-premise sign which:

1. No longer correctly directs or exhorts any person;

2. Has fallen into disrepair or otherwise deteriorated as a result of a lack of maintenance, repair or upkeep; or
3. With regard to billboards, which carries no advertising message other than a message concerning its availability for lease or hire on its structure for any period of one hundred eighty (180) consecutive days.

**Activity:** An economic unit designated in the classification system given in the 1987 Standard Industrial Classification (SIC) Manual published by the U.S. Department of Commerce, Office of Federal Statistical Policy and Standards.

**Address Sign:** A sign which only conveys the numeric address of the premises on which it is located.

**Architectural Detail:** Any projection, relief, cornice, column, change of building material, window or door opening on any building.

**Attached Sign:** An attached sign is any sign which is physically connected to and derives structural support from a building or building appurtenance.

**Audible Sign:** An audible sign is any sign which is designed to or which does produce sound.

**Awning:** A cloth, plastic, or nonstructural covering that either is permanently attached to a building or can be raised or retracted to a position against the building when not in use.

**Banner:** A sign composed of a logo or design on a lightweight material either enclosed or not enclosed in a rigid frame and secured or mounted to allow movement caused by the atmosphere.

**Beacon:** A strong or bright light focused or directed in one or more directions.

**Bench Sign:** A bench sign is an advertising message on any portion of a bench or other non-mobile structure or device intended for public seating or convenience.

**Changeable Message Sign:** A changeable message sign is a sign on which the copy, message or sign panels may be, when specifically issued a permit as a changeable message sign, changed either electronically or manually in the field through the removal, replacement, or rearrangement of letters, symbols, blocks or panels designed for attachment to said sign.

**Construction Sign:** A construction sign is a temporary sign erected and maintained by an architect, contractor, developer, financial institution, subcontractor or materials supplier upon premises for which said person or persons is presently furnishing labor, materials, services or capital financing.

**Directory Sign:** A directory sign is an outdoor sign listing and identifying the occupants within shopping centers, industrial centers, retail centers, office centers, and other multi-use commercial or industrial sites.

**Flags, Banners, Seals:** Flags, banners and seals are mottos, emblems, designs, shapes or symbols on cloth, plastic, canvas or devices of similar type and materials intended to convey any message or to identify any person, place, idea or thing other than duly adopted flags or seals of nations, states, parishes or municipalities.

**Flashing Lights:** Any light or light source or reflection of light source which is intermittent in duration, color or intensity or which creates or is designed to create an illusion of intermittency in duration, color or intensity.

**Flashing Sign:** A light source which, in whole or in part, physically changes in light intensity or gives the appearance of such change at intervals of less than six seconds.

**Freestanding Sign:** A freestanding sign is a sign supported by a sign structure secured in the ground and which is wholly independent of any guy wire, support wire, building, fence, vehicle or object other than the sign structure, for support

**Ground Sign:** A ground sign is a monument sign or a pole sign supported by a sign structure secured in the ground and which is wholly independent of any guy wire, support wire, building, fence, vehicle or object other than the sign structure, for support.

**Home Occupation Sign:** A home occupation sign is any on-premise sign advertising a home occupation.

**Identification Sign:** An identification sign is a sign which is limited to the name, address, and/or number of a building or institution, person, or entity which is primary to the identification of the premise and to a general statement of the activity carried on in the building or institution.

**Illuminated Sign:** An illuminated sign is any sign which has characters, letters, figures, designs or outlines illuminated by an interior or exterior light source which is primarily designed to illuminate such sign.

**Individual Letter Sign:** An individual letter sign is any sign made of self-contained letters that are mounted directly on the face of a building, a parapet, a roof edge of a building or on or below a marquee without being attached to a structure defined herein as a "sign face."

**Inflatable Sign:** An inflatable sign is any sign dependent in whole or in part for its structural integrity on the infusion into said sign of compressed air or other fluids, and specifically including balloons larger than two (2) feet in diameter or two (2) foot square in area or other gas or liquid filled figures.

**Laser:** A device emitting a narrow, very intense beam of light waves that have been amplified and concentrated by stimulated atoms, or the light produced by such device.

**Marquee Sign:** A marquee sign is any sign attached to and made part of a marquee. A marquee is defined as a permanent roof-like structure projecting beyond a building wall at an entrance to a building or extending along and projecting beyond the building's wall and generally designed and constructed to provide protection against the weather. Signs painted or sewn onto awnings or canopies shall be considered marquee signs.

**Monument Sign:** A monument sign is a freestanding ground sign (a) which is of monolithic construction in which the sign's base or support is of uniform composition with the material comprising the sign area of said sign and the base or support of said sign is directly affixed in or to the ground, (b) the sign face of which is encompassed on the top, sides and bottom by a border or column of the same or compatible material, and which border or column compliments and enhances the aesthetic effect of the sign, and (c) a double-faced monument sign shall be made of back-to-back sides unless visibility of such sign is impeded in which case the two sides may form a "V" shape in which the interior angle does not exceed 45 degrees, and provided that no sign base, foundation and support of which consists in whole or in part of above ground poles, piers, piling or similar types of supports exceeding twenty-four(24) inches in height measured above the ground shall constitute a monument sign. (Amended ZC04-08-068A 10/07/2004 OCS# 04-0976)

**Moving Message or Changing Image Sign:** A moving message or changing image sign is any sign including public service signs designed to convey sign copy which changes in form or content with greater frequency than once an hour or which otherwise includes action or motion or the illusion of action or motion within its message or sign copy.

**Multi-Occupancy Center:** A single building or group of buildings situated in close proximity to each other that house more than one (1) tenant or owner and whose parking facilities may be in common with other tenants, owner, or buildings, except those businesses which engage in the sale of automobile fuel products and other goods and services including, but not limited to, fast food restaurants and convenience stores.

**Murals:** A work of art painted or otherwise applied to an exterior wall surface.

**Neon Signs:** Any colored tubular lighting bent or formed into a design or lettering of which the primary source of light is gaseous. Anything within the boundary of the outline of the neon will be considered a part of the sign face.

**Non-Conforming Sign:** A non-conforming sign is any sign structure or sign which was lawfully erected and maintained prior to such time as it came within the purview of this code or any amendments thereto and which fails to conform to all applicable regulations and restrictions of this code, or a non-conforming sign for which a special

permit has been issued.

**Off-Premise Sign:** An off-premise sign is a sign that directs a person to a different premise or location than that on which the sign is located; which identifies advertised goods, products, or services not available on the premises on which the sign is located; or which conveys a non-advertising idea or message; or identifies or advertises a business, person, firm or corporation not located on or occupying the premises where the sign is located; or which is not otherwise defined as an on-premise sign.

**On-Premise Sign:** An on-premise sign is a sign identifying or advertising a business, person, firm, corporation, activity, goal, product or service located or available on the premises where the sign is installed and maintained or which is displayed and maintained by the owner or occupant of the premises on which it is located.

**Parapet Sign:** A parapet sign is a sign extending above a roof line or which serves as a parapet.

**Pole Sign:** A pole sign is a ground sign (i) the structure of which consists of one or more vertical poles which are partially placed in the ground for stability, and which may have a horizontal pole at or near the top of a single vertical pole and which may be joined together by a horizontal pole, (ii) the sign face or faces of which are attached to the vertical pole(s) and/or horizontal pole and may be chained, cabled or attached to the vertical pole(s) and (iii) the sign face(s) of which do not touch the ground and, therefore, leave an open space between the bottom of the sign face and the ground. A pole sign cannot be connected to or affixed to a building.

**Political Sign:** A political sign is any sign urging the election or defeat of any candidate seeking any political office, or urging the passage or defeat of any ballot measure, but not including any billboard owned or maintained by a commercial firm or advertising company when leased or used as a political sign.

**Portable Sign:** A portable sign is any sign other than a trailer or vehicle sign that is not permanently affixed to a building, structure or the ground or a sign designed to be moved from place to place. These signs primarily include, but are not limited to: A frame or sandwich board signs, signs attached to wood or metal frames, and signs designed to be self-supporting and moveable.

**Private Directional Signs:** Private directional signs are on-premise signs directing vehicular or pedestrian traffic movement into a premise or within premises.

**Project Sign:** A project sign is a temporary sign announcing a proposed land development or construction project.

**Projected Sign:** A projected sign is a sign or visual image created by the projection of light onto a surface.

**Projecting Sign:** A projecting sign is any sign other than a wall sign affixed to any

building or wall which sign has a leading edge extending twelve (12) inches or more beyond such building or wall. Projecting signs are of two (2) types:

1. Fixed - A sign, other than a wall sign, which extends outward twelve (12) inches or more from the facade of any building and is rigidly affixed thereto.
2. Swinging - A sign projecting twelve (12) inches or more from the outside wall or walls of any building which is supported by only one rigid support affixed thereto.

Public Directional Signs: Public directional signs are either:

1. Signs permanently or temporarily erected in the public right-of-way or on public property with the approval of the Parish Council which denote the name or route to any educational institution, public building or facility, historic place, shrine, church, synagogue, hospital, library or similar facility or institution; or
2. Signs permanently or temporarily erected identifying a person or entity who has undertaken to plant or maintain landscaping of that portion of the right-of-way.

Public Service Sign: A public service sign is a sign the primary purpose of which is to provide information as a service to the general public such as time, temperature or the promotion or announcement of public events, or other events of a civic, philanthropic, charitable or religious purpose of general interest to the public.

Real Estate Sign: A real estate sign is any temporary sign pertaining to the sale, lease or rental of land or buildings, which is erected or displayed on the lot or parcel to which it applies.

Resident Identification Sign: A resident identification sign is any on-premise sign limited in content to no more than the name of the premises, its municipal address and the names of the present occupant or occupants of the premises.

Revolving or Rotating Sign: A revolving or rotating sign is any sign whose sign face is designed to move or turn on any axis.

Roof Sign: A roof sign is any sign erected or painted upon, against or directly above a roof or on top of or above the parapet of a building.

Searchlight: A strong or bright light with a reflector in a swivel so that its beam may be sent or directed in various directions.

Sign: "Sign" is defined as a medium of communication, including its structure and component parts, which is used or intended to be used to attract attention to its subject matter or location usually for advertising purposes, including paint on the surface of a building. Each distinctive message painted or placed on a building or other structure shall be considered an individual sign.

**Sign Area:** The area of a sign shall be defined as the square foot area enclosed within the perimeter of the sign face with each face contributing to the aggregate area of any sign. With respect to signs which are composed of individual symbols, letters, figures, illustrations, messages, forms, or panels, the sign area shall 1) be the total area of each individual letter, symbol, etc. as provided by the applicant and verified by the planning staff, or 2) when such information is not provided, shall be defined as that area enclosed by one continuous line connecting the extreme points or edges of the advertising message. In cases where there is no definable simple geometric shape, the simplest geometric shape or rectangle enclosing the outer edges of the advertising message shall determine the sign area. In cases of back-lighted awnings with advertising messages, the entire area of the awning which is backlit shall be considered as the sign area. (Amended 10/16/2003 OCS# 03-0771)

**Sign Face:** Sign face is the part of the sign that is or can be used to identify, advertise, communicate, inform or convey a visual representation which attracts the attention of the public for any purpose. "Sign face" includes any background material, panel, trim, frame, color and direct or self-illumination that differentiates the sign from the building, structure, backdrop surface or object upon which or against which it is placed. The sign structure shall not be included as a portion of the sign face provided that no message, symbol or any of the aforementioned sign face criteria are displayed on or designed as part of the sign structure, unless it is outlined in neon.

**Sign Height:** Sign height of a sign shall be defined as the vertical distance from the finished grade to the highest point of either the sign or sign structure.

**Sign Message:** The words or symbols on a sign face which convey a message to those viewing the sign.

**Sign Owner:** A sign owner is that person who owns a sign and/or who is responsible for a sign. In those cases in which the sign owner cannot be determined; the owner of the premises upon which the sign is located shall be deemed the owner of the sign.

**Sign, Premise:** A Sign Premise is defined as the contiguous land in the same ownership which is not divided by any highway, street, alley or right-of-way. For purposes of this Article a single premise:

1. May include more than one lot of record when such lots are devoted to a single unity of use; or
2. May consist of a separate structure on the same lot of record when, in the opinion of the Planning Department, such separate structure appears to be a separate premise.

**Sign Structure:** A sign structure is the supporting structure upon which a sign or sign face is fastened, attached or displayed or is intended to be fastened, attached or displayed; provided however, this definition shall not include a building or fence.

**Signable Area:** An area which is free of architectural details on the facade of a building or part of a building in which an activity is located.

**Snipe Sign:** A snipe sign is a sign which is tacked, nailed, posted, pasted, glued or otherwise attached to poles, stakes, fences, or to other like objects.

**Store Front:** The facade of a space in a building, regardless of the type use of the space, which space must have a direct entrance, by door, from the exterior of the building through the facade, and which facade must face a street or a parking lot for the building.

**Street Banner Sign:** A street banner sign is any banner sign which is stretched across and hung over a public right-of-way.

**String of Lights:** A string of electrical conductors containing two (2) or more lights or light sockets.

**Subdivision Sign:** A subdivision sign is a sign identifying the subdivision and denoting the entrance or exit to the subdivision.

**Temporary Sign:** A temporary sign is any sign, the display of which is limited by law, ordinance, or regulation and which advertises a situation or event that is designed, intended, or expected to occur and be completed within a reasonably short or definite period after the erection of such sign.

**Trailer Sign:** A trailer sign is any sign or sign structure attached to or composed in whole or in part of a trailer frame or chassis or skid or skid frame or body or of any materials which have ever previously constituted in whole or in part such a trailer, skid, frame, chassis or body.

**Vehicle Sign:** A vehicle sign is any sign displayed on or from any mode of transportation, including but not limited to cars, buses, trucks/trailers, trains, boats, or airplanes.

**Wall Sign:** A wall sign is a sign other than a parapet sign which is painted on or which projects less than twelve (12) inches from the wall of a building, and is painted on, attached to or erected against any exterior wall or window of a building or structure with the exposed face of the sign being in a plane parallel to the plane of said wall or window and not extending above the building.

**Window Sign:** A window sign is any sign which is painted on, applied to, attached to or projected upon the exterior or interior of a building glass area, including doors, or located within one foot of the interior of a building glass area, including doors, whose identification, message, symbol, insignia, visual representation, logo type or any other form which communicates information, can be perceived from any off-premises contiguous property or public right-of-way.

**SECTION 5.04 RESERVED** (Amended 2/13/03 ZC02-06-040 OCS#03-0607)

**SECTION 5.05 OUTDOOR LIGHTING REGULATIONS** (Amended 2/13/03 ZC02-06-040 OCS#03-0607)

5.0501 Statement of Need and Purpose.

Good outdoor lighting at night benefits everyone. It increases safety, enhances the Parish's night time character, and helps provide security. New lighting technologies have produced lights that are extremely powerful, and these types of lights may be improperly installed so that they create problems of excessive glare, light trespass, and higher energy use. Excessive glare can be annoying and may cause safety problems. Light trespass reduces everyone's privacy, and higher energy use results in increased costs for everyone. Appropriately regulated, and properly installed, outdoor lighting will contribute to the safety and welfare of the residents of the Parish. This Section is intended to eliminate problems of glare, minimize light trespass, and help reduce the energy and financial costs of outdoor lighting, by establishing regulations which limit the area that certain kinds of outdoor-lighting fixtures can illuminate, and by limiting the total allowable illumination of property located in St. Tammany Parish. Luminaires on all properties, in all zoning districts, shall be installed to keep unnecessary direct light from shining onto abutting properties or streets.

5.0502 Applicability, Permits, Variances, Waivers, Appeals.

A. Applicability. All public and private outdoor lighting installed in the Parish of St. Tammany shall be in conformance with the requirements set forth in this Section 5.05.

B. Permit Requirements.

1. Submission Contents. Application for outdoor lighting permits shall be made to the Department of Planning. The applicant for any electrical permit required by any provision of the laws of this jurisdiction in connection with proposed work, other than single-family residential, involving outdoor lighting fixtures shall submit (as part of the application for permit) evidence that the proposed work will comply with this Section. The submission shall contain but shall not necessarily be limited to the following, all or part of which may be part or in addition to the information required elsewhere in the laws of this jurisdiction upon application for the required permit:

(a) plans indicating the location on the premises, and the type of illuminating devices, fixtures, lamps, supports, reflectors, and other devices;

(b) description of the illuminating devices, fixtures, lamps, supports, reflectors, and other devices and the description may include, but is not limited to, catalog cuts by manufacturers and drawings (including sections where required);

- (c) photometric data, such as that furnished by manufacturers, or similar showing the angle of cut off or light emissions.
  - 2. Additional Submission. Should additional data be required by the Planning Department for issuance of a permit, it shall be incumbent upon the applicant to provide such material.
  - 3. Lamp or Fixture Substitution. Should any outdoor light fixture, or the type of light source therein, be changed after the permit has been issued, a change request must be submitted to the building official for his approval, together with adequate information to assure compliance with this Section 5.05, which must be received prior to substitution.
- C. Variances by Board of Zoning Adjustments. If the application for a lighting permit shows that all requirements of this Section 5.05 are complied with, the Director of Planning shall issue a permit without the necessity of any public hearing before the Zoning Commission or any other public body. If the application for the permit is denied, the applicant may, subject to the provisions of Section 5.0502 D, seek a variance from the Board of Zoning Adjustments pursuant to the provisions of Section 7.04. Appeals from the Board of Adjustments shall be made to the District Court for the Parish of St. Tammany as provided in Section 7.0404.
- D. Conditional Use Review. If a Conditional Use is required, the Zoning Commission has the authority to amend the conditions and requirements of this Section in accordance with Section 3.0201.B.1 of these regulations.
- E. Criteria for Variances and Waivers. Pursuant to Section 5.0502 C, The Board of Zoning Adjustments may grant variances from the lighting regulations of this Section 5.05 and pursuant to Section 5.0502 D, the Zoning Commission and Parish Council (on appeal to the Parish Council) may grant waivers from the regulations in this Section 5.05. Such variances and waivers may be granted to diminish lighting regulation requirements when one or more of the following exists: unusual design of building or structures, unusual effect of the lighting requirements on the structures to be placed on the lot, extraordinarily burdensome result if lighting regulations are not modified, and any other problem or matter that affects the development of the property or the buildings and structures thereon which the Board of Zoning Adjustments or the Zoning Commission determines to be in the public interest to consider; provided that variances and waivers shall not be based solely on cost or economic consideration. Furthermore, the Board of Zoning Adjustments may grant variances from the provisions of this Section 5.05 due to any hardships or other matters that are a proper basis for a variance.

#### 5.0503 Luminaire Design Requirements.

- A. Applicability to Uses Other Than Single Family Residential. The provisions of this Section 5.0503 shall apply to all uses except single family residential. Single family residential shall be governed by the provisions of Section 5.0505.

B. Luminaire Design. Any luminaire with a lamp or lamps rated at an average of more than 3,000 lumens shall be either:

1. Full Cutoff Type Fixture with a single plane lens, or
2. Fully-Shielded Fixture

C. Luminaire Height.

1. Any luminaire with a lamp or lamps rated at an average of less than 3,000 lumens may be mounted at any height.
2. Any luminaire with a lamp or lamps rated an average of more than 3,000 lumens may be mounted up to a height of 35 feet in accordance with the following:

<b>HEIGHT</b>	<b>FULL CUTOFFS WITH SINGLE-PLANE LENS</b>	<b>FULLY SHIELD FIXTURE</b>
0-25 feet	Acceptable	Shield EVEN with LDLEP
>25-30 feet	Acceptable	Shield 1 INCH below LDLEP
>30-35 feet	Acceptable	Shield 2 INCHES below LDLEP

D. Luminaire Footcandles. Total footcandles measured from three feet above ground level with the measuring instrument held in the horizontal plane shall be in accordance with the following standards:

Entrances		Maximum Footcandle
	Active (pedestrian and/or conveyance)	5
	Inactive (normally locked, infrequently used)	1
Building Exteriors		
	Vital locations or structures	5
	Building surrounds	1
	Floodlit Buildings and Monuments	10
	Loading and Unloading Platforms	20
	Automated Teller Machines	20
Service Stations		
	Approach	1.5
	Driveway	1.5
	Pump Island	20
	Service Areas	3
Storage Yards		
	Active	20
	Inactive	1
Retail Outdoor Lighting		10

5.0504 Lamps That Emit 3,000 Lumens.

The following rated lamp wattages shall be deemed to emit 3,000 lumens unless the Planning Department determines, based upon information provided by a lamp manufacturer, that the rated wattage of a lamp emits either more or less than 3,000 lumens:

- (1) Incandescent lamp: one hundred sixty (160) or more watts.
- (2) Quartz halogen lamp: one hundred sixty (160) or more watts.
- (3) Florescent lamp: thirty-five (35) or more watts.
- (4) Mercury vapor lamp: seventy-five (75) or more watts.
- (5) Metal halide lamp: forty (40) or more watts.
- (6) High pressure sodium lamp: forty-five (45) or more watts.
- (7) Low pressure sodium lamp: twenty-five (25) or more watts.

5.0505 Single Family Residential Applications

- A. Less Than 3,000 Lumens. Exterior lighting less than 3,000 lumens including spotlights and floodlights shall be set such that the centerline of the beam (or lamp) does not exceed 35 degrees from vertical.
- B. Greater Than 3,000 Lumens. All luminaires greater than 3,000 lumens shall conform to the provisions of this Section 5.0503 B and 5.0503 C.

5.0506 Exceptions to Luminaire Design Requirements.

- A. Luminaire Redirection. Any luminaire with a lamp or lamps rated at 3,000 lumens or less may be used without restriction to light distribution or mounting height, except that no spot or flood luminaire rated 3,000 lumens or less may be aimed, directed, or focused such as to cause direct light from the luminaire to be directed toward residential buildings on adjacent or nearby land, or to create glare perceptible to persons operating motor vehicles on public ways.
- B. Police or Fire Departments or other Emergency Services. All temporary emergency lighting need by the Police or Fire Departments or other emergency services, as well as all vehicular luminaires, shall be exempt from the requirements of this Section 5.05.
- C. Federal Regulatory Agencies. All hazard warning luminaires required by Federal regulatory agencies are exempt from the requirements of this Section 5.05, except that all luminaires used must be red and must be shown to be as close as possible to the Federally required minimum lumen output requirement for the specific task.
- D. Flags. Up-Lighting for national, state or foreign nation flags located on poles independent of other structures are exempt from the requirements of this Section 5.05.
- E. Trees. Up-Lighting or down-lighting of trees is exempt from the requirements of this Section 5.05 except that the maximum amount of lumens for such lighting shall be 3,000 lumens per fixture.
- F. Sensor Security Lighting. Security lighting controlled by sensors which provides illumination for five (5) minutes or less is exempt from the requirements of this Section 5.05.

G. Street Lighting. Both public and private street lights are exempt from the requirements of this Section 5.05 if they were in existence at the time this Section 5.05 becomes effective or if a permit or other approval has been granted for these lights at the time this Section 5.05 becomes effective.

H. Church Steeples. Up-lighting of church steeples is permitted as long as said lighting is fully shielded.

5.0507 Outdoor Advertising Signs.

- A. Top Mounted Fixtures. Top Mounted Fixtures Required. Lighting fixtures used to illuminate an outdoor advertising sign shall be mounted on the top of the sign structure. All such fixtures shall comply with the shielding requirements of Section 5.05 with the exception of the portion of the luminaire parallel with the sign, provided this portion does not allow any light dispersion or direct glare to shine above a 90 degree horizontal plane.
- B. Translucent Outdoor Advertising Signs. Outdoor advertising signs of the type constructed of translucent materials and wholly illuminated from within do not require shielding. Dark backgrounds with light lettering or symbols are required.
- C. Prohibitions. Electrical illumination of outdoor advertising off-site signs, other than those located adjacent to Interstate Highways, between the hours of 11:00 p.m. and sunrise is prohibited.
- D. Compliance Limit. The lighting for existing outdoor advertising structures shall be brought into conformance with this section no later than January 1, 2006.

5.0508 Recreational Facilities (Public and Private).

Recreational field lighting, public or private, such as, football fields, soccer fields, baseball fields, and softball fields, shall be exempt from the height requirement of 35' and total lumen output provided all of the following conditions are met:

- A. Parking Lots And Areas Surrounding Facility. Lighting for parking lots and other areas surrounding the playing field, court, or track shall comply with the lighting requirements as defined in Section 5.05.
- B. Shielding. All fixtures used for event lighting shall be fully shielded or be designed or provided with sharp cut-off capability, so as to minimize up-light, spill-light, and glare.
- C. Time of Holding Events. All events shall be scheduled so as to commence before 9:00 p.m., but under no circumstances shall any illumination of the playing field, court, or track be permitted after 11:00 p.m.

5.0509 Prohibitions.

- A. Laser Source Light. The use of laser source light or any similar high intensity light for outdoor advertising or entertainment is prohibited.
- B. Searchlights. The operation of searchlights is prohibited except for grand openings and special events for a period not to exceed 2 (two) days and no more than twice per calendar year. Such use shall not be located within 500 (five hundred) feet of a residential area and shall not be allowed between the hours of 11:00 p.m. and sunrise.
- C. Outdoor Advertising Off-Site Signs. Electrical illumination of outdoor advertising off-site signs, other than those located adjacent to Interstate Highways, is prohibited between the hours of 11:00 p.m. and sunrise.
- D. Commercial Landscape Lighting. Commercial landscape lighting may not be directed above the horizontal plane.
- E. Neon Lighting. Neon lighting is prohibited except as provided for regarding signs in Section 5.03.
- F. Strings Of Lights (Non-Residential Uses). Strings of lights are prohibited except from Thanksgiving Day until January 10. Strings of lights shall include, but not be limited to, lights strung around trees and lights that simulate icicles.

5.0510 Temporary Outdoor Lighting.

Any temporary outdoor lighting that conforms to the requirements of this Section shall be allowed. Nonconforming temporary outdoor lighting may be permitted by an Administrative Permit granted by the Planning Department after considering: (1) the public and/or private benefits that will result from the temporary lighting; (2) any annoyance or safety problems that may result from the use of the temporary lighting; and (3) the duration of the temporary nonconforming lighting. The applicant shall submit a detailed description of the proposed temporary nonconforming lighting to the Planning Department.

5.0511 Regulation of Non-Conforming Luminaires.

- A. Definition of Legally Non-Conforming Luminaires. The term “legally non-conforming luminaires” shall mean (i) any luminaire located within the Parish which does not conform with the provisions of this Section 5.05 at the time this Section 5.05 becomes effective, or (ii) any luminaire not yet constructed, but which has been granted a permit through the granting of a building permit or other approval, at the time this Section 5.05 becomes effective.
- B. Continued Existence of Legally Non-Conforming Luminaires. Legally non-conforming luminaires may continue in existence or may be constructed as provided for in Section 5.0511 A (ii), but such luminaires shall lose their legally non-

conforming status and shall be amortized and removed or brought into compliance as set forth in Section 5.0511 C and D.

C. Amortization of Non-Conforming Luminaires. The rules with respect to amortization of legally non-conforming luminaires are as follows:

1. Pole mounted legally non-conforming luminaires for single family residences must be brought into compliance when the fixture is changed or repaired or by January 1, 2020, whichever occurs sooner.
2. Pole mounted legally non-conforming luminaires for agricultural uses must be brought into compliance when the fixture is changed or repaired or by January 1, 2020, whichever occurs sooner.
3. Except as provided in Section 5.0511 C 1 and 2 and D, any other legal non-conforming luminaires shall be brought into compliance as follows:
  - (a) Any non-conforming luminaire which has a height of less than 35 (thirty-five) feet shall be brought into compliance by January 1, 2006, which is hereby established as the amortization period for such non-conforming luminaires.
  - (b) Any non-conforming luminaire which has a height of 35 (thirty-five) feet or over shall be fully shielded 3" below LDLEP by January 1, 2006 which is hereby established as the amortization period for such non-conforming luminaires.

D. Non-Conforming Luminaires Causing Disability Glare. Non Conforming luminaires that direct light toward streets or parking lots that cause disability glare to motorists or cyclists should be either shielded or re-directed within 90 days of notification by the Parish, so that the luminaires do not cause a potential hazard to motorists or cyclists.

#### 5.0512 Definitions for Outdoor Lighting Regulations.

The following definitions relate to the outdoor lighting regulations contained in Section 5.05. These definitions are intended to also be set forth in Section 10 simultaneously with the adoption of Section 5.05 or at a later date.

Direct Light: Light emitted directly from the lamp, off of the reflector or reflector diffuser, or through the refractor or diffuser lens, of a luminaire.

Disability Glare: Glare resulting in reduced visual performance and visibility. It is often accompanied by discomfort.

Fixture: The assembly that houses the lamp or lamps and can include all or some of the following parts: a housing, a mounting bracket or pole socket, a lamp holder, a ballast, a reflector or mirror, and/or a refractor or lens.

**Flood or Spot light:** Any light fixture or lamp that incorporates a reflector or a refractor to concentrate the light output into a directed beam in a particular direction.

**Footcandle:** A unit of measure for illuminance. A unit of illuminance on a surface that is everywhere one foot from a uniform point source of light of one candle and equal to one lumen per square foot.

**Full Cut-Off Type Fixture:** A luminaire or light fixture that, by design of the housing, does not allow any light dispersion or direct glare to shine above a 90 degree, horizontal plane from the base of the fixture and that is installed in a vertical position to prevent disability glare.

**Fully Shielded Fixture:** A luminaire or fixture constructed in such a manner that an opaque shield extends, on the top and all sides, below the lowest direct-light-emitting part (LDLEP) of the luminaire. The lowest edge of such a shield shall surround the LDLEP and be level with the horizontal plane, regardless of the orientation of the luminaire or fixture.

**Glare:** Light emitting from a luminaire with an intensity great enough to reduce a viewer's ability to see, and in extreme cases causing momentary blindness.

**Height of Luminaire:** The height of a luminaire shall be the vertical distance from the normal finished grade directly below the centerline of the luminaire to the lowest direct-light-emitting part of the luminaire.

**Horizontal Illuminance:** The measurement of brightness from a light source, usually measured in footcandle or lumens, which is taken through a light meter's sensor at a horizontal position.

**Indirect Light:** Direct light that has been reflected or has scattered off of other surfaces.

**Lamp:** The component of a luminaire that produces the actual light.

**Lowest Direct-Light Emitting Part (LDLEP):** The lowest part of either the lamp or lamps, the reflector or mirror, and/or refractor or lens.

**Light Trespass:** The shining of light produced by a luminaire beyond the boundaries of the property on which it is located.

**Lumen:** A unit of luminous flux. One footcandle is one lumen per square foot. For the purposes of this Section, the lumen-output values shall be the initial lumen output ratings of a lamp.

**Luminaire:** This is a complete lighting system, and includes a lamp or lamps and a fixture.

Neon Lighting: Any tubular lighting of which the primary source of light is gaseous.

Outdoor Lighting: The night-time illumination of an outside area or object by any man-made device located outdoors that produces light by any means.

Single-Plane Lens: A refractor of lens, mounted in the horizontal plane, which by design, allows direct light to be emitted only through the horizontal plane.

Temporary Outdoor Lighting: The specific illumination of an outside area or object by any man-made device located outdoors that produces light by any means for a period of less than 45 days, with at least 180 days passing before being used again.

Uplighting: Any light source that distributes illumination above a 90 degree horizontal plane.

## **SECTION 5.06 LAND EXCAVATION.**

1. Applicant shall submit a site plan of existing conditions, an operations plan and a reclamation plan to Department of Development for review and approval.
2. If a conditional use permit is granted for the excavation use, the use shall be inspected and monitored at least once annually.
3. The perimeter of the excavations shall not be nearer than two hundred (200') feet to the front, sides and rear property lines.
4. The property shall be kept posted with warning signs set no further than fifty (50') feet apart and clearly visible, indicating that the property is an excavation site.
5. The perimeter of the land containing the excavation shall be fenced by a wire mesh fence or as determined by the Department of Development of not less than four (4') feet in height and all gates or entrances shall be locked when not in use.
6. In all districts inside the Growth Management Area where temporary and/or commercial extraction of dirt, soil, clay, sand, gravel and/or earth may take place according to this ordinance, all excavations must either be made to a water producing depth, or graded or backfilled. Excavations made to a water producing depth shall have a minimum depth of at least six (6") inches.

Backfilling of excavations not made to a water producing depth, shall be made with non-noxious, nonflammable, noncombustible solids including materials exempt from DEQ regulations, such as concrete, stumps, etc.. The graded or backfilled area(s) shall not collect and permit stagnant water to remain thereon. The peaks and depressions of the area shall be reduced to a surface which will result in a gently rolling topography in substantial conformity to the land area immediately surrounding in order to minimize erosion due to rainfall. The graded or backfilled area(s) shall be sodded or surfaced with soil of a quality at least equal to the topsoil

of the land area immediately surrounding and to a depth of not less than the depth of the topsoil on surrounding land. Such topsoil shall be planted with trees, legumes, or grasses, upon the parts of such area where revegetation is possible.

## **SECTION 5.07 LAND RECLAMATION**

1. Applicant shall submit a site plan of existing conditions, an operations plan to the Department of Development for review and approval.
2. If a conditional use permit is granted for the reclamation use, the use shall be inspected and monitored at least once annually.
3. The perimeter of the reclamation site shall not be nearer than two hundred (200') feet to the front, sides and rear property lines.
4. The property shall be kept posted with warning signs set no further than fifty (50') feet apart and clearly visible.
5. The perimeter of the land containing the reclamation site shall be fenced by a wire mesh fence or as determined by the Department of Development of not less than four (4') feet in height and all gates or entrances shall be locked when not in use.
6. In all districts inside the Growth Management Area where filling of dirt, soil, clay, sand, gravel and/or earth may take place according to state regulations.

Backfilling of excavations not made to a water producing depth, shall be made with non-noxious, nonflammable, noncombustible soils including materials exempt from DEQ regulations, such as concrete, stumps, etc.. The graded or backfilled area(s) shall not collect and permit stagnant water to remain thereon. The peaks and depressions of the area shall be reduced to a surface which will result in a gently rolling topography in substantial conformity to the land area immediately surrounding in order to minimize erosion due to rainfall. The graded or backfilled area(s) shall be sodded or surfaced with soil of a quality at least equal to the topsoil of the land area immediately surrounding and to a depth of not less than the depth of the topsoil on surrounding land. Such topsoil shall be planted with trees, legumes, or grasses, upon the parts of such area where revegetation is possible.

## **SECTION 5.08 CLOSED LANDFILLS/DUMPS**

### **A. Identification**

- 1) Owners and/or operators of closed landfills/dumps must provide the following information to the Zoning Commission:
  - a) site location and size
  - b) legal description
  - c) type of waste
  - d) topography and soil type at site

- 2) The Zoning Commission shall identify and map all closed landfill/dumps and retain a file on each site.

B. Inspection

The Department of Permits and Inspections shall inspect each identified landfill/dump to verify that it is no longer operation and that there are no hazardous situations, such as the generation of methane gas, existing.

C. Public Availability of Records

\_\_\_\_\_ A parish-wide map showing the location and pertinent information of each closed site will be displayed in the Zoning Commission Office, and the Permits Office and other appropriate public areas.

D. Recording Information on Plats

Any person subdividing land containing a closed landfill/dump will show its location and condition to the Zoning Commission and the Police Jury for approval.

**SECTION 5.09 YARDS AND OPEN SPACE GENERALLY**

1. Every part of a required yard area shall be open to the sky except as follows:
  - a) Where accessory buildings are specifically permitted in a rear or side yard under these regulation.
  - b) A roof, gutter, eave, fixed awning, marquee or canopy, attached to a building but having no other support, may project no more than five (5) feet into a required front, side or rear yard, if a minimum distance of two (2) feet remains open to the sky between the farthest projection and the lot lines.
  - c) Notwithstanding the foregoing, a canopy or marquee shall be permitted to extend from the entrance door of any church, school, college, hospital, sanitarium, public building, or educational, religious, or philanthropic institution in any district, or from the entrance door of any main building in multiple-family residential, commercial, or industrial district. Where a sidewalk and curb exist, the canopy or marquee may extend to within eighteen (18) inches of the curb line. Such canopies or marquees shall not exceed fifteen (15) feet in width or twelve (12) feet in height or be screened or enclosed in any manner and shall provide an unobstructed, clear space between the grade and the bottom of the valance of at least seven (7) feet.
  - d) Movable awnings may be placed over doors or windows in any required yard, but such awnings shall not project closer than two (2) feet to any lot line or be vertically supported.
2. Where these regulations refer to side streets for corner lots, the side street will normally be the street along which the corner lot has its largest dimensions, but the Director of Development may be guided by the pattern of development in the

vicinity of the lot in question in determining which of the two streets is the side street.

3. More than one main building may be located upon a zoning lot or tract in the following instances:
  - a) Institutional buildings.
  - b) Public or semi-public buildings.
  - c) Multiple-family dwellings.
  - d) Commercial or industrial buildings.
  - e) Homes for the aged, nursing homes, convalescent homes, and orphans homes.
  - f) Rural Districts .

The provisions of this exception shall not be construed to allow the location or erection of any main building or portion of a main building outside of the buildable area of lot except as otherwise provided.

4. In the event that a lot is to be occupied by a group of two or more related buildings to be used for residential purposes, there may be more than one main building on the lot when such buildings are arranged around a court; provided, that said court between buildings that are parallel or within forty-five (45) degrees of being parallels, shall have a minimum width of thirty (30) feet for one-story buildings, forty (40) feet for two-story buildings, and fifty (50) feet for buildings of three (3) stories or more, and in no case, may such buildings be closer to each other than fifteen (15) feet.
5. Where a court is more than fifty (50) percent surrounded by a building, the minimum width of the court shall be at least fifteen (15) feet for one-story buildings, forty (40) feet for two-story buildings, and fifty (50) feet for three story buildings. The width of such a court shall be increased by three (3) feet for each additional story over three (3) stories or each ten (10) feet of height over thirty-five (35) feet, whichever requires the greater width of court.

#### **SECTION 5.10 FRONT YARDS**

1. Where a right-of-way has been established by the Police Jury for the future widening or opening of a street upon which a lot abuts, then the depth of a front or side yard shall be measured from such official line to the building line.
2. Except as otherwise provided in these regulations, on through lots, the required front yard shall be provided on each street.
3. Where a lot is located at the intersection of two (2) or more streets, there shall be a yard of ten (10) feet on the side street, provided however, that said front yard on the side street need not exceed the average front yard established by other buildings in the block which front on the side street.

4. Open, unenclosed porches, raised platforms or raised paved terraces not covered by a roof or canopy, and which do not extend above the level of the first floor of a building, or a maximum of five (5) feet above grade, may extend or project into the front or side yard not more than six (6) feet.

**SECTION 5.11 SIDE YARDS** (Amended 07/7/2006 ZC#04-08-065 OCS# 05-1154)

1. For the purpose of the side-yard and lot frontage regulations, a two-family, three-family, or four-family dwelling, a group of town houses, a multiple-family dwelling, electric substation, telephone exchanges, or telephone repeater structures for public utility purposes shall be considered as one building occupying one lot.
2. Where a side yard(s) is not required, but is provided, such yard(s) shall not be less than three (3) feet in width paralleling the side lot line.

**SECTION 5.12 REAR YARDS**

1. Open or lattice-enclosed fire escapes, fireproof outside stairways, and balconies opening upon fire towers, and the ordinary projections of chimneys and flues into the rear yard are permitted for a distance of not more than five (5) feet.
2. Where a rear yard(s) is not required, but is provided, such yard(s) shall not be less than three (3) feet in width paralleling the rear lot line.

**SECTION 5.13 ACCESSORY BUILDINGS AND STRUCTURES** (Amended 07/07/2006 ZC#04-08-065 OCS# 05-1154 and 11/02/2006 ZC#06-10-102 OCS# 06-1416)

1. Any accessory building may be built in a required rear yard. However, an accessory building must be located at least forty (40') feet from the front lot line, ten (10') feet from an interior rear lot line, ten (10') feet from the nearest interior side lot line and fifteen (15') feet from the nearest side street lot line. On through lots, an accessory building must be located at least forty (40') feet from the designated rear lot line.  
Accessory buildings placed on buildable lots of record, or any accessory building under 100 square feet in area, must be located at least twenty-five (25') feet from the front lot line, five (5') feet from an interior rear lot line, five (5') feet from the nearest interior side lot line and ten (10') feet from the nearest side street lot line. On through lots, an accessory building must be located at least twenty-five (25') feet from the designated rear lot line.
2. The size of any accessory buildings shall not exceed seven and one half (7 ½ %) percent of the area of the lot on which the main building is situated.
3. Accessory buildings or structures permitted in a required rear yard by this ordinance shall not be higher than the peak of the roof of the principal building in residentially zoned districts. However, in any case, an accessory building or

structure in a residentially zoned district cannot exceed twenty (20') feet in height.

4. The previous provisions notwithstanding, accessory buildings with a size less than 5% of the area of the lot on which the main building is situated may be located five (5') feet from the nearest interior side lot line provided the building length does not exceed nineteen (19') feet and they meet the remaining requirements of subsection 1.
5. No accessory building may be located in a required front yard. Fences, signs, lighting, paved driveways and other accessory structures may be located in required front yards, subject to meeting Parish site triangle requirements, when applicable.
6. In all single-family residential districts, no accessory buildings or structures, greater than one hundred (100) square feet in combined gross area, shall be constructed prior to construction of the primary structure.
7. The combined length of an accessory structure shall not exceed fifty (50) feet in all residential districts.
8. Agricultural buildings are permitted in R (Rural), SA (Suburban Agricultural) on lots of a minimum of 1 acre & A-1 (Suburban) Districts on lots with a minimum area of 5 acres of land. There are no size limitations for an agricultural building, with the exception of the standard seven and one half (7 ½ %) percent maximum building coverage for non-residential structures.

#### **SECTION 5.14 BOAT HOUSES AND BOAT SLIPS**

1. The following regulations shall apply to accessory boat houses and boat slips in residential districts:
  - a) A boat house may not be used as a dwelling, guest house, or servants quarters unless specifically permitted by other sections of this ordinance.
  - b) The height of a boat house shall not exceed twenty (20) feet as measured from the required lot elevation.
  - c) No boat house shall exceed twenty (20) feet in width no forty (40) feet in depth.
  - d) Boat houses and boat slips, together with other accessory buildings, may occupy no more than fifty (50) percent of the required rear yard.
  - e) Bulkheads, pilings, breakwaters and other similar structures shall not be located beyond the established shoreline and shall conform to all standards established by applicable regulatory agencies.

- f) Piers, docks and other similar structures shall be located by and shall conform to all standards established by applicable regulatory agencies.

**SECTION 5.15 RESERVED**

**SECTION 5.16 LANDSCAPE AND TREE PRESERVATION REGULATIONS** (Amended  
2/13/03 ZC02-06-040 OCS#03-0607)

**5.1601 Statement of Need and Purpose.** The purpose of these landscape and tree preservation requirements is to promote the health, safety, and general welfare of the public; to facilitate the creation of a convenient, attractive and harmonious community; to conserve natural resources including adequate air and water; to conserve properties and their values; to preserve the character of an area by preserving and enhancing the scenic quality of the area; and to encourage the appropriate use of the land. More specifically these landscape requirements are intended to minimize the harmful impact of noise, dust and other debris, motor vehicle headlight glare or other artificial light intrusion, and other objectionable activities or impacts conducted on or created by an adjoining or nearby use or street. Additionally, these landscape requirements are intended to require the landscaping of certain parking lots in order to reduce the harmful effects of wind and air turbulence, heat and noise; to preserve underground water reservoirs and to permit the return of precipitation to the ground water strata; to act as a natural drainage system and ameliorate storm water drainage problems; to reduce the level of carbon dioxide and return pure oxygen to the atmosphere; to prevent storm erosion; to provide shade; and to enhance the blighted appearance of parking lots.

**5.1602 Applicability, Permits, Variances, Appeals.**

**A. Applicability.** The provisions of this Section shall apply to all Commercial, Industrial, Multi-Family of four units or more, Religious, Educational and Institutional Uses, and Conditional Uses as deemed necessary and appropriate by the Zoning Commission in the Public Hearing for that Conditional Use. This Section is not applicable to land clearing permits which are governed by the provisions of Section 5.17. (Amended 3/03/05 ZC04-06-049 OCS#05-1061)

Additional special design criteria found in Section 2.21 Planned Corridor District shall be applicable to the following areas:

1. Lots with frontage along on U.S. Highway 21 between the Tchefuncte River and U.S. Highway 1077.
2. Lots with frontage along on Gause Boulevard between Interstate 10 and Military Road.
3. Military Road between Interstate 10 and U.S. 190 Business.

**B. Landscape Permit.** A landscape permit shall be obtained from the Department of Planning when site plan approval is required by the Zoning Ordinance and/or when an application is made for a building permit and/or when any change is sought to existing landscaping to which these landscape and tree preservation regulations are applicable.

**C. Variances by Board of Zoning Adjustments.** If the application for a landscape permit shows that all requirements of this Section 5.16 are complied with, the Director of Planning shall issue a permit without the necessity of any public hearing before the Zoning Commission or any other public body. If the application for the permit is denied because of the requirements of this Section 5.16, the applicant may, subject to the provisions of Section 5.1602 D, seek a variance from the Board of Zoning Adjustments pursuant to the provisions of Section 7.04. Appeals from the Board of Zoning Adjustments shall be made to the District Court for the Parish of St. Tammany as provided in Section 7.0404.

**D. Conditional Use Review.** If a Conditional Use is required, the Zoning Commission has the authority to amend the conditions and requirements of this Section in accordance with Section 3.0201.B.1 of these regulations.

**E. Criteria for Variances and Waivers.** Pursuant to Section 5.1602 C, the Board of Zoning Adjustments may grant variances from the regulations in this Section 5.16, and pursuant to Section 5.1602 D, the Zoning Commission and Parish Council (on appeal to the Parish Council) may grant waivers from the regulations in this Section 5.16. Such variances and waivers may be granted in accordance with the applicable sections of these Regulations. to diminish the requirements of this Section 5.16 when one or more of the following exists: unusual elevations or shape of the lot, unusual landscaping and/or tree preservation problems, unusual effect of the requirements of the landscape and tree preservation requirements, problems with servitudes, and when more than 30% of the lot is required for the aggregate of street planting areas, buffer areas, parking lot landscaping areas, building facade planting areas and any other required landscape areas. Furthermore, the Board of Zoning Adjustments may grant variances from the provisions of this Section 5.16 due to any hardships or other matters that are a proper basis for a variance.

### **5.1603 Procedures For Obtaining Landscape Permits**

**A. Application for Landscape Permit.** The application for a landscape permit shall contain the following basic information and shall be subject to the following:

1. **Interest and Ownership.** The applicant's and the property owner's name, address, phone number, and signatures, together with an affidavit by the owners of the property certifying that they are the owners.
2. **Zoning Classification.** The present zoning classification of the property and all surrounding property within 500 feet.
3. **Legal Description.** A full written legal description of the property.
4. **Fees.** Fees for site plan review and landscape plan review shall be as required by the Parish Code of Ordinances, Section 2.009.00.

5. Site Plan. A site plan shall be submitted, in accordance with Section 5.1603 B, entitled Site Plan.
6. Landscape and Tree Preservation Plan. A landscape and tree preservation plan shall be submitted, in accordance with Section 5.1603 C, entitled Landscape and Tree Preservation Plan Requirements.
7. Additional Requirements. The Department of Planning may require additional material such as plans, maps, studies and reports which may be needed in order to make the necessary findings and determinations that the applicable Parish standards have been achieved.

**B. Necessity of Permit, Verification of Compliance, Appropriate Method of Security**

1. Prohibited Installation or Change in Landscaping. Except in instances where public safety necessitates immediate action, installation and/or change in landscaping and/or tree removal is prohibited unless a landscape permit is obtained.
2. Verification of Compliance. Upon completion of construction and prior to the issuance of an occupancy permit, owner shall submit a letter signed by a landscape architect or licensed landscape contractor verifying that all required landscaping was installed. Upon receipt of such letter, the Department of Planning shall make its final inspection, and, if satisfied, grant its final approval. No certificate of occupancy shall be issued until such final approval is granted; provided that, if an appropriate method of security is issued pursuant to Section 5.1603 B 3, then a certificate of occupancy may be granted before completion of the landscaping.
3. Performance Security It is recognized that vegetation used in landscaping and screening should be planted at certain times of the year to ensure the best chance of survival. In order to ensure compliance with this Section and to reduce the potential expense of replacing landscaping or screening materials which were installed in an untimely or improper fashion, in lieu of requiring the completion and installation of these improvements prior to the issuance of a Certificate of Occupancy, the Planning Director may enter into an agreement with the owner/developer whereby the owner/developer shall agree to complete all required landscaping and screening. Once said agreement is completed and the security required is provided, the Certificate of Occupancy may be approved.
  - (a) The owner/developer shall an appropriate method of security, as determined by the Department of Finance, equal to the cost of purchasing, installing and completing the landscaping and screening materials required in this Section 5.16 as determined by a landscape contractor. The duration of the appropriate method of security shall be until such time as the landscape

improvements are accepted by the Parish. In any event, the owner/developer shall complete the landscaping requirements of this Section 5.16 within six months of the issuance of a Certificate of Occupancy. Said security shall be issued by a bank authorized to do business in Louisiana with one or more offices located in St. Tammany Parish.

- (b) Upon failure to complete the required improvements in a timely manner as spelled out in said security, then the surety or bank shall pay to St. Tammany Parish said funds as is necessary to complete all or any portion of the required landscaping improvements.
- (c) The Planning Director shall administer said security, and the Planning Director shall have the power and authority to extend said security and to call said security.

### **C. Site Plan**

1. Procedure. In connection with the application for a building permit, or any other application requiring a site plan review, a site plan, for the project, shall be submitted to the Department of Planning for review and approval.
2. Site Plan Requirements. Unless otherwise approved by the Department of Planning, drawing submissions shall be required to be both in a 24" by 36" format and in an 11" by 17" format. Two copies of each format shall be submitted. The following minimum information shall be submitted to the Department of Planning in the form of a site plan:
  - (a) The title of the project and the names of the project planner, developer, and owner, and scale, date, north arrow, and general vicinity map indicating existing land uses abutting all boundaries of the proposed development.
  - (b) All existing physical features such as existing streets, buildings, structures, water courses, easements, servitudes parking spaces, service bays and loading areas, sidewalks, and signs.
  - (c) Boundaries and zoning of the property involved and zoning of adjacent properties.
  - (d) Parking layout indicating the number of required and proposed parking spaces, the location of ingress, egress and access streets, and the location of pedestrian and vehicular ways and a circulation element indicating the movement of pedestrians, goods and vehicles.
  - (e) Tabulation of the maximum square footage of each use.
  - (f) The proposed height, footprint and setback of any building or structure.

- (g) The location, dimensions, area, type of materials and elevations of all signs and support structures.
- (h) Location of trash disposal system and details of screening, including type and height of dumpster and fence.
- (i) Lighting standards and fixtures for the site showing location, number, and height.
- (j) If the proposed development is to be constructed in phases, indicate proposed development scheduling in detail including:
  - (i) the approximate date when construction of each phase of the project can be expected to begin;
  - (ii) the order in which the phases of the project will be built; and
  - (iii) the infrastructure and on-site improvements that are proposed to be included in each phase delineated for the development, including but not limited to service areas, access drives, parking, landscaping, buildings and other structures.
- (k) Exact text from Section 5.1612, "Maintenance and Replacement."

**D. Landscape and Tree Preservation Plan.**

1. Procedure. In connection with the application for a building permit, developmental land clearing permit or any other application requiring a landscape permit, a landscape and tree preservation plan, for the project, shall be submitted to the Department of Planning for review and approval.
2. Requirements, Landscape and Tree Preservation Plan. The landscape and tree preservation plan shall be prepared under the supervision and control of, and signed by a landscape architect, licensed in any state in the United States, or a landscape contractor, licensed by the State of Louisiana. The following minimum information shall be submitted to the Department of Planning on the landscape and tree preservation plan in addition to the site plan requirements previously set forth:
  - (a) The area, expressed in acres and square footage, of
    - (i) the entire property;
    - (ii) the aggregate area of the street planting area, any required buffers, the building facade planting area, and interior landscaped areas such as parking; and

- (iii) the area expressed in square footage of any street planting area that varies in depth under the provisions of Section 5.1606 B.
- (b) Existing and proposed landscaping, including landscaping and screening that is required by Section 5.16, the location and dimension of planting areas, street planting areas, parking areas, building facade areas, side and rear buffer areas and the size, height and materials used for walls and fences.
- (c) The number, location and size in caliper of all existing trees which are six (6) inches d.b.h., or greater, and which are located within street planting area(s), within any required side or rear buffers and within the street right of way between the street property line(s) and the surface of the street, indicating which of these trees the applicant seeks to preserve and which of these trees the applicant seeks to remove, and showing the color of the flagging as required in 5.1605.
- (d) All live oak trees six (6) inches d.b.h., or greater, wherever located on the property or within the street right of way between the street property line(s) and the surface of the street, showing the color of the flagging as required in Section 5.1605.
- (e) Location of all trees and landscape material to be placed within the street planting area(s) and within any required side or rear buffers and within all other landscaped areas, indicating the species of such trees and the species of such landscape material. (A mere general reference to Class A or Class B trees or to other landscape material will not suffice.)
- (f) Location, height and description of any fountains or other landscape architectural features placed or to be placed on the property.
- (g) Location, dimensions, depth and description of any retention/detention ponds or retention/detention areas on, or to be placed on, the property together with a description of what planting will be made and/or what measures will be taken to make the retention/detention pond or retention/detention area into an aesthetic amenity for the property, as is required by Section 5.1611.

#### **5.1604 General Standards For Required Landscaping.**

##### **A. Plant Condition and Installation**

1. Condition of Plants. All plant materials shall be alive and in a healthy condition when planted.
2. Installation of Plants. All plant material shall be installed in a fashion that ensures the availability of sufficient soil and water to sustain healthy growth.

## **B. Definition of Trees and Shrubs, Native Species**

1. Class A and B Trees and Shrubs. The definitions of Class A and Class B trees and shrubs are contained in Section 5.1614.
2. Native Species. Species of trees and shrubs referred to as native species are set forth in Section 5.1613. Native species is a defined term as used in this Section 5.16, and only those species listed in Section 5.1613 shall be deemed to be native species for purposes of the landscape and tree preservation regulations of this Section 5.16 and no species omitted from Section 5.1613 shall be deemed to be a native species for purposes of the landscape and tree preservation regulations of this Section 5.16.

## **C. Minimum Caliper and Height of Trees and Shrubs** (Amended 3/03/05 ZC04-06-049 OCS#05-1061)

1. Class A Trees. All class "A" trees, at the time of planting, shall have a minimum caliper of at least two and one-half (2 1/2) inches, measured (6") six inches above the root ball, and a minimum height of 10-12 feet, as per the National Nursery Association Standards.
2. Class B Trees. All class "B" trees and all trees, other than class "A" trees, at the time of planting, shall have a minimum caliper of at least one and one-half (1-1/2) inches, measured (6") six inches above the root ball, and a minimum height of 8-10 feet, as per the National Nursery Association Standards.
3. Shrubs. All shrubs, at the time of planting, shall have a minimum height of two (2) feet.

## **D. Landscaping Design**

1. Professional Design. A professionally acceptable composition, spacing and mix of vegetation is required.
2. Native Species. At least 60%, of the aggregate in number, of all required trees and shrubs (the sum of all trees and shrubs required in street planting areas, buffer planting areas, parking areas, building facade planting areas and any other areas where trees and shrubs are required in this Section 5.16) shall be a native species of trees and shrubs as identified in Section 5.1613. None of the required ground cover need be a native species.
3. Substitution of Class A Trees for Required Class B Trees. With the approval of the Department of Planning, the applicant may substitute a Class A tree for a required Class B tree, except that Class A trees shall not be permitted within servitudes with overhead power lines as referred to in Section 5.1606 F 2. Among the considerations to be made by the Department of Planning in granting such approval is the size of the planting area.

4. Substitution of Class A and Class B Trees for Shrubs. With the approval of the Department of Planning, the applicant may substitute Class A or Class B trees for shrubs in the building facade planting area; provided that (i) the trees are sufficiently distant from a building or structure, and (ii) there is a sufficient planting area for a tree.

## **5.1605 Tree Preservation**

### **A. Identifying and Locating Existing Trees, Proposed Driveways**

1. Staking of Street Planting Areas and Buffers. On or before the time the Landscape and Tree Preservation Plan is submitted to the Department of Planning, the applicant shall monument, by stakes placed in the ground, the street planting area and any required buffer planting area so that immediately after the application is submitted and before any work is done, the Department of Planning can inspect the areas that will become the street planting areas and buffers. The following shall be complied with respect to such monuments or stakes:
  - (a.) Type of Stakes. The stakes used shall be wood or metal placed in the ground, and such stakes shall be of sufficient strength and durability and placed deeply enough in the ground to remain until the completion of construction. Any removed, broken, substantially bent or damaged stakes shall be replaced so that all stakes shall remain in place during construction.
  - (b.) Location of Stakes. Such stakes shall be located at least every fifty (50) feet:
    - (i) along the street frontage of the street planting area and along the rear line of the street planting area, and
    - (ii) along the side and rear property line where side or rear buffers are required and along the interior lines of such buffers.
  - (c.) Height and Flagging of Stakes. Such stakes shall extend upward from the ground at least three (3) feet and shall be flagged yellow in color or some other flagging approved in advance by the Department of Planning.
  - (d.) Clearing Lines. If the lines of the street planting areas and buffers are too thick to walk or sight down, they shall be cleared sufficient for walking and sighting.
2. Flagging of Existing Trees.
  - (a.) Live Oaks. All live oaks, wherever they may be situated on the property

or the adjacent street right of way, which are over six (6) inches d.b.h. shall be flagged with blue colored flagging or some other flagging approved in advance by the Department of Planning.

- (b.) Trees Over Six Inches D.B.H. All trees over six (6) inches d.b.h. located within the street planting area or within any required buffers shall be flagged with green colored flagging or some other flagging approved in advance by the Department of Planning.
  - (c.) Trees Applicant Proposes to Remove. All trees set forth in (a) and (b) immediately above, which applicant seeks to remove, shall be flagged with orange colored flagging or some other flagging approved in advance by the Department of Planning.
3. Driveway Cuts. All areas of ingress or egress, through street planting areas and buffers, shall be clearly defined with stakes marked "driveway."
  4. Retention/Detention Ponds. All areas to be included within a retention/detention pond shall be clearly defined with stakes marked "R/D Pond".

**B. Preservation of Trees, Inspections.** (Amended 3/03/05 ZC04-06-049 OCS#05-1061)

1. Preservation of Live Oak Trees. All live oak trees over six (6) inches d.b.h. shall be preserved wherever they may be located on the property and even if they are located between the property line and the roadway surface, except as permitted 5.1605 C.
2. Trees to be Preserved in the Street Planting Area and Required Buffers. In the street planting areas and required buffer planting areas, all trees over six (6) inches d.b.h. shall be preserved except (none of these exceptions apply to live oaks):
  - (a.) Trees within any permitted driveway within a street planting area or buffer planting area.
  - (b.) Trees that must be removed for utilities or drainage within a street planting area or buffer planting area.
  - (c.) Trees that are unsound, hazardous, diseased or infested with insects as determined by a licensed arborist within a street planting area or buffer planting area.
  - (d.) Trees that will be too close to a paved area or areas to have a reasonable probability of surviving, as determined by the Department of Planning within a street planting area or buffer planting area.
  - (e.) Trees, within a buffer planting area, required to be removed for a

retention/detention pond as provided for in Section 5.1607 D 1 and Section 5.1611.

- (f.) Trees, within a street planting area, required to be removed for a retention/detention pond as provided for in Section 5.1606 E 1 and Section 5.1611; provided that, the aggregate of the trees removed for driveways and retention/detention ponds shall not exceed 50% of the trees in excess of six (6) inches d.b.h.
3. Initial Inspection. After the application for the landscape permit is made and before the issuance of a landscape permit, the Department of Planning shall make its initial physical inspection of the street planting areas and buffers to determine whether they are properly monumented, staked and flagged and to reach a determination as to whether the applicant is preserving the trees that are required to be preserved under this Section 5.16.
4. Subsequent Inspections. The Department of Planning shall make such subsequent inspections as may be necessary, but not less frequently than monthly, to insure that the trees are preserved which are required to be preserved and to determine whether the landscape plan is being complied with.
5. Reports on Inspections. Upon each inspection, the Department of Planning shall file a report in the case file as to what was observed during the inspection and whether Section 5.16 is being complied with, and, to the extent feasible, the Department of Planning shall document its inspections with photographs which shall show the date the photograph is taken and the name of the person taking the photograph.

**C. Removal of Live Oak Trees** (Amended 3/03/05 ZC04-06-049 OCS#05-1061)

1. A live oak tree shall be permitted to be removed if the live oak tree denies or precludes reasonable use of a parcel of property. In order to determine if a live oak tree shall be removed from a parcel of property the following documents shall be provided to the Planning Director or his subordinate:
  - a. Submit a complete land clearing permit application form
  - b. A survey or scale drawing of the parcel of the property accurately depicting the location of the live oak tree(s) including the minimum protective radius required by this ordinance around the tree(s) and its impact on the buildable area of that parcel of property.
  - c. A letter describing any special circumstances affecting the development of that parcel of property, including without limitation, any unusual topography and fill requirements.
2. An application for tree removal and replacement shall be granted by the Planning Director when he determines that one of the following conditions exist:

- a. The live oak tree is determined to be "hazardous" by the Parish Landscaping Inspector or by an International Society of Arboriculture certified arborist.
  - b. The live oak tree is located in an area where a structure or improvement will be placed, or where a structure or improvement currently exists, and, if not removed, will deny reasonable use of the property or cause serious damage to an existing building. For new construction if the development can be reasonably reconfigured to provide reasonable use, then such reconfiguration shall be made.
  - c. The live oak tree creates unsafe vision on a public street or right-of-way and cannot be trimmed to correct the unsafe vision.
  - d. The protected tree is required to be removed for an approved infrastructure improvement or structure.
  - e. The live oak tree prevents access to a proposed structure or access to a necessary part of a building site, and a redesign of the development plan is not feasible
  - f. The live oak tree is located in an area where fill will be placed on a parcel pursuant to a development order and/or a grade-fill excavation permit has been issued and the applicant has demonstrated it is not reasonably practicable to utilize arboricultural techniques to preserve a protected tree
3. Conditions shall be imposed upon any approved application to remove a live oak tree 6" in caliper or greater, such as requiring the planting of additional live oak trees on the site or as compensation, donating live oak trees to a non- profit organization.
  4. Removal of any 6" in caliber or greater, live oak tree shall be replaced in kind by a 4" in caliper live oak tree.
  5. Appeal: The property owner or owner's authorized representative may appeal the denial of the land clearing application to remove an oak tree to the Board of Adjustment. The board may grant a variance to remove live oak trees pursuant to the criteria as established in Section 5.1605 C. et al. The board may also require the applicant to provide compensation for the removal of said live oak trees, which may include:
    - a. replacing the removed trees with either the same number, or more
    - b. establishing the caliper of trees to be replanted
    - c. planting a divergence of Class A trees, including live oaks, to replace the trees removed; and as an alternative to replacing trees on-site
    - d. require the applicant to donate trees to a non-profit organization in St. Tammany Parish for planting

**D. Tree and Root Protection Standards** (Amended 3/03/05 ZC04-06-049 OCS#05-1061)

1. Protective Barriers, Type Required. Prior to grading, construction or other land disturbing activity, protective barriers shall be installed in accordance with the provisions of Section 5.1605 D below. Barriers shall include, but not be limited

to, temporary fencing. This fencing shall be constructed from any highly visible material substantial enough to protect the roots, trunk and crown of the trees, such as silt fencing, orange safety fencing and wire fencing.

2. Location of Barriers. For all trees, except live oaks (which are provided for in Section 5.1605 D 4 below), barriers shall be installed, prior to commencement of clearing and dirt work, at least one (1) foot outward, from trees to be preserved within a street planting area or buffer, for each inch of trunk diameter with a minimum distance of two (2) feet required from the edge of the trunk; provided that, the barriers shall be limited to the perimeter of the street planting area or required buffer and the perimeter of the permitted driveways through the street planting area and permitted driveways through required buffers.
3. Activity Within Barriers.
  - (a.) No significant soil disturbance or compaction, stock piling of soil or other construction materials, vehicular traffic, storage of heavy equipment are allowed within the area for which a barrier is required.
  - (b.) The tracks, of any tracked equipment used within the area for which a barrier is required, shall be constructed or buffered by rubber or similar material to minimize root disturbance, and any other tracks are prohibited to be used within such areas.
  - (c.) No more than one inch (1") of fill shall be allowed around the tree root zone of a tree that is to be preserved.
  - (d.) No ropes, signs, wires, unprotected electrical installation or other device or material, shall be secured or fastened around or through a tree or shrub.
  - (e.) Barriers shall not be removed until landscaping operations are undertaken within the area required to be protected by a barrier or until utility or drainage installation is required within the area required to be protected by a barrier. Barriers that have been removed shall be reinstalled unless the project is so advanced that there is no risk to the roots, trunk and crown of the tree.
4. Live Oak Protection. For live oaks required to be protected by this Section 5.16:
  - (a) A barrier shall be constructed along the drip line of the tree.
  - (b) No activity of any kind is permitted within such barrier except as may be approved by the Department of Planning.

#### **E. Credit for Existing Trees.**

1. Exchange Rate. All trees greater than two and one-half (2.5) inches in

diameter d.b.h. that are located in the street planting and buffer areas and preserved as required in Section 5.1605, or any trees preserved in the parking area, shall be credited towards the satisfaction of the minimum landscape planting requirements at the following exchange rate:

<b>DBH Caliper of Preserved Tree</b>	<b>Credits Toward Required Trees</b>
2.5" - 6"	1 tree
6" - 14"	2 trees
Greater than 14"	3 trees

2. Location of Trees to Obtain Credit. These credits shall only be given if the trees preserved are located in or within fifteen (15) feet of the specific area (street/buffer planting areas and parking area). For example: The trees preserved in the street planting area shall be given credit for the street planting requirements only. Credit for trees preserved in the parking area shall apply only to the parking requirements, etc.

**F. Replacement of Preserved Trees That Die:** If any preserved tree, that has been credited, dies and at the time of such death, there are not then a sufficient number of trees of the required caliper (2.5 in.) and height (10-12 ft. for Class A trees and 8-10 ft. for Class B trees) in the street planting area, buffer areas or other required landscaped areas (the requirements of each such area to be computed separately) to meet the requirements of this Section 5.16, the dead tree shall be removed and replaced by the owner with a tree or trees of the same class equal to the number of trees for which a credit was originally given, but not to exceed the number of trees required in the street planting area, buffer areas or other required landscaped areas (the requirement of each such area to be computed separately). It shall be the responsibility of the owner to replace said tree(s) within six (6) months of the death of the preserved tree.

**5.1606 Street Planting Areas.**

**A. Definition, Width.** A street planting area is the area along the street (or streets) or road (or roads) along which a property abuts which is designated for the preservation of trees and for landscaping. If a property abuts only one street or road, the street planting area shall be as follows:

**STREET PLANTING AREA WIDTH, ONE STREET FRONTAGE**

<b>AVERAGE DEPTH OF PROPERTY</b>	<b>STREET PLANTING AREA WIDTH</b>
Less than 300 feet	25 feet

300 - 399 feet	30 feet
400 feet and greater	35 feet

If a property abuts two or more streets or roads, the street planting area shall be as follows on all streets upon which the property abuts: (Amended 3/03/05 ZC04-06-049 OCS#05-1061)

**STREET PLANTING AREA WIDTH, MULTIPLE STREET FRONTAGES**

AVERAGE DEPTH OF PROPERTY	STREET PLANTING AREA WIDTH
Less than 300 feet	20 feet
300 - 399 feet	25 feet
400 feet and greater	30 feet

**B. Flexibility of Depth of Street Planting Areas.** The required depth of the street planting area may be adjusted so the depth of the street planting area may be reduced to a minimum of ten (10) feet, up to a maximum of twenty percent (20%) of the length of the street planting area, provided that a depth greater than the required depth is added to other areas of the street planting area to maintain the overall required street planting area.

**C. Driveways Through Street Planting Areas.** For street frontage of less than two hundred (200) linear feet, no more than two (2) one-way driveways, a minimum of 12 feet in width and a maximum of 15 feet in width, or one (1) two-way driveway, a minimum of 24 feet in width and a maximum of 35 feet in width, shall be permitted through the street planting area. For street frontage of two hundred (200) linear feet but less than six hundred (600) linear feet, one (1) additional two-way driveway or two (2) additional one-way driveways, of the minimum and maximum width specified, are permitted. Similarly, one (1) additional two-way driveway or two (2) additional one-way driveways, of the minimum and maximum width specified, are permitted for each additional four hundred (400) linear feet of frontage beginning with and in excess of six hundred (600) linear feet.

**D. Utilities In Street Planting Areas.**

1. Utilities Along Streets. If a utility easement or servitude is located within the street planting area and is adjacent to and runs along a street or road, the width of the street planting area shall not be increased beyond the width required in Section 5.1606A, except that the width of the street planting area shall be increased as necessary so that ten (10) feet of the street planting area shall be unencumbered by a utility easement or servitude, which shall be accomplished as follows:

<b>Street Planting Area Width</b>	<b>Servitude Width</b>	<b>Increase in Street Planting Area Width</b>
25 feet	Greater than 15 feet	One (1) foot for each foot of servitude width in excess of 15 feet.
20 feet	Greater than 10 feet	One (1) foot for each foot of servitude width in excess of 10 feet.

2. Utilities Crossing Street Planting Areas. Utility easements or servitudes crossing street planting areas are permitted and do not require that the width of street planting areas be increased.

**E. Allowed and Prohibited Things in Street Planting Area**

1. Allowed in Street Planting Area. Trees, shrubs, landscaping, fountains and any other landscape architectural feature, specifically approved by the Department of Planning, are allowed. Subject to the other rules and limitations provided for in this Section 5.16 and other provisions of this Zoning Ordinance, sidewalks, driveways, signs, utility easements and servitudes, retention/detention ponds, drainage ways and facilities, and decorative fences are allowed in street planting areas. Decorative fences are wrought iron, picket and any other similar fence approved by the Department of Planning; provided that (i) such fences must be able to be seen through (not more than 1/3rd opaque), and (ii) picket fences cannot be greater than 36 inches high and posts for picket fences cannot be more than 44 inches in height.
2. Prohibited in Street Planting Area. Everything, not specifically allowed in Section 5.1606 E 1, is prohibited in street planting areas.

**F. Planting Requirements in Street Planting Area.**

1. Plants Required in Street Planting Area.
  - (a) Trees and Shrubs Required. Subject to the reduction and credit for existing trees as set forth in Section 5.1605, the following minimum number of trees and shrubs shall be planted in the street planting area or areas (if the property abuts more than one street) each street planting area to be computed separately if there is more than one street planting area:

<b>WIDTH OF STREET PLANTING AREA</b>	<b>CLASS A TREES REQUIRED</b>	<b>CLASS B TREES REQUIRED</b>	<b>SHRUBS REQUIRED</b>
25 feet	1 per 30 linear feet (or fraction thereof) of street or road frontage	1 per 30 linear feet (or fraction thereof) of street or road frontage	1 per 10 linear feet (or fraction thereof) of street or road frontage
30 feet	1 per 25 linear feet (or fraction thereof) of street or road frontage	1 per 25 linear feet (or fraction thereof) of street or road frontage	1 per 10 linear feet (or fraction thereof) of street or road frontage
35 feet	1 per 20 linear feet (or fraction thereof) of street or road frontage	1 per 20 linear feet (or fraction thereof) of street or road frontage	1 per 10 linear feet (or fraction thereof) of street or road frontage

(b) Ground Cover Required. Living vegetative ground cover material covering the entire surface of the street planting area other than driveways, sidewalks, retention/detention ponds, drainage ways and facilities, fountains, signs and other areas which are not plantable due to landscape architectural features approved by the Department of Planning.

2. Location of Required Trees and Shrubs Within Street Planting Area. All required trees and shrubs shall be located within the street planting area as follows:

<b>Category</b>	<b>Placement/Location</b>
No servitude or easement within street planting area	Locate Class A and B trees and shrubs anywhere within street planting area
Overhead line servitude or easement, along street or road, within street planting area	Locate Class A trees outside of servitude or easement; locate Class B trees within servitude or easement; locate shrubs anywhere within street planting area

Underground line servitude or easement, along street or road, within street planting area	Locate Class A and B trees outside servitude or easement; locate shrubs within servitude or easement
Crossing servitude or easement, overhead or underground, within street planting area	Locate all Class A trees outside servitude or easement; if overhead, locate some Class B trees within servitude or easement; if underground, locate some shrubs within servitude or easement

**5.1607. Side and Rear Buffer Planting Area Requirements.**

- A. Definition.** A buffer planting area is defined as an area of land located along the side and rear property lines, common to adjacent properties, designated for the preservation of trees and landscaping. Buffer planting areas terminate at, and do not include any area within, street planting areas. Buffer planting areas shall be designed to provide a horizontal distance and landscaped open space between properties.
- B. Buffer Planting Area Width.** Buffer planting area width shall be a minimum of ten (10) feet, except that buffer planting area width for an industrial use abutting a non-industrial use shall be a minimum of twenty-five (25) feet.
- C. Driveways Through Side Buffer Planting Areas.** In order to provide off-street ingress and egress among adjacent properties, no more than two (2) one-way driveways, a minimum of twelve (12) feet in width and a maximum of fifteen (15) feet in width, or one (1) two-way driveway, a minimum of twenty-four (24) feet in width and a maximum of thirty-five (35) feet in width, shall be permitted through the side buffer planting area.
- D. Allowed and Prohibited Things in Buffer Planting Areas**
  - 1. Allowed in Buffer Planting Areas. Trees, shrubs, landscaping, fountains and any other landscape architectural feature, specifically approved by the Department of Planning, are allowed in buffer planting areas. Eaves and other building overhangs, not in excess of two and one-half (2.5) feet, are also allowed. Subject to the other rules provided for in this Section 5.16 and other provisions of this Zoning Ordinance, sidewalks, driveways, utility and drainage easements and servitudes, retention/detention ponds, drainage ways or facilities, and fences as provided for in Section 5.1607 F, are allowed in buffer planting areas.
  - 2. Prohibited in Buffer Planting Areas. Everything not specifically allowed in

Section 5.1607 D 1 is prohibited in buffer planting areas.

**E. Planting Requirements in Buffer Planting Areas.**

1. Planting Required in Buffer Planting Areas.

(a) Trees Required if Unencumbered by Utility Servitude. Subject to the reduction and credit for existing trees as set forth in Section 5.1605, the following minimum number of trees shall be planted in the buffer planting areas which are not encumbered by a servitude or easement:

<b>Category</b>	<b>Number</b>
Class A Trees	One (1) for each 30 linear feet of the buffer planting area
Class B Trees	One (1) for each 30 linear feet of the buffer planting area

(b) Trees Required if Encumbered by Overhead Utility Servitude. Subject to the reduction and credit for existing trees as set forth in Section 5.1605, the following minimum number of trees shall be planted in the buffer planting areas which are encumbered by overhead utility servitude or easement:

<b>Category</b>	<b>Number</b>
Class B Trees	Two (2) for each 30 linear feet of the buffer planting area

(c) Shrubs Required if Encumbered by an Underground Utility Servitude. If the buffer planting area is encumbered by an underground utility servitude or easement, the shrubs are required as follows:

<b>Category</b>	<b>Number</b>
Shrubs	One (1) for each 10 linear feet of the buffer planting area

(d) Ground Cover Required. Living vegetative ground cover material covering the entire surface of the buffer planting area other than driveways, sidewalks, retention/detention ponds, drainage ways and facilities, fountains, signs and other areas which are not plantable due to landscape architectural features approved by the Department of Planning.

**F. Fences in Buffer Planting Areas.**

1. Fences Required. One hundred percent (100%) opaque wood or masonry fences, a minimum of eight (8) feet high, shall be required, along the side and rear property lines at the perimeter of the buffer planting areas, as follows:

Use of Property	Zoning of Adjacent Property
Commercial, industrial, or institutional uses	Any residential zoning including Zoning Districts A-1 through A-6 and any residential within a Planned Unit Development
All multi-family uses except duplexes	Single-family residential zoning, being Zoning Districts A-1 through A-4 and any single family within a Planned Unit Development

2. Fences Allowed. In addition to the fences required in Section 5.1607 D 1, fences are allowed along the side and rear property lines at the perimeter of the buffer planting areas. Such allowed fences shall be not greater than eight (8) feet in height, and they may be constructed of wood, masonry, wrought iron, wire link, or such other material as may be approved by the Department of Planning.

**5.1608 Building Facade Planting Area** (Amended 3/03/05 ZC04-06-049 OCS#05-1061)

- A. Definition.** The building facade planting area occurs when the exterior wall(s) of the building, which contain the primary entrance(s) to the building, faces vehicular access area(s), and the building facade planting area is the area between such exterior wall(s) and such vehicular access area(s).
- B. Area, Location, Width, Length.** The building facade area shall be located along the full length of the building exterior wall(s) facing the vehicular access area(s). This area shall be no less than four (4) feet in width.
- C. Allowed in Building Facade Planting Areas.** Concrete side walk not to exceed 4 foot in width, trees, shrubs, landscaping, fountains and any other landscape architectural feature, specifically approved by the Department of Planning. Entrances, drainage ways, underground utilities, eaves and other building overhangs are allowed in building facade planting areas. Everything not specifically allowed in this Section 5.1608 E is prohibited in building facade planting areas.

**5.1609 Parking Landscaping Requirements**

**A. Screening for Parking Area.**

1. Where Screening is Required. Whenever parking or vehicular use areas are

located adjacent to a street planting area, shrubs shall be planted in the street planting area to screen the parking area from view from the street or road.

2. Location of Shrubs Within Street Planting Area. Shrubs shall be located within the street planting area in a row (straight or curvilinear) or clusters to achieve screening. Shrubs shall be planted 2 ½ feet apart or closer, except that if shrubs are planted in clusters, the clusters shall be 4 feet apart or closer.
3. Height of Shrubs. No shrub shall be planted unless it will reach three (3) feet in height within two (2) years after planting, and, thereafter, shrubs shall be maintained at three (3) feet in height or higher.
4. Credit. The shrubs required for screening of the parking area shall be credited against the shrubs required in Section 5.1606 D for the street planting area so that if the shrubs required for screening satisfy the number of shrubs required in Section 5.1606 D, no additional shrubs are required under Section 5.1606 D.

## **B. General Interior Parking Landscape Requirements**

1. When Required. Interior parking landscape shall be provided in the interior of vehicular use areas greater than eight (8) parking spaces or larger than 3,000 square feet.
2. Curbing. The interior parking landscaped areas shall be curbed with permanently anchored material at least six (6) inches in height. Curb material may be concrete, natural stone, railroad ties or landscape timbers.
3. Connection with Street or Buffer Planting Areas. A required interior parking landscaped area may be connected with a required street or buffer planting area so long as the interior parking landscaped area is in addition to the area of the required street planting or buffer areas.

## **C. Specific Interior Parking Landscape Requirements.** (Amended 3/03/05 ZC04-06-049 OCS#05-1061)

1. Landscape Islands Within Rows. No more than twelve (12) parking spaces shall be permitted in a continuous row without being interrupted or terminated by a landscaped island or median of not less than six (6) feet in width (exclusive of curbs) and not less than the length of the parking space.
2. Landscape Islands at End of Rows. Every parking row shall terminate in a landscaped island of not less than nine (9) feet in width (including the curbs) and not less than the length of the parking space; provided that, a landscape island shall not be required at the end of a parking row where the end of the parking row abuts a street planting area or buffer planting area.
3. Medians Between Rows. Every fourth row of parking shall be separated by a

median strip for landscaping of not less than nine (9) feet in width (inclusive of curbs).

4. **Required Plants.** The landscaped islands shall contain a minimum of one (1) Class A tree. One (1) Class A tree for every 30 linear feet shall be planted in the required median between rows. The surface of the landscaped islands and medians shall be planted in a living vegetative ground cover.
5. **Additional Planting Where No Landscape Islands or Medians Are Required.** If no landscape islands or medians are required in this Section 5.1609 C, one (1) Class B tree is required for every four (4) parking spaces. These Class B trees may be planted in any landscaped area.

### **5.1610 Trash and Garbage Screening Requirements**

All storage areas containing three (3) or more refuse, garbage, or rubbish containers or one (1) or more dumpsters, shall be screened on all sides with a minimum seven (7) foot high opaque fence of wood or masonry.

### **5.1611 Retention/Detention Planting Area Requirements**

**A. Definition.** The term retention/detention pond as used in Section 5.16 shall mean any retention or detention pond or basin for water retention, detention, storage or for runoff control.

**B. Landscape Design Requirements.** The retention/detention pond shall be designed as a visual amenity to the area in which it is situated, and the design shall meet the following requirements:

1. **Strip Around Retention/Detention Pond.** A strip of land, a minimum of five (5) feet in width, shall surround the retention/detention pond on the front, rear and all sides, which strip shall be at grade level and shall not be excavated or made a part of the slope of the retention/detention pond. This strip of land shall contain the required landscaping for the area in which the retention/detention pond is located. For instance, if the retention/detention pond is located in a street planting area, the trees and shrubs required in such area shall be planted on such strip.
2. **Preserved Trees In Street Planting Area.** Within a street planting area, trees over six (6) inches d.b.h. can only be removed for a retention/detention pond as provided for in Section 5.1605.
3. **Slopes.** If the banks of the retention/detention pond are sloped, the slope shall be at such a ratio so that vegetation will grow thereon so that it can be maintained. Vegetation is required on such slopes.
4. **Fences.** Any fences around the retention/detention pond shall be an

ornamental fence as defined in Section 5.1606 E 3; except the fences required along the side and rear property lines at the perimeter of the buffer planting areas shall meet the requirements of Section 5.1607 F 1.

- C. Plan Requirements.** The plan for the retention/detention pond shall be shown on the landscape and tree preservation plan or on a separate plan. This plan shall be submitted to the Department of Planning for its review and approval in connection with the issuance of the landscape permit.

### **5.1612 Maintenance and Replacement**

- A. Maintenance.** The owner or his agent shall be responsible for the maintenance and repair of all landscaping materials and barriers as may be required by the provisions of this section.

1. Planting beds shall be mulched to prevent weed growth and maintain soil moisture.
2. Plant materials shall be pruned as required to maintain good health and character
3. Turf areas shall be mowed periodically
4. All roadways, curbs and sidewalks shall be edged when necessary in order to prevent encroachment from the adjacent grassed areas.
5. The owner of the property shall be responsible for the provision of adequate water, fertilizer and nutrients to the required plant materials.

- B. Replacement.** Subject to the provisions of Section 5.1605 F entitled, "Replacement of Preserved Trees That Die", trees and plants that die must be replaced within six (6) months of the death of the tree or plant with trees or plants that meet the requirements of Section 5.16. Barriers and curbs that are damaged or destroyed beyond repair shall be replaced within six (6) months after the damage or destruction.

### **5.1613 Native Trees and Shrubs**

- A. Required Native Trees and Shrubs.** Section 5.1604 D 2 provides:

At least 60%, of the aggregate in number, of all required trees and shrubs (the sum of all trees and shrubs required in street planting areas, buffer planting areas, parking areas, building facade planting areas and any other areas where trees and shrubs are required in this Section 5.16) shall be a native species of trees and shrubs as identified in Section 5.1613. None of the required ground cover need be a native species. (Amended 3/03/05 ZC04-06-049 OCS#05-1061)

The provisions of this Section 5.1613 B through D set forth trees and shrubs that are considered native species of trees and shrubs for the purpose of Section 5.1604 D 2, above quoted.

**B. Class “A” Native Trees.** Class “A” trees are defined in Section 5.1615. The following are Class “A” native tree species:

<b>Common Name</b>	<b>Scientific Name</b>
AMERICAN BEECH	Fagus Grandifolia
AMERICAN ELM	Ulmus americana
AMERICAN SYCAMORE	Platanus Occidentalis
ASH SPECIES	Fraxinus Spp.
BLACK CHERRY	Prunus serotina
BLACKJACK OAK	Quercus Marilandica
BALD CYPRESS	Taxodium Distichum
BLACKGUM	Nyssa Sylvatica
CHERRYBARK OAK	Quercus Falcata (var.) Pagodaefolia
HACKBERRY	Celtis Laevigata
LAUREL OAK	Quercus Laurifolia
LOBLOLLY PINE	Pinus Taeda
LONGLEAF PINE	Pinus Palustris
NUTALL OAK	Quercus nuttallii
OVERCUP OAK	Quercus lyrata
PECAN	Carya Illinoensis
POND CYPRESS	Taxodium Ascendens
RED MAPLE	Acer rubum L. Var.rubum
RED OAK	Quercus falcata
SLASH PINE	Pinus Elliottii
SHUMMARD OAK	Quercus shumardii
SOUTHERN MAGNOLIA	Magnolia Grandiflora
SOUTHERN LIVE OAK	Quercus Virginiana
SOUTHERN SUGAR MAPLE	Acer barbatum
SPRUCE PINE	Pinus Glabra
SWAMP RED MAPLE	Acer Rubrum Drummond II
SWAMP CHESTNUT OAK	Quercus Michauxii
SWEETBAY MAGNOLIA	Magnolia Virginiana
SWEETGUM	Liquidambar Styraciflua
TULIP POPLAR	Liriodendron Tulipifera
WHITE OAK	Quercus Alba
WILLOW OAK	Quercus phellos
WINGED ELM	Ulmus Alata

C. Class “B” Native Trees. Class “B” trees are defined in Section 5.1615. The

following are Class "B" native tree species:

<b>Common Name</b>	<b>Scientific Name</b>
AMERICAN PLUM	Prunus americana
AMERICAN SNOWBELL	Styrax americana
BIG LEAF SNOWBELL	Styrax grandifolius
BIG LEAF WAX MYRTLE	Myrica heterophylla
BLACK WILLOW	Salix nigra
BOTTLEBRUSH BUCKEYE	Aesculus parviflorum
CASSINE or DAHOON HOLLY	Ilex cassine
CHERRY LAUREL	Prunus caroliniana
DECIDUOUS HOLLY	Ilex decidua
DOGWOOD	Cornus florida
FOSTERS HOLLY, GREENLEAF HOLLY, SAVANNAH HOLLY, ETC.	Ilex "attenuata" cultivars
GREENHAW	Crataegus viridis
GREYBEARD	Chionanthus virginicus
GROUNDSEL BUSH	Baccharis halimifolia
HOP HORNBEAM	Ostrya virginiana
IRONWOOD or BLUE BEECH	Carpinus caroliniana
MAYHAW	Crataegus opaca
MEXICAN PLUM	Prunus mexicana
PARSLEY HAWTHORN	Crataegus marshallii
PERSIMMON	Diospyros virginiana
POSSUMHAW VIBURNUM	Viburnum nudum
RED BAY	Persea borbonia
RED BUCKEYE	Aesculus pavia
REDBUD	Cercis canadensis
RED MULBERRY	Morus rubra
RIVER BIRCH	Betula nigra
SILVER BELL	Halesia diptera
SOUTHERN CATALPA	Catalpa bignonioides
SOUTHERN CRABAPPLE	Malus angustifolia
SHINING SUMAC	Rhus glabra
SMOOTH SUMAC	Rhus copallina
TITI	Cyrilla racemiflora
TREE HUCKLEBERRY	Vaccinium arboreum
WALTER'S VIBURNUM	Viburnum oboratum
WAX MYRTLE	Myrica cerifera
WEeping YAUPON	Ilex vomitoria "pendula"
YAUPON	Ilex vomitoria

D. Native Shrubs

ARROWWOOD	Viburnum dentatum
AZALEA	Azalea indica
BLUEBERRY/HUCKLEBERRY	Vaccinium species
CAMELLIA	Camellia susanqua
CLETHRA	Clethra alnifolia
DAHOON HOLLY	Ilex myrtifolia
FETTERBUSH	Lyonia spp.
FRENCH MULBERRY	Callicarpa americana
GALLBERRY	Ilex glabra
HONEYBELLS	Agarista populifolia (dwarf available)
OAKLEAF HYDRANGEA	Hydrangea quercifolia
PALMETTO	Sabal minor
SOUTHERN CANE	Arundinaria gigantea
STARBUSH	Illicium floridanum
SWEET SHRUB	Calycanthus floridus
VIRGINIA WILLOW	Itea virginica
WILD AZALEA	Rhododendron serrulatum
WILD AZALEA	Rhododendron canescens
WILD AZALEA	Rhododendron austrinum
WINTERBERRY	Ilex verticillata
YELLOW ANISE	Illicium parviflorum
DWARF YAUPON	Ilex vomitoria nona

#### **5.1614 Regulation of Legally Non-conforming Landscaping.**

- A. Definition.** The term “legally non-conforming landscaping” shall mean (i) any landscaping located within the Parish which does not conform with the provisions of this Section 5.16 at the time this Section 5.16 becomes effective, or (ii) any landscaping not yet constructed, but which has been granted a permit or approval, at the time this Section 5.16 becomes effective.
- B. Loss of Legally Non-conforming Status.** Legally non-conforming landscaping shall immediately lose its legally non-conforming designation if:
1. The building(s) on the premises, on which the landscaping is situated is (i) damaged fifty (50%) percent or more of its replacement value by reason of fire, flood, explosion, riot, casualty, or Act of God, or (ii) repaired, renovated or replaced to the extent of fifty (50%) percent or more of its replacement value.
  2. The footprint of building(s) on the premises, on which the landscaping is situated, is altered or the cubic content of the building(s) is increased.
- C. Compliance After Loss of Legally Non-conforming Status.**
1. On the happening of the event set forth in Section 5.1614 B 1, the

landscaping shall be brought into compliance with this Section 5.16, and a new landscape permit shall be secured therefor within six (6) months of such event.

2. On the happening of the event set forth in Section 5.1614 B 2 that does not constitute an event under Section 5.1614 B 1, the landscaping shall be brought into compliance with this Section 5.16 to the extent reasonably possible as determined by the Department of Planning, and in connection therewith, the applicant or owner shall submit to the Department of Planning a landscape and tree preservation plan as required by Section 5.1603 D and obtain a landscape permit for the landscaping as approved by the Department of Planning.

### **5.1615 Definitions for Landscape and Tree Preservation Regulations.**

The following definitions relate to the landscape and tree preservation regulations contained in Section 5.16. These definitions are intended to also be set forth in Section 10 simultaneously with the adoption of Section 5.16 or at a later date.

Buffer Planting Area: See the definition in Section 5.1607 A.

Building Facade Planting Area: See the definition in Section 5.1608 A.

Calculation of the Average Depth of the property: The average depth of the property is calculated from the primary frontage of the property. (Amended 3/03/05 ZC04-06-049 OCS#05-1061)

D.B.H: Diameter breast high.

Decorative Fences: See the definition in Section 5.1606 E 1.

Drip Line: The outer edge of the foliage of a tree extending in all directions parallel to the ground.

Ground Cover, Decorative: Any mulch material (vegetative or mineral) that is used to cover the surface of the ground to prevent erosion or retain moisture.

Ground Cover, Vegetative: Plant material which reaches a maximum height of not more than twelve (12) inches at maturity, including turf.

Interior Landscape Area: Any landscaped area within the interior of a development site and beyond the required periphery landscape area that is planted with trees, shrubs and ground covering material to provide for infiltration of runoff, shade of parking areas or aesthetic enhancement of the site.

Landscaping Material: Material such as, but not limited to, living trees, shrubs, vines, turf, ground cover, landscape water features, and non-living, durable materials commonly used in landscaping including, but not limited to, rocks, pebbles, sands,

decorative walls, brick pavers, and earthen mounds, but excluding paving for vehicular use.

Mulch: Any material that is used to cover the ground surface to prevent erosion, retain moisture and protect plant material.

Plant Material: Any plant including trees, vines, shrubs, ground covers and annuals or vegetation of any size, species or description.

Retention/Detention Pond: See the definition in Section 5.1611 A.

Shrub: A relatively low-growing bushy plant, usually with woody stems. For the purposes of this definition, ground cover, trees and annuals are not considered shrubs.

Street Planting Area: See the definition in Section 5.1606 A.

Tree - Class A: Any self-supporting woody plant of a species which normally grows to an overall height of a minimum of fifty (50) feet, usually with one main stem or trunk although some species may have multiple trunks, and with many branches. A list of Class A native trees can be found in Section 5.1613 B.

Tree - Class B: Any self-supporting woody plant of a species which normally grows to an overall height of a minimum of twenty-five (25) feet, with one or more main stem(s) or trunk(s) and many branches. A list of species considered to be Class B native trees can be found in Section 5.1613 C.

Tree Root Zone: That area that extends outward from the trunk to the drip line of the tree.

Vehicular Access Area: Driveways, accessways, parking areas and other areas which vehicles use.



**SECTION 5.17 - LAND CLEARING PERMIT** (Amended 05/04/2002 ZC#01-11-073 OCS# 02-0460)

**A. GENERAL**

The purpose of this Section is to promote the health, safety, and general welfare of the public; to facilitate the creation of a convenient, attractive and harmonious community; to conserve natural resources including natural stream systems and wetlands which contribute to adequate air and water quality; to prevent certain activities from resulting in adverse impacts to the surrounding community; to conserve properties and their values; to preserve the character of and area by preventing the harmful effects of prejudicial uses; and to encourage the appropriate use of the land, including well operated silva culture and forestry practices.

Live oak and cypress trees six (6") inches DBH (diameter breast height) and over shall not be removed or otherwise damaged by parties engaged in the operation of clearing land in St. Tammany Parish for any purpose whatsoever unless otherwise expressly permitted by the St. Tammany Parish Department of Planning.

A land-clearing permit shall be required by all parties engaged in land-clearing activities in St. Tammany Parish, as noted below.

This permit shall be issued by the Department of Planning.

The fee for a Land Clearing Permit shall be One Hundred and Fifty (\$150.00) dollars. All fees shall be paid at the time of application. Land clearing permits shall be required for the following types of properties: (Amended 09/02/2004 ZC#04-05-041 OCS# 04-0951)

1. Properties fronting on arterials or collectors - All properties one (1) acre in area or greater which are located within the Growth Management Area and have frontage on roadway identified as an arterial or collector the adopted Major Corridor Plan shall be required to file for and receive a land clearing permit in accordance with this section.
2. Properties not located on arterials or collectors - All properties three (3) acres in area or greater which are located within the Growth Management Area, but do not have frontage on roadway identified as an as arterial or collector, as identified on the adopted Major Corridor Plan, shall be required to file for and receive a land clearing permit in accordance with this section.
3. Properties located outside of the GMA - All properties five (5) acres in area or greater which are located outside of the Growth Management Area shall be required to file for and receive a land clearing permit in accordance with this section.
4. All properties zoned A-6, LC, C-1, C-2, C-3, M-1, M-2, M-3, or ID shall be required to file for and receive a land clearing permit in accordance with this section. This requirement shall apply to all parcels within commercial

subdivisions. At no time shall any permit other than an approved land clearing permit from the Department of Planning constitute approval to clear a parcel within a commercial subdivision.

5. All commercial, institutional, industrial, or multifamily components of any PUD zoning designation shall be required to file for and receive a land clearing permit in accordance with this section. This requirement shall apply to all parcels within commercial subdivisions. At no time shall any permit other than an approved land clearing permit from the Department of Planning constitute approval to clear a parcel within a commercial subdivision.
6. All properties that, regardless of zoning classification, receive a conditional use permit for a commercial, institutional, industrial, or multifamily development shall be required to file for and receive a land clearing permit in accordance with this section.

As used in this section, land-clearing, timber harvesting, tree farming and agriculture, shall be defined as follows:

1. Land-Clearing is the removal of trees, timber, or underbrush, from a tract of land so as to change the land from an agricultural or forestry use to development of any kind.
2. Timber Harvesting is the removal of all or part of merchantable standing timber as part of an ongoing timber producing operation or business which is not part of any development.

Types of timber harvesting are defined as follows:

- a. Choice Cut Harvesting is the removal of trees no less than twenty-four inches (24" DBH) Diameter Breast Height from the site. This type of cut shall not require replanting.
- b. Select Cut Harvesting is the removal of selected trees from a parcel or plot of land. Removal of all trees except for the trees in the buffer zones shall not constitute a select cut. For the purposes of this ordinance, a select cut shall require replanting of the site if any of the following conditions are not met:
  - i. No trees under twelve inches (12" DBH) Diameter Breast Height are being removed.
  - ii. No more than 60% percent of the trees on the site are being removed, excluding trees in the buffer zones.
  - iii. No hardwoods are being removed.

Should any of these conditions not be met, the applicant shall submit a replanting plan. However, no replanting plan shall be required for select cut harvesting outside of the Growth Management Area. (Amended 09/02/2004 ZC#04-05-041 OCS# 04-0951)

- c. Clear Cut Harvesting is the removal of all trees from a parcel or plot of land. No replanting plan, however, shall be required for clear cut harvesting outside of the Growth Management Area. (Amended 09/02/2004 ZC#04-05-041 OCS# 04-0951)

This will not include trees in the buffer zones. This type of cut shall require replanting.

3. Tree Farming is an active agricultural production land use which involves the harvesting of timber as a crop to be replenished and in which clear cutting is prohibited unless immediate reforestation is implemented in accordance with recognized practices for active tree farm forest management. This provision includes timber thinning and selective harvesting where reforestation may not be required or desirable.
4. Agriculture is the use of land for agricultural purposes, including farming, dairying, pasturage, agriculture, horticulture, floriculture, viticulture and animal and poultry husbandry and the necessary accessory uses for packing, treating, or storing the produce; provided, however, that the operation of any such accessory uses shall be secondary to that of the normal agricultural activities.

## **B. APPLICATION INFORMATION**

All applicants for land-clearing permits shall submit to Department of Planning:

1. Name, address, phone number and contact person of contractor.
2. Authorization of property owner to clear the site:
  - a. Include name, address, and phone number,
  - b. Adequate legal description of property involved. An adequate legal description shall consist of section, township and range or the description of the property as incorporated in the act of acquisition, if required.
  - c. A statement from the property owner acknowledging his/her understanding of the applicable local regulatory standards and that liability for compliance with those standards applies to both the landowner and the contractor. This statement is not intended to create a solidary or joint liability between landowner and contractor, where such solidary or joint liability does not exist.

The landowner may also submit a statement that he is a certified member of the American Tree Farm System, participates in the Forest Stewardship Program or provides written proof from the Louisiana Office of Forestry that the site is a recognized tree farm.

3. Site plan of the property which shall include the following:
  - a. Property boundaries.
  - b. Buffer areas and Stream-side Management Zones, when required. For all development clearing permits, buffer areas shall be documented by an official tree survey of all trees to be preserved within the required buffer areas. Such survey shall be prepared by a licensed arborist, landscape architect, or landscape contractor.  
(Amended 09/02/2004 ZC#04-05-041 OCS# 04-0951)
  - c. Access points to public roads. Additional access points required after commencement of logging activities shall be allowed upon notification to the Department of Planning, and additional warranty provisions shall be met, if required. Access points shall not be in excess of one hundred fifty (150') feet in width, unless otherwise approved.
  - d. Memos as to surrounding land uses.
4. Estimated starting date.
5. Estimated completion date.

**C. PREPARATION PROJECT IMPLEMENTATION, AND RESTORATION OF LANDS**

1. All land-clearing operations including skidding, yarding, trimming, loading and equipment operation or storage shall be on the site. No operation other than hauling shall take place on Parish right-of-way. An entrance roadway to the site shall be constructed to facilitate on site operation as shown on attachment "A." A culvert shall be placed in the Parish roadside ditch under this entrance roadway, minimum length 40 feet, and a minimum diameter of 18 inches or greater if determined by DPW staff, of sufficient strength as not to bend or collapse while in use as shown on attachment "A." The material used in the construction of this entrance roadway shall be of such quality as to prevent damage to the shoulder or surface of the Parish road being entered. Any deviation from this procedure shall require prior approval of the Department of Public Works.
2. Three (3) working days prior to beginning work and prior to obtaining a land clearing permit, the contractor shall request a pre-condition inspection by Department of Planning staff. Preparation of the site for the pre-condition inspection shall include demarcating the areas to be preserved as uncut buffers. At no time shall a land clearing permit be issued without the

completion of such inspection by Department of Planning staff. Within ten (10) days of completion of the clearing operation, a post-condition inspection shall be requested. (Amended 09/02/2004 ZC#04-05-041 OCS# 04-0951)

3. All parties conducting land-clearing activities shall exercise due and reasonable caution when traversing public rights-of-way and public lands and water bodies as to minimize disturbance to same. All public rights-of-way, public properties, existing and recognized natural drainage and engineered drainage shall be restored to pre-existing condition with the cessation of the land-clearing activity.
4. All land clearing and timber harvesting activities shall be carried out in accordance with any and all applicable Best Management Practices as provided in the current version of "Recommended Forestry Best Management Practices for Louisiana" published by Louisiana Department of Environmental Quality.

#### **D. WARRANTY PROVISIONS**

1. Any person who obtains a land clearing permit shall post security with the Department of Public Works in an amount sufficient as predetermined by the Department of Public Works for the repair of any Parish roads, Parish rights-of-way, Parish lands or water bodies and/or drainage easements. This security shall not be released until all provisions of all aspects of the project are found to be in compliance with this ordinance upon inspection by parish personnel.
2. The security required by this section shall be either a funded Letter of Credit or a Bond recognized by the Federal Register with the Parish listed as obligee, as follows:
  - a. An annual blanket security of Ten Thousand Dollars (\$10,000.00) due October 1, 1990 and each October 1<sup>st</sup> thereafter. In the event that the above security has to be called for any reason, a new security will be established, as follows:
    - i. The security shall increase in \$10,000.00 increments for each occurrence.
    - ii. All existing permits shall be forfeited and no new permits will be issued until new security is posted and prior damage claim has been resolved. Applicants shall be responsible only for damage to roads and/or bridges caused directly by their use thereof.
3. The security required by this section may be posted by any interested party,

including but not limited to the land owner, logging contractor, or timber purchaser.

4. The security posted by the applicant shall remain in effect for one (1) year. Each permit issued shall be applied to the security posted. Upon notification by the applicant that work is complete, the Department of Public Works shall inspect the site and if acceptable, Certificate of Completion shall be issued and recorded accordingly on security.
5. Enforcement - It shall be the responsibility of either the Department of Public Works, Department of Engineering, or Department of Planning to review and inspect the site after completion. In the event that damage is caused to the right-of-way through activity of the logging operation or their agents, the Department of Public Works shall notify the logging company in writing by certified letter. The cost of repairing the damage shall be the sole responsibility of the logging company. Approval shall be required from the Department of Public Works of all specifications, as well as, of the contractor who will perform any corrective action. A reasonable time frame shall be agreed upon by the Parish and the logging company for corrective work to be completed.
6. Procedure for Enforcement of Security - In the event a logging operation causes damage to Parish property resulting in the Parish having to take corrective action, at the completion of all such corrective work, the Parish will present the invoice for said corrective work to the responsible logging operation, and the logging operation shall have thirty (30) days from its receipt to pay said invoice. In the event the logging operation fails to pay said invoice within the thirty (30) days, the Parish may, at its option, take any appropriate action to execute on the security required by Sub-section D.

#### **E. MONITORING**

It shall be the responsibility of the Department of Planning or the Department of Engineering to review and inspect the site prior to the commencement of any land-clearing activity and upon the cessation of land-clearing activity and vacation of the site within a period of ten (10) days of the project completion as noted on the application or Notice of Termination to ensure compliance with subsection (C.) of Section 5.17. The Department of Planning shall maintain a land-clearing permit file on each application inclusive of written field reports. Said files shall be made available to the public within forty-eight (48) hours, upon prior written notice.

#### **F. COMPLETION**

Upon completion of clearing and cleanup of Parish Roads, Parish Rights-Of-Way, Parish Lands, Water Bodies and/or Drainage Easements, the applicant shall notify the Department of Planning for the final inspection within ten (10) working days.

**G. EXPIRATION**

1. Permits issued under this section shall be valid for a period of one (1) year after which time the permit automatically expires. After this period of time all permitted activities must be complete and a compliance inspection made by the Department of Planning.
2. Permits for tree farming only shall remain valid in excess of one (1) year if the applicant files a Notice of Continuation of the activity with the Department of Public Works. Written notice of continuation of timber harvesting activities given by the applicant within forty-five (45) days of the termination of the original permit shall constitute Notice of Continuation. Such notice shall extend the permit for a period of one (1) year. An additional one year extension except for Development Clearing Permits (K.1.) shall be granted upon filing an additional notice of continuance. No additional permit fee shall be required.

**H. VIOLATIONS**

Any person violating the provisions of Section 5.17 of the St. Tammany Parish Zoning Ordinance No. 523, by land-clearing or timber harvesting without a permit shall be guilty of a misdemeanor and upon first conviction shall be punished by a maximum fine of \$1500.00. The second offense shall consist of a maximum fine of \$3,000.00 and the revocation of all permits currently active. The third offense shall result in a maximum fine of \$ 5,000.00, the revocation of all permits currently active, and the applicant and landowner will for the period of two (2) years be subject to a 100% increase in the above stated security requirements. The fourth offense shall result in a maximum fine of \$10,000.00 and/or the revocation of all permits currently active and a five (5) year moratorium on the issuance of future permits for activity within St. Tammany Parish by the applicant or the landowner.

Nothing herein contained shall prevent the Parish from taking such other lawful actions as necessary to prevent or remedy the violation.

**I. EXEMPTIONS**

The following are exempt from the provisions of this section:

1. Golf Courses and Recreational Facilities when trees to be removed are located within the boundaries of the facility proper. This is not to be perceived as permitting the removal of trees on properties owned by the facility, but not an active part of the facilities operation. (Amended 05/14/2003 ZC#03-03-016 OCS# 03-0674), (Amended 09/02/2004 ZC#04-05-041 OCS# 04-0951)

**J. PROCESS**

All fees, applications and warranty provisions shall apply, in addition applicant shall

show all buffering requirements on the site plan as may be required in the minimum requirements below. The Department of Planning upon application for a clearing permit will submit the application to the following parish administrative offices for review and recommendations:

1. Department of Planning
2. Department of Public Works
3. Department of Engineering
4. Drainage District Engineer (if applicable)

Within three (3) working days of acceptance of the completed application, the Director of the Department of Planning, or assigns will:

- i. Grant the permit outright; or
- ii. Grant the permit with conditions submitted as part of the comments supplied in writing through the agency review; or
- iii. Delay the application for a period of up to thirty (30) days with or without the concurrence of the applicant; or
- iv. Delay the application for any period necessary to obtain information relative to the compliance of the proposal to provisions of this ordinance.
- v. Denial of the permit shall only be for one of the following:
  - (1) inability of the applicant to obtain physical access to the site,
  - (2) conflict with the provisions of Ord. 523, Sections 2.21 through 2.22 - St. Tammany Scenic Roadway and Stream designated areas,
  - (3) the permitted action would have a negative public health or safety impact,
  - (4) the applicant is a habitual offender as evidenced by three (3) previous offenses over a three (3) year period,
  - (5) aspects of the project do not comply with requirements of this ordinance.

**K. TYPES OF PERMITS**

## 1. Development Clearing Permit

### a. General

A development clearing permit shall be required whenever a parcel of land is to be cleared of trees for a development of any kind. (Amended 09/02/2004 ZC#04-05-041 OCS# 04-0951)

Any property owner, or assign, who has received permission to and has cleared subject property shall be ineligible for a zoning change to a more intense zoning district for a period of three (3) years from the date of the issuance of the Development Clearing permit.

### b. Minimum Requirements

The following minimum requirements are mandatory unless the developmental clearing permit is an approved part of a valid building permit. All buffers required shall be exclusive of all easements, servitudes and/or rights-of-ways within the property.

#### i. Roadway Buffering

A natural uncut buffer of twenty-five (25') feet in width along improved roadways, unless otherwise approved by the Department of Planning. For development clearing permits, a wider buffer may be required by the Department of Planning in accordance with Section 5.16 (Minimum Landscape Requirements). For development clearing permits, only trees over six inches (6" DBH) diameter breast height must be preserved within the roadway buffer. (Amended 09/02/2004 ZC#04-05-041 OCS# 04-0951)

For all permits being sought along a Planned Corridor, a public hearing shall be required unless the applicant agrees to a fifty (50) foot minimum buffer or more as specified by specific corridor regulations. (Amended 09/02/2004 ZC#04-05-041 OCS# 04-0951)

#### ii. Waterway Buffering

A minimum uncut buffer of 100 feet in depth unless a comprehensive Stream-side Management Zone in accordance with the current version of "Recommended Forestry Best Management Practices for Louisiana" published by Louisiana Department of Environmental Quality along both banks (mean low water line) when applicable of all established natural stream beds, and riverbanks and fifty feet (50') in depth along both banks of improved drainage canals, unless otherwise approved by the Department of Engineering. The establishment of a SMZ with specific mandatory standards approved

by the Department of Engineering may supercede the 100 foot no-cut buffer in the case of natural streams, rivers and improved canals.

For all permits being sought along a stream designated Scenic by the State of Louisiana or St. Tammany Parish the following shall apply:

For all permits being sought which involve work within the protection areas of State Scenic Rivers or Streams, evidence of compliance with State Regulations must be provided.

For all permits being sought along a Parish Scenic Stream corridor, a public hearing shall be required unless the applicant agrees to meet or exceed the buffer requirements as required by specific corridor regulations.

### iii. Adjacent Use Buffering

A minimum uncut buffer of fifty (50') feet in depth shall be required if the site is adjacent to existing single-family or duplex residences in Suburban Agriculture Zoning District or an approved Single-Family, Duplex or Multi-Family Residential Zoning District, or an Institutional Zoning District exclusive of roadways. However, for development clearing permits, the Department of Planning may reduce this requirement in accordance with the minimum landscape buffers required in Section 5.16 (Minimum Landscape Requirements). For development clearing permits, only trees over six inches (6" DBH) diameter breast height must be preserved within this buffer. At the tentative stage of subdivision approval, the Planning Commission may also alter or realign the area of this buffer requirement. (Amended 09/02/2004 ZC#04-05-041 OCS# 04-0951)

### iv. Exception. (Amended 09/02/2004 ZC#04-05-041 OCS# 04-0951)

For development clearing permits, the Department of Planning may modify buffering requirements if the amount of fill to be placed on the site to accommodate the development, in accordance with Chapter 7 of the St. Tammany Parish Code of Ordinances (Drainage and Flood Control), would preclude the survival of existing trees within the required buffer areas. Prior to obtaining Department of Planning approval for a modification of the buffering requirements, the applicants must provide a letter signed by a licensed arborist, landscape architect, or landscape contractor certifying that the amount of fill required by Chapter 7 of the St. Tammany Parish Code of Ordinances would necessitate the removal of existing trees within the required buffer areas.

### c. Diseased trees

If there are diseased trees or specific trees within the buffers that present a safety problem, the owner may:

- i. Petition the Department of Planning to selectively cut and/or thin out the buffer. The Department of Planning shall approve this action and specify a replanting schedule with a mixture of Class A and Class B vegetation as spelled out in Section 5.16 of these regulations and a schedule a performance inspection of the buffer area within six (6) months of this administrative permit. Should this buffer thinning request involve 25 percent or more of the trees in the required buffer area, the warranty provisions of Section D of these regulations shall apply, or
- ii. Petition the St. Tammany Parish Board of Adjustments for a variance of the buffering requirements.

d. Replanting

No later than six (6) months from the expiration of the development clearing permit, a building permit or preliminary subdivision approval must be granted for the same site. Should, however, this building permit or subdivision authorization expire without the intended developmental activity being realized, a replanting program would immediately become necessary as follows:

The landowner shall be required to implement a replanting schedule of all cleared areas as approved by the Department of Planning. Said replanting schedule must be

filed with the Department of Planning within thirty (30) days of expiration of the building permit or subdivision authorization time period (18 months maximum from issuance of the Development Clearing Permit). This replanting schedule shall include a time frame for implementation and shall be site specific for the location of both hardwood and softwood species including a variation in heights so as to achieve a re-vegetation of the cleared area in a reasonable amount of time.

e. Open burning of waste resulting from land-clearing activities within 500 linear feet of occupied dwellings and within 500 linear feet of occupied subdivisions, or within any recorded subdivision is prohibited, unless otherwise approved by the Department of Public Works. (Amended 09/02/2004 ZC#04-05-041 OCS# 04-0951)

2. Agricultural Clearing Permit

a. General

An Agricultural Clearing Permit shall be required for all agricultural uses.  
(Amended 09/02/2004 ZC#04-05-041 OCS# 04-0951)

Any property owner, or assign, who has received permission to and has cleared subject property shall be ineligible for a zoning change to a more intense zoning district for a period of three (3) years from the date of the issuance of the Agricultural Clearing permit.

b. General Farming and Pasture Requirements

All fees, applications and warranty provisions shall apply. In addition the applicant shall provide buffers as applicable above in K. 1. b. "Minimum Requirements"

If however, at least seventy-five (75%) percent of the cleared land is not maintained in active agricultural uses, then the cleared areas shall be reforested according to a reforestation schedule approved by the Department of Planning. The land owner shall submit a reforestation schedule to include time frame for reforestation and a reforestation plan showing numbers, types and sizes of trees being used and the location(s) on the site where the trees will be planted. The plan shall include a variation in heights so as to achieve a revegetation of the cleared area in a reasonable amount of time.

c. Timber Harvesting Requirements

All fees, applications and warranty provisions shall apply. In addition the applicant shall provide buffers as applicable in K. 1. b. "Minimum Requirements" above.

Replanting requirements shall vary depending upon the type of cut being made.

- i. Choice cut harvesting and select cut harvesting meeting the criteria as set forth in the select cut definition shall not require replanting.
- ii. Select cut harvesting not meeting all the criteria as set forth in the select cut definition and clear cut harvesting shall require replanting as follows:

The replanting plan and schedule shall be submitted as part of the permit application. The schedule shall address tree planting time frame. The plan shall address the areas to be replanted, the density or spacing of trees in that area, the type(s) of trees being replanted and the sizes of the trees. The minimum size of these trees shall be no less than twelve inches (12") high

and shall be required to be no greater than thirty-six inches (36") high at the time of planting. Approximate quantities and sizes of trees planted shall also be included. No more than 50% of these trees shall be between twelve inches (12") and eighteen inches (18") high, the remainder shall range from eighteen (18") to thirty-six (36") inches high. This size provision shall not be applicable to Southern Yellow Pine. (Amended 09/02/2004 ZC#04-05-041 OCS# 04-0951)

#### d. Tree Farming Requirements

All fees, applications and warranty provisions shall apply. In addition the applicant shall provide buffers as may be required in K. 1. b. "Minimum Requirements" above.

Except for the requirements in K. 1. b. "Minimum Requirements" above, the applicant shall be exempt from the replanting provisions of these regulations, if the property owner: (Amended 09/02/2004 ZC#04-05-041 OCS# 04-0951)

- i. Is a certified member of the American Tree Farm System or provides written proof from the Louisiana Office of Forestry that the site is a recognized tree farm.
- ii. Submits a reforestation schedule which includes a time frame for reforestation and a reforestation plan showing numbers, types and sizes of trees used and the locations on the site where the trees will be planted.
- iii. Is a landowner with an ongoing forest management plan or is a participant in a Federal or State cost sharing forestry program.



**SECTION 5.18      MISCELLANEOUS OFFENSES**

1. No structure (temporary or permanent) fill, deposit, obstruction storage of materials, equipment, machinery, junk, trash, garbage, debris, abandoned or in operable vehicles or other materials deemed inappropriate shall be permitted upon any Parish right-of-way, road, ditch, drainage canal or waterway of any kind.
  
2. It shall further be prohibited to cause injury or endanger the comfort, repose health or safety of others. Nuisances shall include but not be limited to the following:
  - A. Accumulation of rubbish, trash, refuse, junk, inoperable or abandoned vehicles and other abandoned materials.
  
  - B. Any conditions which provide harborage for rats, mice, snakes and other vermin.
  
  - C. Any building or other structure which is in a condition that is unfit for human habitation, kept in an unsanitary condition so that it is a menace to the health and safety of residents in the area or presents a more than ordinarily dangerous fire hazard in the vicinity to where it is located.
  
  - D. Contractor's rubble, residue from construction, building demolition or parts of whole structures, including building debris.
  
  - E. Contractors burning within residential subdivisions shall be prohibited.
  
  - F. Other activities considered a nuisance as determined by the Director of the Department of Development.



**SECTION 5.19**      **NIGHTCLUBS, BARS, LOUNGES AND OTHER ALCOHOL BEVERAGE ESTABLISHMENTS.**

1. It shall be unlawful for the owner, operator, employee or gent of any alcohol beverage establishment, location or outlet licensed in St. Tammany Parish to serve, sell, distribute or dispense any alcoholic beverages by means of a drive-thru window or similar appurtenance, whether adjoining or adjacent to said establishment.
  
2. It shall be unlawful in any zoning district for a person, as owner, tenant, proprietor, landlord, manager, servant, agent, or employee, shall participate in or allow any nude or partially nude dancer, host, hostess, waiter or waitress in commercial or public establishments, whether in the capacity as an employee, entertainer, guest, invitee, patron, or otherwise.

The definition for "nude" or "partially nude" is defined as less than completely or opaquely covered and exposing:

- a. Human genitals, pubic region;
- b. All of the buttocks area;
- c. Female breast area below a point immediately above the top of the areola.

**SECTION 5.20**      **NUDE OR PARTIALLY NUDE COMMERCIAL OR PUBLIC BUSINESSES**

It shall be unlawful in any zoning district for a person, as owner, proprietor, manager, servant, agent, or employee, shall participate in or allow any nude or partially nude activity in an industrial, commercial or public establishments, whether in the capacity as an employee, entertainer, guest, invitee, patron, or otherwise.

The definition for "nude" or "partially nude" is defined as less than completely or opaquely covered and exposing:

- a. Human genitals, pubic region;
- b. All of the buttocks area;
- c. Female breast area below a point immediately above the top of the areola.

**SECTION 5.21      PERFORMANCE STANDARDS & DEVELOPMENTAL AGREEMENTS**

5.2101 Purpose

The purpose of this section is to encourage the participation of an individual, firm or corporation, within the planning process, when seeking to develop property in St. Tammany Parish, by initiating applicable performance standards and/or a developmental agreement between said individual, firm or corporation and the parish, for the purposes of providing an adequate infrastructure for new projects and developments.

5.2102 Applicable Zoning Districts

Performance standards and/or developmental agreements shall be applicable for the following zoning districts:

- A-6 General Multi-Family District
- LC Light Commercial District
- C-1 Neighborhood Commercial District
- C-2 Highway Commercial District
- C-3 Planned Business Center District
- M-1 Light Industrial District
- M-2 Intermediate Industrial District
- M-3 Heavy Industrial District

5.2103 Building Permit Application

Performance standards and/or developmental agreements shall be considered for implementation at the building permit application stage. The Director of the Department of Development or his designee shall review each application to determine whether reasonable performance standards or a developmental agreement is warranted.

5.2104 Performance Standards

- a. Performance standards for the purpose of this ordinance shall be defined as additional and reasonable on and off-site improvements that an applicant may be required to provide after consultation with the director or his designee due to the unique characteristics of the applicant's site; and as an extension of existing site regulations that govern the applicant's property.
  
- b. Some examples of performance standards include, but are not limited to: additional parking spaces and landscape and buffering requirements, drainage plans, opaque screening, advanced sewerage disposal systems, and additional easements and servitudes.

- c. If the director or his designee determines, after reviewing the applicant's building permit application, that performance standards are warranted, the director or his designee shall inform said applicant.
- d. If, in the case where the building permit applicant and the director or his designee cannot reach an agreement, then said matter shall be forwarded to the St. Tammany Parish Planning Commission.

#### 5.2105 Developmental Agreements

- a. A developmental agreement for the purpose of this ordinance shall be defined as a binding contractual agreement between the building permit applicant and the Parish of St. Tammany.
- b. The Planning Commission shall consider and approve an infrastructural plan for said applicant's project or development; to provide for procedures and requirements for entering into such agreement; to provide for the contents, periodic review, enforcement and applicability of said agreement.
- c. A developmental agreement shall be recommended by the director or his designee only in cases where the building permit applicant's project or development warrant reasonable infrastructural improvements due to the project or developments impact upon the surrounding area.
- d. Upon completion of the agreement process, the St. Tammany Parish Planning Commission shall forward its recommendations for a developmental agreement to the Police Jury for their review and subsequent action.
- e. Examples of what might be included within a developmental agreement include, but are not limited to: impact studies, traffic control improvements, improved street and drainage design and construction standards for on and off-site locations; and the dedication of land, monies, material and equipment.

#### 5.2106 Contents

- a. A developmental agreement shall specify the duration of the agreement, the permitted uses of the property, the density or intensity of use and other provisions as established in Section 5.21.5(d). The developmental agreement may include conditions, terms, restrictions, and requirements for subsequent discretionary actions, provided that such conditions, terms, restrictions, and requirements for subsequent discretionary actions shall not prevent development of the land for the uses and to the density or intensity of development set forth in the agreement.
- b. The agreement may provide that construction and improvements shall be commenced within a specified time and that the project or any phase thereof be

completed within a specified time, subject to said agreement being declared in default if the applicant fails to comply with construction and improvements within the specified time allotted.

#### 5.2107 Application Requirements and Procurement

- a. In the event that the director or his designee determines that a developmental agreement is warranted, the building permit applicant shall be furnished with the necessary application and documentation information required to initiate the process.
- b. The applicant shall be required to pay an application fee of \$25.00 in order to cover administrative, advertisement and procurement costs.
- c. Once an application with attached documentation has been filled out and returned by the applicant, the director or his designee shall request an informal application pre-agreement conference to discuss the substantive points for the agreement in relationship to the applicant's project or development. After informal negotiations have taken place, the director or his designee shall forward said application and recommendations to the St. Tammany Parish Planning Commission for review and consideration.
- d. Subsequent to the Planning Commission review, the commission shall forward its recommendations to the St. Tammany Parish Police Jury for their review and final dispensation.

#### 5.2108 Rules, Regulations, and Official Policies

Unless otherwise provided by the developmental agreement, the rules, regulations, and official policies governing permitted uses of the land, governing density, and governing design, improvement, and construction standards and specifications applicable to development of the property subject to a developmental agreement, shall be those rules, regulations, and official policies in force at the time of execution of the agreement. A developmental agreement shall not prevent the parish, in subsequent actions applicable to the property, from applying new rules, regulations, and policies which do not conflict with those rules, regulations, and policies applicable to the property as set forth herein, nor shall a development agreement prevent the parish from denying or conditionally approving any subsequent development project application on the basis of such existing or new rules, regulations, and policies.

#### 5.2109 Public Advertisement

A public hearing on an application for a developmental agreement and notice of intention to consider the adoption of a developmental agreement shall be published at least three (3) times in the official parish journal and at least ten (10) days shall elapse between the first publication and the date of the initial hearing.

#### 5.21010 Approval by Ordinance and Recordation

A developmental agreement shall be approved by ordinance by the St. Tammany Parish Police Jury and shall be recorded within the St. Tammany Parish Clerk of Courts Office no longer than ten (10) days after said developmental agreement becomes law. Said document shall be filed within the mortgage records of said office, which shall describe the land subject thereto. From and after the time of such recordation, the agreement shall impart such notice thereof to all persons as is afforded by the recording laws of the State of Louisiana. The burdens of the agreement shall be binding upon, and the benefits of the agreement shall inure, to all successors in interest to the parties to the agreement.

#### 5.21011 Periodic Review; Non-compliance

A periodic review at least every twelve months, at which time the applicant or his successor in interest thereto shall be required to demonstrate good faith compliance with the terms of the agreement. If, as a result of such periodic review, the parish finds and determines, on the basis of substantial evidence, that the applicant or successor in interest thereto has not complied in good faith with terms or conditions of the agreement, the parish may terminate or modify the agreement.

If any party or parties fail to comply with the binding nature of the agreement in any way, shape, form or substance; then the St. Tammany Parish Police Jury can claim said agreement null and void and suspend or stay any further activities upon the applicant's property; and further may rescind any prior or future conditions or approvals for the subject property. Or, the parish may option to seek judicial relief to force compliance of the agreement with those parties who have violated same, and claim any punitive damages as a result from breach of contract through the 22nd District Judicial Court.



## **SECTION 6 - MODIFICATIONS AND EXCEPTIONS**

### **SECTION 6.01     LOT OF RECORD**

The minimum lot size requirement, Section 2, Land Use Schedule, notwithstanding, a single-family dwelling and its accessory buildings may be erected on any lot of record or parcel of land in a residential district or a commercial/industrial structure may be erected on any lot of record in a commercial/industrial district which shall be documented as legally established and defined by deed or act of sale prior to the adoption of this ordinance. Where applicable the contiguous lot of record regulations apply. (See Subdivision Regulations) The following minimum area setback requirements shall be maintained for residential uses:

1.     Front Yard Setback - twenty-five (25) feet
2.     Rear Yard Setback - 20% of lot depth or twenty five (25) feet, whichever is the lesser
3.     Side Yard Setbacks - five (5) feet on each side of the lot. However, for corner lots, there shall be a side yard setback from the side street of not less than ten (10) feet.

Commercial and industrial setbacks shall be as provided in this ordinance.

### **SECTION 6.02     EXCEPTIONS TO HEIGHT REQUIREMENTS** (Amended 3/7/2002 OCS# 02-0448)

- A.     The following structures shall be limited to fifty (50) feet in height, unless granted written permission from the Director of Planning to exceed that height.
1. Churches
  2. Schools
  3. Hospitals
  4. Public Service buildings
  5. Institutions
  6. Barns, silos and other farm structures when located on farms.
  7. Belfries, cupolas, domes, flagpoles, and monuments.
  8. Water towers, transmission towers, windmills.
  9. Chimneys and smoke stacks
  10. Fire towers
  11. Oil derricks
  12. Bulkheads; elevator penthouses; water tanks; cooling towers; scenery; lofts and similar structures provided that such structures shall cover not more than twenty-five (25) percent of the total roof area of the building of which such structure is located.

**SECTION 6.03      EXISTING RAILROADS AND MINERAL DEPOSITS**

Existing railroads may continue to operate and be maintained in dwelling and commercial districts. Mineral deposits may be mined but residential areas shall be protected as set forth under Section 2.01.

**SECTION 6.04      ZONING AMENDMENTS - SPECIAL DISTRICTS**

Special zoning districts established by the Police Jury prior to the effective date of this ordinance shall remain in effect unless changed by adoption during comprehensive rezoning.

**ORDINANCE NO. 231**

AN ORDINANCE creating Zoned Districts No. 1-2-3-4- and 5, setting forth the boundaries thereof and enumerating the types of occupancy prohibited in the several Districts herein created, and providing penalties for the violation hereof.

BE IT ORDAINED BY the Police Jury of the Parish of St. Tammany, Louisiana, convened as the Governing Body of the said Parish, acting under and by virtue of the powers conferred upon it by Act No. 518, of the 1954 session of the Louisiana Legislature, and upon the recommendation of the St. Tammany Parish Zoning Commission after duly advertised public hearings in each instance, and for the purpose of promoting the health, safety, moral and general welfare of the Community, there is hereby created the Zoned Districts Nos. 1,2,3,4 and 5, more particularly described as follows:

**ZONED DISTRICT NO. 2** (Wards 3 and 10) Ord. Police Jury Series # 84-139

Beginning at the intersection of the boundary line between lots 8 and 9 of the Subdivision of Lyons Property, Section 42, Township 6 South, Range 11 East, as per survey of C. R. Schultz, dated July 24, 1940, with the west line of the right of way for Military Road (S.R. 21); thence in a westerly direction along the line between said lots 8 and 9 to the low water mark on the east bank of the Bogue Falaya River; thence upstream along said low water mark to its intersection with the low water mark of the east bank of the Little Bogue Falaya River at the confluence of the two rivers; thence upstream along the low water mark of the Little Bogue Falaya River to its intersection with the south right of way line of Old Military Road. (S.R. 1082); thence easterly along the south right of way line of Old Military Road to its intersection with the west right of way line of Military Road; thence due east to the east right of way line of Military Road; thence southeasterly on a line running perpendicular to the east right of way line of Military Road at that point a distance of five hundred feet; thence southerly along a line running parallel to the east right of way line of Military Road at a distance of five hundred feet therefrom to the intersection of such line with the northeast right of way line of the Abita Highway (S.R. 35); thence southwesterly along the northeast right of way line of Abita Highway to its intersection with the east right of way line of Military Road; thence westerly to the point of beginning. (All references to right of way lines are as they exist on April 15, 1984).

This District is composed mainly of areas containing one-family dwellings on large building sites and open areas where similar residential development seems likely to occur. The District regulations are designed to protect the residential character of

the area by prohibiting all commercial activities and to preserve the openness of the area by requiring certain minimum area standards.

PERMITTED USES:

- A. Single-Family Dwellings.
- B. Agriculture for the use of the residents of the property whereon it is grown.
- C. Farming, including the usual farm buildings and structures.
- D. Horse riding and training stables and kennels.
- E. Flower gardening, greenhouses and similar uses. Guest house, not for rental purposes.

CONDITIONAL USES:

- A. Fire Stations

PROHIBITED USES:

- A. All commercial uses.
- B. Multiple family dwellings, consisting of two-family or more units including apartments, townhouses, condominiums, etc.
- C. Trailers, mobile homes.
- D. Advertising signs, billboards.
- E. All other uses not permitted herein.

AREA REGULATIONS

Every lot shall contain an area of not less than two (2) acres per family unit.

ORD. NO. 243, BOOK 4, PAGE 177

**ZONED DISTRICT NO. 8:** (Ward 1)

Commencing on the center line of State Highway No. 188, locally known as Turnpike Road, at a point opposite the south boundary line of property of Joseph F. LeBlanc and extending in width 600 feet each side of the said State Highway No. 188, and extending the length to the intersection of said highway with the north right of way line of the Lallance Road, all located in Sections 14 and 44, T-7-S, R-10-E, 1st. Ward, St. Tammany Parish, LA.

BE IT FURTHER ORDAINED, etc., that the said Zoned District No. 8, hereinabove described be and hereby is zoned against businesses of operating dance halls, gambling establishments, saloons, barrooms, funeral parlors, the sale of beer and/or intoxicating liquors and junk yards.

**ZONED DISTRICT NO. 14** (Ward 8)

ORDINANCE CALENDAR NO. 481  
ORDINANCE COUNCIL SERIES NO. 84-424 \*As Amended\*

AN ORDINANCE TO AMEND THE CODE OF ORDINANCES OF ST. TAMMANY PARISH, LOUISIANA "APPENDIX C-ZONING" THEREOF CREATING LAND USE DISTRICT NO. 14, SETTING FORTH THE BOUNDARIES THEREOF: A PART OF CENTRAL PARK SUBDIVISION AND ENUMERATING THE TYPES OF OCCUPANCY ALLOWED (OR CONVERSELY PROHIBITED) THEREIN, AND PROVIDING PENALTIES FOR THE VIOLATION HEREOF.

BE IT ORDAINED BY THE ST. TAMMANY PARISH COUNCIL, pursuant to the recommendations of the St. Tammany Parish Zoning Commission, after a duly advertised public hearing and further pursuant to the power granted to the Council under the Parish Home Rule Charter and the laws of Louisiana, that the Code of Ordinances of St. Tammany Louisiana, "Append C - Zoning" creating Special Land Use District No. 14, as follows:

PART 1.

Land Use District No. 14 is comprised of the area encompassed within the following boundaries: Part of Central Park Subdivision West of I-10, as per plat of Central Park Section "A" of New Slidell which include the following: Square 2, 43-55, Square 3, Lots 1-56, Square 6, Lots 1-56, Square 7, Lots 1-32, Square 10, Lots 1-56, Square 11, Lots 1-49, Square 14, Lots 1-20.

PART 2. PURPOSE:

This district is composed of certain lands and structures having an agricultural and low density residential character and additional open areas where it is likely and desirable that such similar development will occur. Though this district is intended primarily for residential and agricultural purposes, including farming, it is recognized that certain home business and home occupations are frequently desired by property owners in this district and therefore provision is made for limited forms of such activity.

PART 3. PERMITTED USES

- A. Uses for residential purposes, including:
  - 1) Single-Family dwellings
  - 2) Mobile Homes
  - 3) Two Family dwellings.
- B. Day care centers, nursery schools. These are not to be considered home business.
- C. Home businesses may be allowed that are clearly incidental and secondary to the primary use of the property as a residence, provided however, that these uses are conducted entirely on the property and by the property owner which the

residence is located, the building or buildings uses in connection with a commercial use do not exceed 600 square feet, no more than two people be engaged in the operation of such a business that nor more than one sixteen (16) square foot non-illuminated sign be erected on the property, also provided that no outside storage of equipment or material be permitted. However this provision is not intended to restrict the storage of equipment uses in agricultural or farm related activities.

- D. Public and private forest, parks, parkways, playgrounds, wildlife reservations or similar conservation projects.

#### PART 4. PROHIBITED USES

- A. Multiple family dwellings, consisting of three-family or more units, apartments, townhouses, condominiums, etc.
- B. All commercial uses unless otherwise permitted herein.
- C. Any and all industrial uses.
- D. Garbage disposal dumps/landfills shall be prohibited.
- E. Any other uses not provided for in this ordinance.

#### PART 5. HEIGHT REGULATIONS

- A. No building or dwelling for residential or business purposes shall exceed thirty-five (35) feet in height.
- B. Uses incidental to farming, etc., such as silos, windmills, etc., and any other structure (e.g. radio, T.V. tower) may exceed this height limitation, provided, however, that there be one (1) foot setback for every foot over forty-five (45) feet from any existing dwellings or residences.

#### PART 6. AREA REGULATIONS

- A. Front yard: Front building lines shall conform to the average building lines established in a developed block; in all cases, this front building line shall be set back a minimum of twenty five (25) feet from the front property line.
- B. Side yard: There shall be two (2) side yards, one (1) each side of the buildings, having a minimum width of five (5) feet each.
- C. Rear yard: There shall be a rear yard having a depth of not less than ten (10) feet.

#### PART 7. OFF STREET PARKING REQUIREMENTS

Off street parking shall be provided as set forth in Section 4 of Ordinance No. 523.

#### PART 8.

It shall be a misdemeanor, punishable as is defined and contained in Sec. 1-8 of the Code of Ordinances for any violation hereof; each day of such violation shall constitute a separate offense, the total aggregate of fines however not to exceed Three Thousand Dollars (\$3,000.00).

PART 9.

All ordinances or parts of ordinances in conflict herewith are repealed.

PART 10.

This ordinance is entitled to the severability provisions of Sec. 1-5 of this Code of Ordinance.

PART 11.

This Ordinance shall be deemed enacted and shall become operable upon publication; exempted from the provisions hereof or any existing structures which would violate the prohibited uses above recited same being recognized as non-conforming uses. However, abandonment of such use for six or more consecutive calendar months shall cause such privilege to be lost.



## **SECTION 7 - ADMINISTRATION AND ENFORCEMENT**

### **SECTION 7.01      ADMINISTRATION AND ENFORCEMENT**

An administrative official or officials designated by the Police Jury shall administer and enforce this ordinance. He may be provided with the assistance of such other persons as the Police Jury may direct. If the administrative official or officials shall find that any of the provisions of this ordinance are being violated, he shall notify in writing the persons responsible for such violation, indicating the nature of the violation and ordering the action necessary to correct it. He shall order discontinuance of illegal use of land, buildings, or structures; removal of illegal buildings or structures, or of additions, alterations, or structural changes thereto; discontinuance of any illegal work being done; or shall take other action authorized by this ordinance to insure compliance with or to prevent violation of its provisions.

### **SECTION 7.02      DUTIES OF ADMINISTRATIVE OFFICIAL, BOARD OF ADJUSTMENTS, PARISH POLICE JURY AND THE APPEAL TO THE COURTS FROM THE BOARD OF ADJUSTMENTS.**

#### **7.0201      Intent**

It is the intent of this ordinance that all questions of interpretation and enforcement shall be first presented to the administrative officials and that such questions shall be presented to the Board of Adjustment only on appeal from the decision of the administrative officials, and that recourse from the decision of the Board of Adjustments shall be to the courts as provided for such matters in appropriate legislature of the State of Louisiana.

#### **7.0202      Enforcing Officer**

The St. Tammany Parish Zoning Commission is hereby authorized to administer and enforce this ordinance. The Director of the Department of Development of the St. Tammany Parish Zoning Commission shall be the Chief Administrative Official responsible to the Zoning Commission and the Police Jury and charged with the interpretation and administration of this Ordinance. The Director of Development may designate staff members to assist in the administration or interpretation of this ordinance.

## **SECTION 7.03      VIOLETIONS**

### **7.0301      Complaints Regarding Violations**

Whenever a violation of this ordinance occurs or is alleged to have occurred, any person may file a written complaint. Such complaint stating fully the cause and basis thereof, shall be filed with the administrative official. He shall record properly such complaint, immediately investigate and take action thereon as provided by this ordinance.

### **7.0302      Penalties for Violation**

- (A) Violations. It shall be illegal to violate any ordinances relating to building construction, operation or maintenance and zoning.
- (B) Issuance of citation and/or summons. The Director of Permits and Inspections, the Director of Development and all persons appointed as acting inspectors of the Parish of St. Tammany are empowered to serve, personally, domiciliary or by registered mail, a citation and/or summons upon persons charged with violations of any provision contained in the appropriate Chapters, of the Code of Ordinances of the Parish of St. Tammany, relating to building codes and zoning ordinances and regulations or to post a notice of violation at the place of violation. The inspectors are not authorized to arrest or otherwise take a violator into custody. The Director of Permits and Inspections, Director of Department of Development, and all persons appointed as acting inspectors shall be so commissioned and designated by the Police Jury of the Parish of St. Tammany for the purpose of enforcing this section.
- (C) Contents of citation and/or summons. As used in this article, the term "citation and/or summons" shall mean a written or printed notice served upon the person charged with a violation. Such citation and/or summons shall include, but may not be limited to, the following information:
  - (1) The name of the person creating the violation or the owner or person in charge of the premises at which the violation occurs.
  - (2) The date and place of violation.
  - (3) A short description of the violation followed by the number and section of the ordinance provision violated.
  - (4) The date and place at which the person shall appear and a notice that if the person does not respond to the citation and/or summons a warrant shall be issued for such person's arrest.
  - (5) A notice that the person charged may be represented by counsel, that he may plead guilty or not guilty, and that he has a right to a court hearing.
- (D) Penalties for Violations. Unless otherwise provided in this ordinance, violations of the provisions of this ordinance or failure to comply with any of

its requirements shall constitute a misdemeanor. Any person who violates this ordinance or fails to comply with any of its requirements shall upon conviction therefor be fined not less than fifty dollars (\$50.00) per day, and in addition, shall pay all costs and expenses involved in the case; however, the maximum of aggregated fines are not to exceed five hundred (\$500.00) dollars. Each day such violation continues shall be considered as a separate offense all in accordance with Section 1-11 of the Code of Ordinance of St. Tammany Parish.

- (E) The owner or tenant of any building, structure, premises, or part thereof, any architect, builder, contractor, agent, or any person who commits, participates in, assists in, or maintains such violation may each be cited for a separate offense and suffer the penalties herein provided.
- (F) Nothing herein provided shall prevent the Parish from taking such other lawful action as is necessary to prevent or remedy any violation.
- (G) When a person has deliberately commenced a project without a permit and it is a second violation of this ordinance by this offender, then the Director of Permits and Inspections may increase the building permit fee by one hundred (100) per cent.

#### 7.0303 "After the Fact" Building Permits

Notwithstanding any provisions of Section 7.0402 of this ordinance, as a remedy for failure on the part of any owner, lessor, or tenant, having an interest, expressed or unexpressed in a development of land, to obtain a building permit prior to the commencement of the erection, placement or construction of any structure in an area of the Parish the following provisions shall be followed:

- A. Immediately upon obtaining knowledge of such violation, the building inspector for the Parish of St. Tammany shall affix in a prominent place on the premises a yellow citation and/or summons briefly stating the building permit requirements of St. Tammany Parish and ordering the owner, lessor or tenant to immediately cease all construction on said premises until a fully issued building permit has been obtained from the St. Tammany Parish Department of Permits and Inspections.
- B. Said citation and/or summons shall also contain a statement that the Department of Permits and Inspections shall not accept any application for a late permit without charging a mandatory fifty (\$50.00) dollars amount per day late penalty for each day following the citation of said violation; however the maximum of aggregate late penalties shall not exceed two-thousand (\$2,000.00) dollars. Should such violation continue, it will be considered as a separate offense. Said penalty shall be non-waivable by the St. Tammany Parish Police Jury.

- C. Said citation and/or summons shall be executed in triplicate with the original copy being affixed to the premises, duplicate copy being retained in the permanent record of the Department of Permits and Inspections, and the triplicate copy being forwarded within ten (10) days of the issuance to the St. Tammany Parish District Attorney's Office.
- D. Nothing herein shall interfere with the ability of the St. Tammany Parish District Attorney's Office to obtain an injunction at any time in order to prevent further construction on the premises and/or proceed in a civil action to collect any late penalties.
- E. If, after the end of a 90 day period from when the building inspector initially obtained knowledge that a building permit has not been obtained by the violator, the penalty provisions as stated in Section B shall be reinstated.

Furthermore, at the end of each 90 day period thereafter, the penalty provisions in Section B shall automatically be reinstated until a building permit has been obtained.

The owner or tenant of any building, structure, premises, or part thereof, any architect, builder, contractor, agent or other person who commits, participates in, assists in, or maintains such violation may each be found guilty of a separate offense and suffer the penalties herein provided.

Nothing herein contained shall prevent the parish from taking such other lawful actions as is necessary to prevent or remedy any violation.

## **SECTION 7.04      BOARD OF ADJUSTMENT**

### **7.0401      Creation of Board**

There is herewith recreated and reestablished a Board of Adjustment for St. Tammany Parish pursuant to the authority granted in Act 518 of 1954.

The Board of Adjustment shall consist of (5) members who shall be freeholders and qualified voters. The membership of the first board shall serve respectively, one for one year, one for two years, one for three years, and one for four years, and one for five years. Thereafter, members shall be appointed for terms of five years each. Vacancies shall be filled for the unexpired term of any member whose term becomes vacant.

All appointments shall be made by Resolution of the Police Jury.

All members shall be removable for cause by the appointment authority upon written charges and after public hearings; provided however that any member who shall be absent for three (3) consecutive meetings, regardless of cause, shall be deemed to have removed himself or herself from membership on the Board and that appointment shall be automatically vacated as a result of such non-attendance.

The Board shall elect its own Chairman from its membership. The Chairman shall serve for one year.

The Board shall adopt rules in accordance with provisions of any ordinance adopted pursuant to this act.

Meetings of the Board shall be held at the call of the Chairman and at such other times as the board may determine. Such Chairman, or in his absence the Acting Chairman, may administer oaths and compel the attendance of witnesses. All meetings of the board shall be open to the public. The board shall keep minutes of its proceedings, showing the vote of each member upon each question, or, if absent or failing to vote, indicating that fact and shall keep records of its examinations and other official actions, all of which shall be filed immediately in the office of the Board and shall be public record. All testimony, objections thereto and rulings thereon, shall be taken down by a reporter employed by the Board for the purpose. Appeals to the Board of Adjustment may be taken by any person aggrieved or by an officer, department, board or bureau of the Parish affected by any decision of the Department of Development and/or the Department of Permits and Inspections.

Such appeal shall be taken within a reasonable time, as provided by the rules of the board, by filing with the Department from whom the appeal is taken and with the Board of Adjustment a notice of appeal specifying the grounds thereof. The Department from whom the appeal is taken shall forthwith transmit to the Board all the papers constituting the record upon which the action appealed from was taken.

An appeal stays all proceedings in furtherance of the action appealed from unless the Department Director from whom the appeal is taken certifies to the Board of Adjustment after the notice of appeal shall have been filed with him, that by reason of facts stated in the certificate a stay would, in his opinion, cause imminent peril of life or property. In such case, the proceeding shall not be stayed otherwise than by a restraining order which may be granted by the Board of Adjustment or by a court of record on application or notice to the Officer from whom the appeal is taken and on due cause shown. The Board of Adjustment shall fix a reasonable time for the hearing of the appeal, give public notice thereof, as well as due notice to the interested parties, and decide the same within a reasonable time. Upon the hearing any party may appear in person or by agent or by attorney.

7.0402      Powers of the Board

A.      The Board of Adjustment shall have the following powers:

- 1)      To hear and decide appeals where it is alleged there is error in any order, requirement, decision, or determination made by the Department of Development and/or the Department of Permits and Inspections in the enforcement of Act 518 of 1954 of the Louisiana Legislature or of any ordinance adopted pursuant thereto.
- 2)      To hear and decide all matters referred to it or upon which it is required to pass under such ordinance.
- 3)      In passing upon appeals, where there are practical difficulties or unnecessary hardships in the way of carrying out the strict letter of such ordinance, to vary or modify the application of any of the regulations or provisions of such ordinance relating to the construction or alteration of buildings or structures so that the spirit of the ordinance shall be observed, public safety and welfare secured, and substantial justice done.

In exercising the above mentioned powers such Board may, in conformity with the provisions of this act, reverse or affirm wholly or partly or may modify the order, requirement, decision or determination appealed from and may make such order, requirement, decision or determination as ought to be made, and to that end shall have the powers of the Department from whom the appeal is taken.

B.      The concurring vote of four (4) members of the board shall be necessary to reverse any order, requirement, decision or determination of any such administrative official, or to decide in favor of the applicant on any matter upon which it is required to pass under any such ordinance, or to effect any variation in such ordinance.

- C. The Board shall have the power and authority to appoint a secretary who shall not necessarily be a member of the Board, in which event the salary of such secretary shall be fixed by the Board. It shall be the duty of the secretary to keep a true and correct record of all proceedings at such meetings, both general and special of said Board, in a book or books, to be kept specifically for that purpose. Certified copies of the minutes of all such proceedings shall be furnished to the chairman of the Planning Commission.

7.0403 Fee

A fee as set forth in Part 5 of this ordinance shall be paid to the Director of Development at the time the notice of appeal is filed which shall be credited to the general revenue of the Parish.

7.0404 Appeals from the Board of Adjustment

Any person or persons jointly or severally aggrieved by any decision of the Board of Adjustment, or any officer, department, board or bureau of the said Parish, may present to the district court of the Parish a petition duly verified, setting forth that such decision is illegal, in whole or part, specifying the grounds of the illegality. Such petition shall be presented to the court within thirty (30) days after the filing of the decision in the office of the Board. Upon the presentation of such petition, the court may allow a writ of certio rati directed to the Board of Adjustment to review such decision of the Board of Adjustment and shall prescribe therein the time within which a return less than ten (10) days and may be extended by the court. The allowance of the writ shall not stay proceedings upon the decision appealed from but the court may, on application or notice to the Board and due cause shown, grant a restraining order. The Board of Adjustment shall not be required to return certified or sworn copies thereof or such portions thereof as may be called for by such writ. The return shall concisely set forth such other facts as may be pertinent and material to show the grounds of the decision appealed from and shall be verified. If, upon the hearing, it shall appear to the Court that testimony is necessary for the proper disposition of the matter, it may take additional evidence or appoint a referee to take such evidence as it may direct and report the same to the court with his findings of fact and conclusion of law, which shall constitute a part of the proceedings upon which the determination of the court shall be made. The court may reverse or affirm, wholly or in part, or may modify the decision brought up for review. Costs shall not be allowed against the Board unless it shall appear to the court that it acted with gross negligence, or in bad faith, or with malice in making the decision appealed from. All issues in any proceedings under this section shall have preference over all other civil actions and proceedings.



## **SECTION 8 - AMENDMENTS**

### **SECTION 8.01 AMENDMENTS, SUPPLEMENTS OR CHANGES OF THE LAND USE ORDINANCE OR DISTRICT MAP**

8.0101 The St. Tammany Parish Police Jury may, from time to time, amend, supplement or change the regulations, restrictions, zoning districts, or boundaries as subsequently established in accordance with the provisions of this section.

No amendment, supplement or change of the Land Use Ordinance shall become effective unless and until there shall have been held a public hearing in relations thereto before the Zoning Commission at which parties in interest and citizens shall have had an opportunity to be fully heard.

8.0102 Notice of such public hearings by the Zoning Commission shall give the time and place of hearing and shall be published once a week in three different weeks in the official journal of the Parish, together with a similar publication in a newspaper of general circulation in the area wherein the property is located, as determined by the Director of Administration. At least thirty (30) days notice of time and date of the public hearing shall be published in the official journal. Should there be no official journal, then the publication in the newspaper of general circulation in the area wherein the property is located shall be sufficient.

8.0103 Amendments, supplements or changes may be initiated in the following ways:

1. By action of the Police Jury itself by introduction of an Ordinance or by adoption of a resolution or motion, or,
2. Upon recommendation by the Zoning Commission, after determination by the Planning Director that the amendment, or supplement or change to the regulations, restriction, zoning district or boundaries should be made, or
3. On application or petition of property owners, by filing with the Police Jury, through the Planning Department, to the standards and requirements of the Planning Director a petition to amend or change the Comprehensive Zoning Ordinance, provided that no petition for change in the classification of property shall be considered or acted upon unless such petition is duly signed by the owners or authorized agents of not less than 50 percent of the area of the land for which a change of classification is requested, provided, however, that where any lot located in the aforesaid area is owned indivision, all co-owners or their authorized agents must sign and petition for that lot to be included in the fifty (50) percent provision.

- 8.0104 For all proposed changes, except comprehensive zoning changes and text changes, a printed notice in bold type shall be posted for not less than ten (10) consecutive days prior to the public hearing conducted by the Parish Zoning Commission on signs not less than one square foot in area, prepared, furnished, and placed by the Director of Planning and Permits or his designated appointee upon the principal and accessible rights-of-way adjoining the area proposed for a zoning change. Said signs shall contain the case number, the time and place of the public hearing as provided above. The Parish Council shall take no action until it has received the final report of the Zoning Commission. (Amended OCS# 00-0105 2/10/2000) (Amended OCS# 02-0417 1/10/2002)
- No such posting is required of the area within or adjoining an area to be affected by any proposed text change provided there is compliance with the publication requirements set above.
- Comprehensive re-zoning proposals need be posted under the requirements set out above only within the area to be affected in general geographic terms and need not list the specific zone proposed for all land within that area. The Zoning Commission may then adopt the final map after a public hearing on a Ward or Growth Management Area comprehensive zoning change.
- Any amendment that has failed to receive the approval of the Zoning Commission shall not be passed except by a majority vote of the membership of the Parish Council. (Amended OCS# 02-0417 1/10/2002)
- 8.0105 A final yea and nay vote shall have been taken on the proposal by the Police Jury within one hundred twenty (120) days dated from the introduction of an ordinance in correct form.
- 8.0106 In case, however, of a protest against such change signed by the owner of twenty (20) percent or more either of the area of the lots included in such proposed change, or in those immediately adjacent, extending two-hundred (200) feet therefrom, or those directly opposite thereto extending five-hundred (500) feet from the street frontage of such opposite lots, such amendments shall not become effective except by a majority vote of the membership of the Parish Council. (Amended OCS# 02-0417 1/10/2002)
- 8.0107 After published notice required by Section 8.01, the Police Jury may hold any public hearing requiring by this article or the statutes of Louisiana pertaining to Land Use jointly with any public hearing required to be held by the Parish Planning Commission, but the Police Jury shall not take action until it has received the final report of the Zoning Commission.
- 8.0108 Whenever a petition or application for a site or cumulative acreage of less than twenty (20) acres is filed requesting or proposing a zoning change to this ordinance and said petition or application has been received, officially

advertised and subsequently a public hearing has been held, the Police Jury shall not consider any further petition or application requesting or proposing such change for the same property within one year from the date of the Police Jury's final action on said petition or application. The provisions of the paragraph shall not apply in cases where the Police Jury wishes to consider a Comprehensive Zoning revision of an area.

8.0109 Whenever a proposed change has been forwarded to the Police Jury with a recommendation for approval, and no protest or appeal has been filed with the Department of Planning and Permits as outlined in this Ordinance, the proposed change shall be placed upon the Consent Agenda for Final Adoption at the next appropriate Police Jury Meeting.



## **SECTION 9 - SCHEDULE OF FEES, CHARGES AND EXPENSES**

The Police Jury shall establish a schedule of fees, charges and expenses and a collection procedure for building permits, certificates of occupancy, appeals, and other matters pertaining to this ordinance. This schedule of fees shall be posted in the office of the administrative official and may be altered or amended only by the Police Jury.

No permit, certificate, special exemption, or variance shall be issued unless or until such costs, charges, fees or expenses have been paid in full, nor shall any proceeding or action be taken before the Board of Adjustment unless or until preliminary charges and fees have been paid in full.

Provided, however that the Police Jury, by Resolution adopted by a two thirds (2/3rds) vote of the Police Jury membership, may amend, alter or waive the fees for building permits, zoning application, certificates of occupancy, appeals and other matters pertaining to this ordinance.

### **SECTION 9.01      RECOMMENDED SCHEDULE OF FEES**

Please note: This section was repealed by Ordinance Police Jury Series Number 97-2598 effective April 13, 1997.

Refer to the St. Tammany Parish Police Jury Code of Ordinances, [Article 1, Section 2.009.00 - Parish Fees and Service Charges](#).



## SECTION 10 - DEFINITIONS

Abandoned On-Premise Sign: An abandoned on-premise sign is an on-premise sign which no longer correctly directs or exhorts any person, advertises a bona fide business, lessor, owner, entity, product, or actively conducted, or product available on the premises where such sign is displayed. (Amended 2/13/03 ZC02-06-040 OCS#03-0607)

Abandoned Off-Premise Sign: An abandoned off-premise sign is an off-premise sign which:

1. No longer correctly directs or exhorts any person;
2. Has fallen into disrepair or otherwise deteriorated as a result of a lack of maintenance, repair or upkeep; or
3. With regard to billboards, which carries no advertising message other than a message concerning its availability for lease or hire on its structure for any period of one hundred eighty (180) consecutive days. (Amended 2/13/03 ZC02-06-040 OCS#03-0607)

Accessory Building, Accessory Structure or Uses. An "accessory building, accessory structure or use" is one which: (Amended 01/06/2005 ZC#04-08-065 OCS# 05-1029)

- a. Is subordinate to and serves a principal building or principal use;
- b. Is subordinate in area, extent or purpose to the principal building or principal use served;
- c. Contributes to the comfort, convenience or necessity of occupants of the principal building or principal use served;
- d. Is located on the same zoning lot as the principal building or principal use served with the single exception of such accessory off-street parking facilities as are permitted to locate elsewhere than on the same zoning lot with the building or use served;

An "accessory use" in business or commercial zoning districts includes, but is not limited to, storage of merchandise normally carried in stock on the same lot with any retail service or business use, unless such storage is excluded by the district regulations.

Accessway: A way of approaching or entering a property.

Activity: An economic unit designated in the classification system given in the 1987 Standard Industrial Classification (SIC) Manual published by the U.S. Department of Commerce, Office of Federal Statistical Policy and Standards. (Amended 2/13/03 ZC02-06-040 OCS#03-0607)

Address Sign: A sign which only conveys the numeric address of the premises on which it is located. (Amended 2/13/03 ZC02-06-040 OCS#03-0607)

Addition: An extension or increase in floor area or height of a building or structure.

Adult Theater: Any place or establishment that as a substantial or significant portion of its

business features or provides for viewing on site (i) films, motion pictures, video or audio cassettes, slides, or other visual representations or recordings that are distinguished or characterized by an emphasis on the exposure, depiction, or description of Specified Anatomical Areas, or the conduct or simulation of Specified Sexual Activities; or (ii) live performances that are distinguished or characterized by an emphasis on the exposure, depiction, or description of Specified Anatomical Areas or the conduct or simulation of Specified Sexual Activities. Adult theaters offering viewing of film, photograph material or live performances to audiences smaller in size than five (5) persons per seating, are expressly prohibited. (Amended ZC00-054 OCS00-0164 7/6/2000)

Adult Cabarets: Any place or establishment that as a substantial or significant portion of its business features or provides any of the following:

- (a) Persons who appear Semi-Nude, or
- (b) Live performances that are distinguished or characterized by an emphasis on the exposure, depiction, or description of Specified Anatomical Areas or the conduct or simulation of Specified Sexual Activities, or
- (c) Films, motion pictures, video or audio cassettes, slides, computer displays, or other visual representations or recordings of any kind that are distinguished or characterized by an emphasis on the exposure, depiction, or description of Specified Anatomical Areas, or the conduct or simulation of Specified Sexual Activities, or
- (d) Any live entertainment which excludes minors or from which minors are prohibited by statute or ordinances, and whether or not any such business is licensed to sell alcoholic beverages. (Amended ZC00-054 OCS00-0164 7/6/2000)

Adult Store: Any place or establishment which sells, offers for sale or rents, for any form of consideration, any one or more of the following:

- ii Books, magazines, periodicals, or other printed matter, or photographs, films, motion pictures, video cassettes, slides or other visual representations or recordings, novelties and devices, which have as their primary or dominant theme, matter depicting, illustrating, describing or relating to specific sexual activities or specified anatomical areas; or
- ii Instruments, devices or paraphernalia which are designed for use in connection with specified sexual activities.

An adult store includes a place with only a portion or section of its area set aside for the display or sale to adults of materials listed in subsections (1) and (2) of this subsection, except that any place, otherwise included within this definition, that derives not more than ten (10) percent of its gross income from the sale of materials listed in subsections (1) and (2) of this subsection, shall be exempt from the provisions of this section. (Amended ZC00-054 OCS00-0164 7/6/2000)

Agriculture. "Agriculture" is the use of land for agricultural purposes, including farming, dairying, pasturage, agriculture, horticulture, floriculture, viticulture and animal and poultry husbandry and the necessary accessory uses for packing, treating, or storing the produce; provided, however, that the operation of any such accessory uses shall be secondary to that of the normal agricultural activities.

Agricultural Building or Structure. For the purpose of this ordinance: an "agricultural building" or "structure" shall imply any building or structure existing or erected on land used principally for agricultural purposes, with the exception of dwelling units.

Airport (Landing Strip, Heliport, or Aircraft Stop). Any premises which are used or intended for use, for the landing and take off of aircraft; and any appurtenant areas which are used or intended for use for buildings incidental to aircraft services, including hangars, facilities for refueling and repair, and various accommodations for passengers, together with all buildings and structures thereon.

Aisle: The traveled way by which cars enter and depart parking spaces.

Alcohol and Drug Treatment Center. A center or clinic sponsored or operated by a non-profit, charitable or for-profit entity or by a public agency and subject to licensure by the State of Louisiana whose purpose is the treatment of chemically dependent persons. No dispensing of controlled substances in connection with or related to the rehabilitation program is permitted. (Amended ZC00-062 OCS00-0206 10/19/2000)

Alley. A narrow service way providing a secondary means of public access to premises or service entrances of buildings abutting and which is not generally used a thoroughfare by both pedestrians and vehicles, or which is not used for general traffic circulation or which is not in excess of thirty (30) feet in width at its intersection with a street.

Ambulance service. A commercial facility for the housing, maintenance, and dispatch of vehicles designed to transport sick or injured persons to medical facilities.

Amusement Center. Any indoor place or enclosure in which is maintained or operated for the amusement, patronage, or recreation of the public any coin-controlled amusement device of any description, commonly known as video games, pool or billiards, and pinball amusement games.

Antenna: transmitting and/or receiving device used for personal wireless services that radiates or captures electromagnetic waves, including directional antennas, such as panel and microwave dish antennas, and omni-directional antennas, such as whips, excluding radar antennas, amateur radio antennas, amateur radio antennas and satellite earth stations. (Amended 3/7/2002 OCS# 02-0448)

Antique Shop. An establishment for the retail sale of articles such as glass, china, furniture, or similar furnishings and decorations that have value and significance as a result of age, design or sentiment.

Apartment. One or more rooms in an apartment building or combination apartment and commercial building, arranged, intended, or designed or occupied as a dwelling unit of a single-family, an individual, or a group of individuals.

Apartment Building. A multiple-family dwelling originally designed and constructed to accommodate five or more apartments, designed with more than one dwelling unit connected to a common corridor or entranceway in contrast to single or two-family

dwelling converted for multiple-family use or attached row dwellings (party-wall type) as defined herein.

Apartment, Garage. A building designed to accommodate both the storage of automobiles and which second story may be utilized for residential purposes.

Apartment Hotel. A building designed for or containing both dwelling units and individual guest rooms or suites of rooms, which building may include accessory uses such as a cigar store or coffee hop, when such uses are accessible only from the lobby. Lodging as board is provided for a single family, indicates a group and offer for compensation and it is open to the public in contra-distinction to a boarding house, lodging house or an apartment which are defined separately.

Arcade. A continuous area at ground level open to a street or plaza, which is open and unobstructed to a height of not less than 12 feet, and which is accessible to the public at all times. Any portion of an arcade occupied by building columns, landscaping, statuary, or pools shall be considered to be apart of an arcade for the purpose of computing a floor area. The term "arcade" shall not include off-street loading areas, drive-ways, off-street parking areas, or pedestrian ways accessory thereto.

Architectural Detail: Any projection, relief, cornice, column, change of building material, window or door opening on any building. (Amended 2/13/03 ZC02-06-040 OCS#03-0607)

Area. Synonymous with the word "tract" which is "a piece of land capable of being described with such definiteness that its location may be established and boundaries definitely ascertained.

Area - (Gross Floor): The area within the inside perimeter of the exterior floors.

Area - (Net): Area actually occupied not including accessory unoccupied areas.

Art Gallery. An establishment for the loan or display of objects of art.

Athletic Fields. A site providing recreational areas for activities such as soccer, baseball, softball and football.

Attached Sign: An attached sign is any sign which is physically connected to and derives structural support from a building or building appurtenance. (Amended 2/13/03 ZC02-06-040 OCS#03-0607)

Audible Sign: An audible sign is any sign which is designed to or which does produce sound. (Amended 2/13/03 ZC02-06-040 OCS#03-0607)

Automobile Body Shop. Any building, or portion thereof, used for the repair or straightening of a motor vehicle body or frame, and/or painting of motor vehicles. Maintenance, service and engine repair may be performed as an ancillary function to the body work.

Automotive Repair. Facility for the repair of motor vehicles.

Autoparts Sales. A facility for the retail sale of auto parts, tools and related items.

Automobile Sales: The use of any building, land area or other premises for the display and sale of new or used automobiles, panel trucks, vans, trailers or recreational vehicles including warranty repair work and other repair services conducted as an accessory use.

Automobile Service Station: Any building, land area or portion thereof, used or intended to be used for the retail dispensing or sale of vehicular fuels; and including as an accessory use the sale and installation of Lubricants, Tires, Batteries and similar accessories. This use may include one or more ways in which vehicle washing, lubrication, minor replacement, adjustment or repair services are offered.

Aviation Easement: An air rights easement precluding future or additional development of land.

Awning: A cloth, plastic, or nonstructural covering that either is permanently attached to a building or can be raised or retracted to a position against the building when not in use. (Amended 2/13/03 ZC02-06-040 OCS#03-0607)

Bakery. A facility for preparing, cooking, baking, and the retail sale of candy, baked goods, or other sweets.

Banner: A sign composed of a logo or design on a lightweight material either enclosed or not enclosed in a rigid frame and secured or mounted to allow movement caused by the atmosphere. (Amended 2/13/03 ZC02-06-040 OCS#03-0607)

Batching Plant. A facility for the mixing of concrete or asphalt.

Beacon: A strong or bright light focused or directed in one or more directions. (Amended 2/13/03 ZC02-06-040 OCS#03-0607)

Bed and breakfast: A private residence which provides lodging and meals for guests, in which the host or hostess resides. While it may advertise and accept reservations, it does not hold itself out to the public to be a restaurant, hotel, or motel, does not require reservations, and serves food only to overnight guests. (Amended 7/11/02 ZC02-05-028 OCS#02-0503)

Bench Sign: A bench sign is an advertising message on any portion of a bench or other non-mobile structure or device intended for public seating or convenience. (Amended 2/13/03 ZC02-06-040 OCS#03-0607)

Billboards - See Off Premises Signs. (Amended 03/15/2001 ZC01-02-011 OCS# 01-0264)

Billboard and Poster Panel. Any structure affixed to the surface of the land or to any building, tower, or other structure designed, arranged, used, or intended to be used exclusively for outdoor advertising and which is rented, leased, or otherwise used in outdoor advertising where a consideration is charged.

Block. That property on one side of a street between two (2) adjacent streets which intersect the street in question.

Board. Means the Board of Adjustment established in Part 7.

Boarding House/Lodging House. A structure that is rented to occupants for 30 consecutive days or more and contains more than five units with living and sleeping accommodations, but no kitchen.

Boatel. A building or group of buildings which: (a) contains living or sleeping accommodations used primarily for transient occupancy, and (b) is immediately accessible by boat.

Buffer Planting Area: See the definition in Section 5.1607 A. (Amended 2/13/03 ZC02-06-040 OCS#03-0607)

Buildable Area. The space remaining on a zoning lot after the minimum open space requirements and environmental standards of this ordinance have been complied with.

Building. A permanent structure having a foundation, and a roof supported by columns or walls, for the enclosure of persons, animals, chattels or moveable property of any kind when said structure is separated by division walls from the ground up and without openings, each portion of such structure shall be deemed as a separate building.

Building - Accessory: A subordinate structure on the same lot as a principal or main building or use occupied or devoted to a use incidental and secondary to the principal use. (See also Accessory Building, Accessory Structure or Uses.)

Building Area. A maximum horizontal projected area of a building and its accessory buildings, excluding only cornices projecting not more than twenty-four (24) inches, open steps and terraces.

Building, Completely Enclosed. A "completely enclosed building" is a building separated on all sides from the adjacent open space, or from other buildings or other structures by a permanent roof and by exterior walls or party walls, pierced only by windows and normal entrance or exit doors.

Building Coverage: The horizontal area measurement within the outside of the exterior walls of the ground floor of all principal and accessory buildings.

Building, Detached. A building surrounded by open space, said open space being on the same zoning lot as the building.

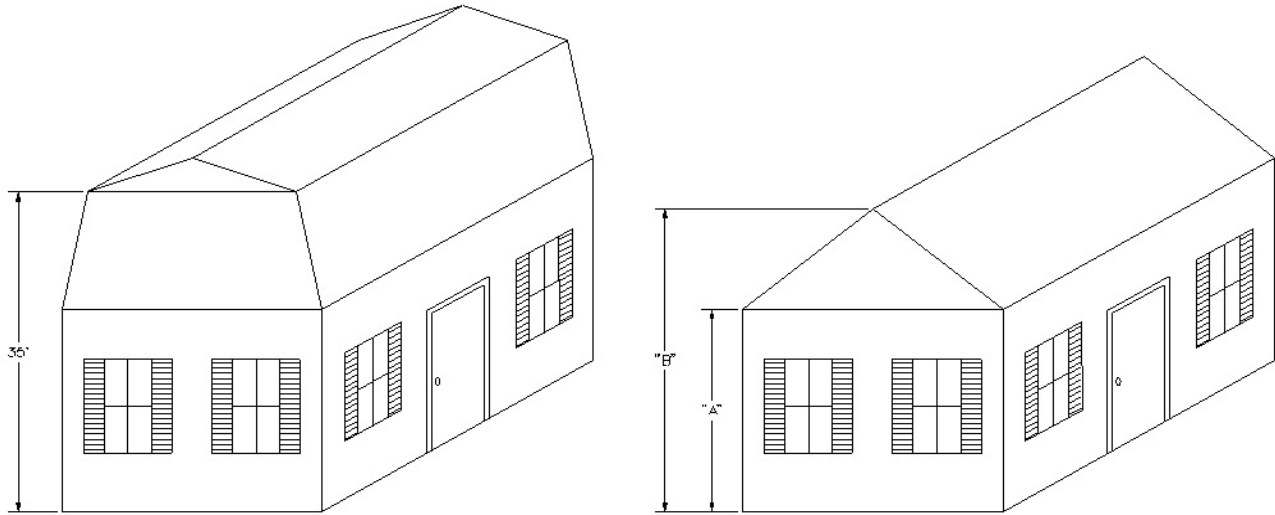
Building Facade Planting Area: See the definition in Section 5.1608 A. (Amended 2/13/03 ZC02-06-040 OCS#03-0607)

Building Height: The average vertical distance from the average elevation at the corners

of the foundation, measured at the finished grade, to the highest point of the coping of a flat roof, or to the deck line of a mansard, or to the mean height level between the eaves and the ridge for gable, hip, and gambrel roofs. The mean height is calculated using the formula below and shall not exceed 35 feet. When calculating mean height, the dimension to the ridge, shown below as "B", shall be 45 feet or less.

$$\frac{A+B}{2} = \text{Building Height}$$

See Illustration:



**Building Inspector:** The individual designated by the appointing authority to insure the provisions of the building codes.

**Building Line.** A line formed by the outer face of the closing wall of a building, structure or portion thereof and the surface of the ground.

**Building Setback Line:** A line parallel to the street at a distance equal to the depth of the front yard required by the zoning district or the depth required by the average building line whichever is more restrictive.

**Building, Non-Conforming.** See Non-conforming Building.

**Building Permit:** Written permission issued by the Department Of Permits and Inspections authorizing construction, repairs, alterations, additions or changes of use and plan revisions to any structure.

**Building, Principal.** A non-accessory building in which a principal use on the zoning lot on which it is located is conducted.

**Building, Temporary.** A structure without a foundation, having a roof, supported by

columns or walls for the enclosure of persons, animals, chattels or moveable property of any kind.

Bulk. The term used to describe the size of buildings or other structures, and their relationships to each other and to open areas and lot lines, and therefore includes: (a) the size ... of buildings or other structures, and (b) the area of the zoning lot upon which a residential building is located, and (c) the number of dwelling units or rooms within such building in relation to the area of the zoning lot, and (d) the shape of the buildings or other structures in relation to other walls of the same building, to legally required windows, or to other structures, and (e) all open areas relating to buildings or other structures and their relationship hereto.

Bulkhead: A retaining wall created along a body of water behind which fill is placed.

Bulk Plan. A bulk storage plant shall mean any place where flammable liquids are received by tanker, barge, pipeline, tank car or tank vessel or truck and are stored or blended in bulk for the purpose of distributing such liquids by tank truck, pipeline, tank car, tank vessel or container.

Business. The word "business" or the word "commerce" when used in this ordinance means the engaging in the purchase, sale, barter, or exchange of goods, wares, or merchandise; or the maintenance or operation of offices or recreational or amusement enterprises.

Business School. An enterprise offering instruction and training in a service industry or the arts such as secretarial, barber, commercial artist, computer software and similar training.

Caliper: The diameter of a tree trunk.

Camp Ground. Any area or tract of land used to accommodate two or more camping parties, including cabins, tents, house trailers, or other camping outfits.

Carport: A roofed structure providing the space for the parking or storage of motor vehicles and enclosed on no more than three sides.

Carnival/Circus. A temporary traveling show or exhibition that has no permanent structure or installation.

Carry-Out Grocery or Retail: An establishment which by design of physical facilities or by service or packaging procedures permits or encourages the purchase of items by telephone order or mail. There is no retail display area and receipt of purchases occurs primarily off of the premises. This use is targeted to the retail market and as such shall not be confused with Distribution Centers or Wholesale Merchandise Brokers.

Carry-Out Restaurant: An establishment which by design of physical facilities or by

service or packaging procedures permits or encourages the purchase of ready-to-eat foods intended primarily to be consumed off of the premises, and where consumption of food on the premises is not permitted.

Car Wash. A facility for the washing or the steam cleaning of passenger vehicles.

Catering Service. An establishment that serves and supplies food to be consumed off premises.

Cemetery: Property used for interring the dead in above ground chambers or burying them beneath the ground.

Certification Of Compliances: A document issued by the Department Of Permits and Inspections which certifies that the plans for a proposed use meets all applicable parish codes and regulations.

Changeable Message Sign: A changeable message sign is a sign on which the copy, message or sign panels may be, when specifically issued a permit as a changeable message sign, changed either electronically or manually in the field through the removal, replacement, or rearrangement of letters, symbols, blocks or panels designed for attachment to said sign. (Amended 2/13/03 ZC02-06-040 OCS#03-0607)

Change Of Use Permit: A permit which authorizes any use substantially different from the previous use of a building or land.

Christmas Tree Farm: A land area cultivated for the growing of Christmas trees for market and distribution.

Church. A building, together with its accessory buildings and uses, where persons regularly assemble for religious worship, and which building, together with its accessory buildings and uses, is maintained and controlled by a religious body organized to sustain public worship.

Clinic. An establishment where patients who are not lodged overnight are admitted for examination and treatment by a group of physicians practicing medicine together.

Clinic or Medical Center. An establishment where patients are admitted for special study and treatment by two or more licensed physicians and their professional associates, practicing medicine together, with the treatment or care in the building limited to periods of less than 48 hours in any week.

Closed Landfill/Dump. A facility that is not longer in operation.

Club. Buildings and facilities owned and operated by a corporation or association of persons for social or recreational purposes, but not operated primarily for profit or to render a service which is customarily carried on as a business.

College: An educational institution authorized by the state to award associate and bachelors degrees.

Commercial Greenhouse: A structure in which plants, vegetables, flowers and similar materials are grown for sale.

Commercial Recreation: Facilities engaged in providing amusement, entertainment or recreation for a fee, admission charge or in association with the sale of products on the premises including such activities as dance halls, dance studios, theatrical productions, bands, orchestras, other musical entertainment, bowling alleys, billiard and pool establishments, commercial sports arenas, racetracks, miniature golf courses, off track betting establishments, golf courses, and game parlors.

Commission. Zoning Commission of St. Tammany Parish.

Community Center. A building designed to serve as the social center of a town, district, etc.

Community Home. Residential living options that are certified, licensed, or monitored by the Louisiana Department of Health and Human Resources to provide residential services to six or fewer persons who are mentally retarded or developmentally disabled. Community homes that provide for six or fewer persons who are mentally retarded or developmentally disabled shall have twenty-four hour supervision including at least one but not more than two twenty-four hour attendants. Such a residential facility shall be considered a single family unit.

Compatible Use: See Use, Compatible.

Conditional Use: See Use, Conditional.

Condominium: A building or group of buildings in which units are owned individually and the structure, common areas and facilities are owned by all owners on a proportional undivided basis.

Condominium Association: The community association which administers and maintains the common property and common elements of a condominium.

Condominium - Commercial: A building or group of buildings used for office, businesses, professional services and other commercial enterprises, organized and maintained as a condominium.

Condominium - Industrial: An industrial building or group of buildings organized, owned, and maintained as a condominium.

Construction Sign: A construction sign is a temporary sign erected and maintained by an architect, contractor, developer, financial institution, subcontractor or materials supplier upon premises for which said person or persons is presently furnishing labor, materials,

services or capital financing. (Amended 2/13/03 ZC02-06-040 OCS#03-0607)

Construction/Sales Office, Temporary. A structure or other facility temporarily used as a construction office or sales office.

Contiguous: Next to, abutting or touching and having a boundary or portion thereof.

Contractor's Storage Yard. A site visually screened for the storage and maintenance of contractors supplies and operational equipment.

Convalescent Home: See nursing home

Convent. The living quarters or dwelling units for a religious order or for the congregation of persons under religious vows.

Conversion. The changing of use or occupancy of a dwelling by alteration or by other reorganization so as to increase the number of families or dwelling units in a structure.

Corner Lot. A lot in the junction of and fronting on two or more intersecting streets.

Country Club. A private recreational club containing a golf course and a club house that is available only to the country club and their guests.

Court. On a lot having more than one (1) dwelling unit, an open unoccupied space, other than a yard, on the same lot with a building or group of building and which is bound on two (2) or more sides by such building or buildings.

Coverage. That percentage of the plot or lot area covered by the building area.

Cul-de-Sac: The turnaround at the end of a dead end street.

Curvilinear Street: A pattern of streets which are curved.

Day Care Center. A child care facility receiving nine (9) or more children for care during all or part of the day.

Day Care Home. A residence which receives four but not more than eight children of care during all or part of the day. Not to be construed as a Day Care Center. The maximum of eight children shall not include the natural or adopted children under the age of 16 of the occupants of the residence. The use shall be secondary to the use of the property as a residence.

D.B.H: Diameter breast high. (Amended 2/13/03 ZC02-06-040 OCS#03-0607)

Decibel: A unit of sound pressure level.

Decorative Fences: See the definition in Section 5.1606 E 1. (Amended 2/13/03 ZC02-06-040)

Deed: A legal document conveying ownership of real property.

Density: The number of families, individuals, dwelling units or housing structures per unit of land.

Development: The division of a parcel of land into two or more parcels; the construction, reconstruction, conversion, structural alteration, relocation or enlargement of any structure, any mining, excavation, landfill or land disturbance and any use in extension of the use of land.

Development, Cluster. A "cluster development" is a planned development or subdivision of a tract of land into residential lots.

Direct Light: Light emitted directly from the lamp, off of the reflector or reflector diffuser, or through the refractor or diffuser lens, of a luminaire. (Amended 2/13/03 ZC02-06-040 OCS#03-0607)

Directory Sign: A directory sign is an outdoor sign listing and identifying the occupants within shopping centers, industrial centers, retail centers, office centers, and other multi-use commercial or industrial sites. (Amended 2/13/03 ZC02-06-040 OCS#03-0607)

Disabled Person.

Any person who has a physical or mental impairment which substantially limits one or more of the following major life activities:

1. Self Care
2. Receptive or expressive language
3. Learning
4. Mobility
5. Self direction
6. Capacity for independent living
7. Economic self sufficiency.

This definition shall exclude persons, not otherwise disabled, who are currently using illegal drugs or currently abusing alcohol, and it shall exclude persons, not otherwise disabled, currently under sentence or parole from any criminal violation.

Disability Glare: Glare resulting in reduced visual performance and visibility. It is often accompanied by discomfort. (Amended 2/13/03 ZC02-06-040 OCS#03-0607)

Distribution Center: An establishment associated with a specific establishment or establishments used for the dispersion of goods and materials to other locations. This use may or may not be associated with warehousing facilities.

District. A part of the Parish wherein regulations of this ordinance are uniform.

Dormitory: A building used as group living quarters for a student body or religious order as an accessory use for college, university, boarding school, orphanage, convent, monastery or other similar institutional use.

Drip Line: The outer edge of the foliage of a tree extending in all directions parallel to the ground. (Amended 2/13/03 ZC02-06-040 OCS#03-0607)

Drive-In-Restaurant: A building or portion thereof where food and/or beverages are sold in a form ready for consumption and where all or a significant portion of consumption takes place or is designed to take place outside the confines of the building. often in an automobile or other vehicle on site.

Drive-In-Use: An establishment which by design, physical facilities, size or by packaging procedures encourages or permits customers to receive services, obtain goods in a motor vehicle.

Driveway. That space specifically designated and reserved on the site for the movement of vehicles from one site to another or from a site to a public street.

Duplex. Two dwelling units affixed as one structure located on a lot.

Dwelling. A building or portion thereof designed or used exclusively for residential occupancy, including one-family dwelling units, two-family dwelling units and multiple-family dwelling units, but not including hotels, boarding or lodging houses.

Dwelling, Attached, (Group, Row, or Town Houses). A building, or a portion of a building, containing three (3) or more dwelling units joined by a party wall or walls, provided those dwellings are not either straight above or below a dwelling intended for use by another separate, independent family. Permitted dwelling units above commercial establishments will be exempt from this definition.

Dwelling Converted. Any building which was originally designed and constructed as a one-, two-, or three-family dwelling, but which has been changed or altered by the construction of additional dwelling units to provide for more families than the original building.

Dwelling, Detached. A dwelling entirely surrounded by open space, said open space being on the same zoning lot as the dwelling.

Dwelling, Multiple-Family. A dwelling containing three or more dwelling units designed with more than one dwelling unit connecting to a common corridor or entranceway, originally constructed for said purpose, and not including converted dwellings or attached row dwellings (party wall type) as defined herein.

Dwelling, Semi-Detached (Duplex). A dwelling unit joined to one other dwelling unit by a party wall.

Dwelling, Single-Family. A dwelling containing accommodations for and occupied by one family only.

Dwelling, Two-Family. A building designed exclusively for occupancy by two families living independently of each other.

Dwelling Unit. One or more rooms in a dwelling or apartment-hotel designed for occupancy by one family for living purposes and having its own permanently installed cooking and sanitary facilities.

Easement: A grant of one or more of the property rights by the property owners to and/or for use by the public, a corporation, or another person or entity.

Easement - Drainage: An easement required for the installation of storm water sewers or drainage ditches, and/or required for the preservation or maintenance of a natural stream or water course or other drainage facility.

Eating And Drinking Establishment: Retail establishments selling food and drink for the consumption on the premises.

Educational Institution. Public, parochial, charitable, or non-profit junior college, college, or university, other than trade or business schools, including instructional and recreational uses, with or without living quarters, dining rooms, restaurants, heating plants and other incidental facilities for students, teachers and employees.

Electrical Substation. A Facility for transforming electricity for distribution to individual customers.

Electrical energy generating plant. A facility that generates electricity from mechanical power produced by gas, coal or nuclear fission.

Encroachment: Any obstruction in a designated floodway, Right-Of-Way, or adjacent land.

Enlargement: Increase in size.

Escort: A person who, for compensation, agrees or offers to engage in any of the following acts:

1. Act as a social companion or date for another person.
2. Privately to model lingerie with the intention of and for the purpose of providing sexual stimulation or sexual gratification to the customer.
3. Privately to disrobe for another person with the intention of and for the purpose of providing sexual stimulation or sexual gratification to the customer.
4. Agrees to come to a specified location for the purpose of disrobing and for the purpose of providing sexual stimulation or sexual gratification to the customer.
5. To perform a massage for the purpose of providing sexual stimulation or sexual gratification to the customer. (Amended ZC00-054 OCS00-0164 7/6/2000)

Escort Agency A person or business association who, whether on or off the licensed

premises, furnishes, offers to furnish, or advertises to furnish escorts, as defined herein, for compensation. (Amended ZC00-054 OCS00-0164 7/6/2000)

Establishment Business. A separate place of business having the following characteristics:

- a. The ownership and management of all operations conducted within such establishment are separate and distinct from the ownership and management of operations conducted within other establishments of the same or adjacent zoning lot.
- b. Direct public access to such "business establishment" is separate and distinct from direct access to any other "business establishment."

Excavation: Removal or recovery by any means whatsoever of rock, minerals, mineral substances, or organic substances other than vegetation from water or land on or beneath the land surface, whether exposed or submerged.

Existing Use: The use of a lot or structure at the time of the enactment of a zoning ordinance.

Fabrication and Assembly: The manufacturing from standardized parts of a distinct object differing from the individual components.

Facade: The exterior wall of a building exposed to public view or that wall viewed by persons not within the building.

Family. An individual, or two or more persons related by blood, marriage or adoption, or a group of not more than three persons (excluding servants), not related by blood, marriage or adoption, living together as a single house-keeping unit in a dwelling unit, but not including sororities, fraternities or other similar organizations.

Farm: A parcel of land used for agricultural purposes.

Farming. The business of cultivating land, or employing it for the purposes of husbandry; the cultivation and fertilization of the soil as well as caring for and harvesting the crops.

Farm Stand: A booth or stall located on a farm which produce and farm products are sold to the general public.

Fast Food Restaurant: An establishment whose principle business is the sale of pre-prepared or rapidly prepared food directly to the customer in a ready to eat state for consumption either within the restaurant building or off premises.

Fence, General. A structure used to delineate a boundary or as a means of confinement or for confinement.

Fence, Solid. A fence having a regular pattern of between ten (10) and fifty (50) percent

open throughout the length of the fence.

Fill: Sand, gravel, earth or other materials of any composition placed or deposited by humans.

Fish Farm: An agricultural area devoted to the cultivation of fish and other seafood.

Fixture: The assembly that houses the lamp or lamps and can include all or some of the following parts: a housing, a mounting bracket or pole socket, a lamp holder, a ballast, a reflector or mirror, and/or a refractor or lens. (Amended 2/13/03 ZC02-06-040 OCS#03-0607)

Flags, Banners, Seals: Flags, banners and seals are mottos, emblems, designs, shapes or symbols on cloth, plastic, canvas or devices of similar type and materials intended to convey any message or to identify any person, place, idea or thing other than duly adopted flags or seals of nations, states, parishes or municipalities. (Amended 2/13/03 ZC02-06-040 OCS#03-0607)

Flashing Lights: Any light or light source or reflection of light source which is intermittent in duration, color or intensity or which creates or is designed to create an illusion of intermittence in duration, color or intensity. (Amended 2/13/03 ZC02-06-040 OCS#03-0607)

Flashing Sign: A light source which, in whole or in part, physically changes in light intensity or gives the appearance of such change at intervals of less than six seconds (Amended 2/13/03 ZC02-06-040 OCS#03-0607).

Flat, Single-Plane Lens: A refractor or lens, mounted in the horizontal plane, which by design, allows direct light to be emitted only through the horizontal plane. (Amended 2/13/03 ZC02-06-040 OCS#03-0607)

Flea Market: A market place held in an open area where groups of individual sellers offer goods for sale to the public.

Fleet Storage: Outdoor storage of vehicles used for business purposes.

Flood or Spot light: Any light fixture or lamp that incorporates a reflector or a refractor to concentrate the light output into a directed beam in a particular direction. (Amended 2/13/03 ZC02-06-040 OCS#03-0607)

Floor Area (For Determining Floor Area Ratio). For the purpose of determining the floor area ratio, the "floor area" of a building is the sum of the gross horizontal area of the several floors of the building measured from the exterior faces of the exterior walls or from the center line of walls separating two buildings. The "floor area" of a building shall include basement floor area when more than one-half of the basement height is above the established curb level or above the finished lot grade level where curb level has been established, elevator shafts and stairwells at each floor, floor space used for mechanical equipment--except equipment, open or enclosed, located on the roof--penthouses, attic space having headroom of seven feet, six inches or more, interior balconies and mezzanines, enclosed porches and floor area devoted to accessory uses. However, any

space devoted to off-street parking or loading shall not be included in "floor area". The "floor area" of structures devoted to bulk storage or materials--including, but not limited to, grain elevators and petroleum storage tanks--shall be determined on the basis of height in feet; i.e., ten feet in height shall equal one floor.

Floor Area, Gross (GFA) (For Determining Off-Street Parking and Loading

Requirements). "Floor Area" is the sum of the gross horizontal areas of the several floors of a building or structure measured from the interior faces of the interior walls or from the interior line of walls separating two (2) buildings or structures, including the following. The "floor area" of a building shall include:

- a. Floor area of the basement if it is not used for other than storage except as required for (g) below.
- b. Penthouses.
- c. Attics having headroom of seven (7) feet or more.
- d. Interior balconies and mezzanines.
- e. Enclosed porches.
- f. Space devoted to accessory uses.
- g. Accessory storage areas located within selling or working spaces such as counters, racks or closets, or storage use in the conduct of business or use and calculated in the gross leasable area for multi-tenant buildings.
- h. Space devoted to retailing activities, to the production or processing of goods, or to business or professional offices.

It shall not include:

- a. Elevator shafts and stairwells on each floor.
- b. Floor space used for mechanical, telephone and electrical equipment.
- c. Attics having headroom of less than seven (7) feet.
- d. Areas used for storage except as required by (g) above.
- e. Space devoted to off-street parking or loading facilities.
- f. Entrance lobbies.
- g. Washrooms, intended for general public use.

Floor Area Ratio (F.A.R.). The "floor area ratio" of the building or buildings on any zoning lot is the floor area of the building or buildings on that zoning lot divided by the area of such zoning lot, or planned developments, by the net site area.

Food Processing: An industrial establishment in which food is processed or prepared in large quantities for consumption off premises or for canning, bottling or distribution.

Footcandle: A unit of measure for illuminance. A unit of illuminance on a surface that is everywhere one foot from a uniform point source of light of one candle and equal to one lumen per square foot. (Amended 2/13/03 ZC02-06-040 OCS#03-0607)

Foster Home. A facility licensed by the state as a foster home and that provides room, board, ordinary care and supervision to individuals under 18 years of age, who are not related to the resident family, and not to be confused with institutional housing.

Freestanding Sign: A freestanding sign is a sign supported by a sign structure secured in the ground and which is wholly independent of any guy wire, support wire, building, fence, vehicle or object other than the sign structure, for support. (Amended 2/13/03 ZC02-06-040 OCS#03-0607)

Frontage. That side of a lot abutting a street between the two nearest intersecting streets, measured along the line of the street. If the street is a dead-end, then the frontage is that side of a lot abutting the street between an intersecting street and the dead end of the street.

Front Foot: a measure of distance, being one foot as measured along the front property line.

Front Yard Planting Area: An area of land between the property line and any vehicular use areas or building that is intended for the replacement or preservation of landscape materials.

Full Cut-Off Type Fixture: A luminaire or light fixture that; by design of the housing, does not allow any light dispersion or direct glare to shine above a 90 degree, horizontal plane from the base of the fixture. Full cut-off fixtures must be installed in a horizontal position as designed, or the purpose of the design is defeated, and disability glare will result. (Amended 2/13/03 ZC02-06-040 OCS#03-0607)

Fully Shielded Fixture: A luminaire or fixture constructed in such a manner that an opaque shield extends, on all sides, below the lowest direct-light-emitting part (LDLEP) of the luminaire. The lowest edge of such a shield shall surround the LDLEP and be level with the horizontal plane, regardless of the orientation of the luminaire or fixture. (Amended 2/13/03 ZC02-06-040 OCS#03-0607)

Funeral Home. A dwelling or other structure used and occupied by a professional licensed mortician for burial preparation and funeral services.

Garden Shop/Plant Sales. A facility for the growing, display and sale of garden or flower seeds, plants and related items.

Garage, Bus. Any building used or intended to be used for the storage of three or more passenger motor buses or motor coaches used in public transportation, including school buses.

Garage, Private. A detached accessory building or portion of the main building, designed, arranged, used or intended to be used for the storage of passenger automobiles of the occupants of the premises.

Garage, Public: Structures utilized for storage of motor vehicles for profit and with

maximum undivided space used for storage of said vehicles.

General Terms. The work "person" includes a firm, association, organization, partnership, trust, company, or corporation as well as individual. The present tense includes the future. The singular includes the plural and the plural the singular. The word "shall" is mandatory, the word "may" is permissive. The words "used" or "occupied" include the words "intended", "designed", or "arranged", to be used or occupied.

Glare: Light emitting from a luminaire with an intensity great enough to reduce a viewer's ability to see, and in extreme cases causing momentary blindness. (Amended 2/13/03 ZC02-06-040 OCS#03-0607)

Golf Course. A comparatively large unobstructed acreage involving enough room over which to walk or ride, point to point, over a generally prescribed course, and to strive to send a ball long distances with variable accuracy, all without unreasonably endangering other players or intruding upon them.

Grade, Street. The elevation of the established street in front of the building measured at curb level at the center of such front. Where no street grade has been established, the Parish Engineer shall establish such street grade or its equivalent for the purpose of this ordinance.

Gravel Pit: An open land area where sand, gravel and other fragments are mined or excavated for sale.

Ground Cover: Plant material which reaches a maximum height of not more than twelve (12) inches.

Ground Cover, Decorative: Any mulch material (vegetative or mineral) that is used to cover the surface of the ground to prevent erosion or retain moisture. (Amended 2/13/03 ZC02-06-040 OCS#03-0607)

Ground Cover, Vegetative: Plant material which reaches a maximum height of not more than twelve (12) inches at maturity, including turf. (Amended 2/13/03 ZC02-06-040 OCS#03-0607)

Ground Sign: A ground sign is a monument sign or a pole sign supported by a sign structure secured in the ground and which is wholly independent of any guy wire, support wire, building, fence, vehicle or object other than the sign structure, for support. (Amended 2/13/03 ZC02-06-040 OCS#03-0607)

Group Home. Residential living options that are certified, licensed, or monitored by the Louisiana Department of Health and Human Resources for the personal care or supervisory care of not more than fifteen (15) individuals not related by blood, marriage or adoption. These facilities provide supervisory or personal care for individuals who are mentally disabled, abused, neglected or emotionally disturbed.

Guest Home. An accessory structure to an existing residence, that is to be used as temporary housing and not to be used as a source of income for the resident family.

Halfway House: A profit or nonprofit boarding home, rest home, or other home for the sheltered care of adult persons which, in addition to providing food and shelter to four or more persons unrelated to the proprietor, also provides any personal care or service beyond food, shelter and laundry.

Handicapped Person. See definition of disabled person.

Health Studio/Physical Culture Salon. A facility operated to promote physical fitness or weight control.

Height of Luminaire: The height of a luminaire shall be the vertical distance from the normal finished grade directly below the centerline of the luminaire to the lowest direct-light-emitting part of the luminaire. (Amended 2/13/03 ZC02-06-040 OCS#03-0607)

Heliport: An area, either at ground level or elevated on a structure, licensed or approved for the loading and take off of helicopters, including auxiliary facilities such as parking, fueling and maintenance equipment.

Helistop. A landing pad for the occasional and infrequent use of rotary wing aircraft.

Historical District. Any area which: (1) contains improvements which: (a) have a special character of special historical or aesthetic interest or value; and (b) represent one or more periods or styles of architecture typical of one or more eras in the history of the Parish; and (c) cause such area, by reason of such factors, to constitute a distinct section of the city; and (d) has been designated as a historic district.

Home for the Retired. An establishment operated for the purpose of providing domiciliary care for a group of persons who by reason of age are unable to provide such care for themselves and who are not in need of medical or nursing treatment except in the case of temporary illness.

Home Occupation. Any activity or accessory use conducted for financial gain by a member of the household residing therein; which is clearly incidental and secondary to the use of the property for residential purposes.

Home Occupation Sign: A home occupation sign is any on-premise sign advertising a home occupation. (Amended 2/13/03 ZC02-06-040 OCS#03-0607)

Home Professional Office. An activity conducted for financial gain by a member of the household residing therein consisting of an office of a practitioner of a recognized and customary profession; which is clearly incidental and secondary to the use of the property for residential purposes.

Home Owners Association: A community association, other than a condominium association, which is organized in a development in which individual owners share common interests in open space or facilities.

Horizontal Illuminance: The measurement of brightness from a light source, usually measured in footcandle or lumens, which is taken through a light meter's sensor at a horizontal position. (Amended 2/13/03 ZC02-06-040 OCS#03-0607)

Hospice. A facility used to care for the terminally ill.

Hospital or Sanitarium. An institution devoted primarily to the maintenance and operation of facilities for the diagnosis, treatment, or care for not less than 24 hours in any week, or three or more non-related individuals suffering from illness, disease, injury, deformity, or other abnormal physical conditions. The term "hospital" as used in this ordinance does not apply to institutions operating primarily for treatment of insane persons, drug addicts, liquor addicts or other types of cases necessitating restraint of patients and the term "hospital" shall not include convalescent, nursing, shelter or boarding homes.

Hotel: A facility offering transient lodging accommodations to the general public and providing additional services such as restaurants, meeting rooms, and recreational facilities.

Household Agriculture. That growing of vegetables on sites greater than 1 acre, poultry, and livestock for the use of the residents of the property whereon it is grown or kept. Permitted animals and insects include, but are not limited to, those raised for consumption or as food producers (cows, goats, bees, rabbits, chicken, etc.) or those used for pleasure (horses, birds, turtles, dogs, cats, etc.). Poisonous, wild or dangerous animals are not permitted (snakes, lions, tigers, bears, etc.). Guard dogs are permitted. All animals must be housed in such a manner as to not create a nuisance to the adjoining residents by way of sight, smell or sound. (Amended 6/19/03 ZC03-04-021 OCS#03-0686)

Identification Sign: An identification sign is a sign which is limited to the name, address, and/or number of a building or institution, person, or entity which is primary to the identification of the premise and to a general statement of the activity carried on in the building or institution. (Amended 2/13/03 ZC02-06-040 OCS#03-0607)

Illuminated Sign: An illuminated sign is any sign which has characters, letters, figures, designs or outlines illuminated by an interior or exterior light source which is primarily designed to illuminate such sign. (Amended 2/13/03 ZC02-06-040 OCS#03-0607)

Impermeable: Not permitting the passage of water.

Incinerator: An engineered apparatus used to burn waste substances and in which all combustion factors, temperature, retention time, turbulence and combustion air can be controlled.

Incompatible Use: See Use, Incompatible.

Indirect Light: Direct light that has been reflected or has scattered off of other surfaces.

Individual Letter Sign: An individual letter sign is any sign made of self-contained letters that are mounted directly on the face of a building, a parapet, a roof edge of a building or on or below a marquee without being attached to a structure defined herein as a "sign face." (Amended 2/13/03 ZC02-06-040 OCS#03-0607)

Inflatable Sign: An inflatable sign is any sign dependent in whole or in part for its structural integrity on the infusion into said sign of compressed air or other fluids, and specifically including balloons larger than two (2) feet in diameter or two (2) foot square in area or other gas or liquid filled figures. (Amended 2/13/03 ZC02-06-040 OCS#03-0607)

Inn. See boarding house.

Institution. A nonprofit corporation or a nonprofit establishment for public use.

Institutional Housing. Any structure or building which is owned and/or operated by a public or private institution and is used for or intended to be used for rehabilitative programs, shelter programs, and/or special housing for mentally or physically handicapped persons, where the occupants are allowed to interact with the community while in residence. Institutional housing shall be allowed only when licensed by the appropriate state and/or local agency and under such terms and conditions which the Police Jury deem necessary to protect the occupant and the surrounding area.

Interior Landscape Area: Any landscaped area within the interior of a development site and beyond the required periphery landscape area that is planted with trees, shrubs and ground covering material to provide for infiltration of runoff, shade of parking areas or aesthetic enhancement of the site. (Amended 2/13/03 ZC02-06-040 OCS#03-0607)

Intersecting Street. Any street or public way or court, 30 feet or more in width which joins another at an angle, whether or not it crosses the other.

Junk Yard. Any parcel of land where waste, scrap metal, paper, rags or similar materials are bought, sold, exchanged, stored, baled, packed, disassembled or handled, including auto and building wrecking yards, but excluding similar uses taking place entirely within a completely enclosed building.

Kennel: Any premises, except where accessory to an agricultural use, where dogs of ten weeks in age or older are housed, groomed, bred, boarded or trained for the use of the residents of the premises.

Kennel, Commercial. Any lot or premises or portion thereof on which more than four dogs or cats or other household domestic animals, over four months of age, are kept or on which more than two such animals are boarded for compensation or kept for sale.

Laboratory, Commercial. A place devoted to experimental study such as testing and analyzing. Manufacturing, assembly or packaging of products is not included within this definition.

Lamp: The component of a luminaire that produces the actual light. (Amended 2/13/03 ZC02-06-040 OCS#03-0607)

Landfill/Dump. All property, including negative and positive easements and water and air rights, which have been used by public and private entities for the disposal of solid wastes.

Landmark. Any improvement, any part of which is 30 years old or older, which has a special character or special historical aesthetic interest or value as part of the development, heritage, or cultural characteristics of the parish, state, or nation and which has been designated as a landmark.

Landmark Site. An improvement, parcel, or part thereof, on which is situated a landmark and any abutting improvement, parcel or part thereof, used as and constituting part of the premises on which has been designated as a landmark site.

Landscaping Material: Material such as, but not limited to, living trees, shrubs, vines, turf, ground cover, landscape water features, and non-living, durable materials commonly used in landscaping including, but not limited to, rocks, pebbles, sands, decorative walls, brick pavers, and earthen mounds, but excluding paving for vehicular use. (Amended 2/13/03 ZC02-06-040 OCS#03-0607)

Laser: A device emitting a narrow, very intense beam of light waves that have been amplified and concentrated by stimulated atoms, or the light produced by such device. (Amended 2/13/03 ZC02-06-040 OCS#03-0607)

Learning Center: A facility devoted solely to vocational or professional educational or training. (Amended 11/01/07 ZC07-09-054 OCS#07-1706)

Library. An establishment for the loan or display of books or objects.

Light Trespass: The shining of light produced by a luminaire beyond the boundaries of the property on which it is located. (Amended 2/13/03 ZC02-06-040 OCS#03-0607)

Limited Access Highway. A "limited access highway" is a trafficway, including expressways and toll roads for through traffic, in respect to which owners or occupants of abutting property or lands and other persons have no legal right of access to or from the same, except at such points only and in such manner as may be determined by the public authority having jurisdiction over such trafficway.

Limited Wastewater Treatment Facility. As such relate to a community sewerage system, a sewage treatment facility that is designed, constructed, and authorized to treat not more than 499,999 gallons per day of sewage.

Limited Use Land - Limited Use Land shall mean land which is inundated by water for a period of greater than four (4) months within each calendar year. (Amended 1/17/03 ZC02-08-058 OCS#02-0594)

Loading and Unloading Space, Off-Street. An open, hard-surfaced area of land, other than a street or public way, the principal use of which is for the standing, loading and unloading of motor trucks, tractors and trailers, to avoid undue interference with the public of the streets and alleys. Such space shall not be less than twelve (12) feet in width, fifty (50) feet in length and fourteen (14) feet in height, exclusive of access aisles and maneuvering space.

Lodge or Fraternal Order. A "lodge" is a hall or meeting place of a local branch or the members composing such a branch of a fraternal order, or society, such as the Masons, Knights of Columbus, Moose, American Legion and other similar organizations. It may be permissible to serve food and meals on such premises, providing adequate dining room space and kitchen facilities are available. The sale of alcoholic beverages to members and their guests may be allowed provided it is secondary and incidental to the promotion of some other common objective by the organization and further provided that such sale of alcoholic beverages is in compliance with the applicable Federal, State and Parish laws.

Lot. A parcel of land occupied or to be occupied by one building and accessory buildings and uses and including the open spaces required under these regulations. A lot may be land so recorded on the records of the Clerk of Court of the Parish, but it may include parts of or a combination of such lots when adjacent to one another, provided such is used for only one improvement and resubdivided or combined and properly recorded.

Lot, Corner. A lot located at the intersection of two streets or a lot bounded on two sides by a curbing street and any two chords of which form an angle of 120 degrees or less measured on the lot size.

Lot, Coverage. The area of a zoning lot occupied by the principal building or buildings and accessory buildings.

Lot Depth. The mean horizontal distance between the front and rear lot lines.

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

Lot, Interior. A lot other than a corner or reversed corner lot.

Lot Line, Adjoining A Street. A front lot line or a side lot line of a corner lot which abuts a street, or a rear line of a double frontage lot.

Lot Line, Front. The front property line of a zoning lot.

Lot Line, Interior. A side lot line common with another lot.

Lot of Record. A lot which is a part of a subdivision, the plat of which has been recorded in the office of the Clerk of Court of St. Tammany Parish, pursuant to statute.

Lot Line, Rear. The rear lot line is the lot line or lot lines most nearly parallel to and most remote from the front lot line. Lot lines other than front or rear lot lines are side lot lines.

Lot, Through. A lot, other than a corner lot, having frontage on more than one street.

Lounge. An establishment for the sale and consumption of alcoholic beverages on the premises.

Lot Width. The horizontal distance between the side lot lines measured at right angles to the lot depth at the established front building line.

Lowest Direct-Light Emitting Part (LDLEP): The lowest part of either the lamp or lamps, the reflector or mirror, and/or refractor of lens. (Amended 2/13/03 ZC02-06-040 OCS#03-0607)

Lumen: A unit of luminous flux. One footcandle is one lumen per square foot. For the purposes of this Section, the lumen-output values shall be the INITIAL lumen output ratings of a lamp. (Amended 2/13/03 ZC02-06-040 OCS#03-0607)

Luminaire: This is a complete lighting system, and includes a lamp or lamps and a fixture. (Amended 2/13/03 ZC02-06-040 OCS#03-0607)

Marquee Sign: A marquee sign is any sign attached to and made part of a marquee. A marquee is defined as a permanent roof-like structure projecting beyond a building wall at an entrance to a building or extending along and projecting beyond the building's wall and generally designed and constructed to provide protection against the weather. Signs painted or sewn onto awnings or canopies shall be considered marquee signs. (Amended 2/13/03 ZC02-06-040 OCS#03-0607)

Marinas - Recreational facilities in, on, about or adjacent to navigable waterways, including the construction, maintenance and use of canals, basins, boat slips, docks, piers, bulkheads, boat houses, boat launches and associated parking in connection therewith. Marina will also include the following accessory uses:

- a. Retail boat sales and boat works, including the right to sell, outfit, repair and/or service boats.
- b. The sale of tackle, dockside fuel, marine supplies, boat supplies, and related equipment and machinery.
- c. The dry storage of boats, either on properly licensed trailers (whether covered or uncovered) and/or not on trailers but within a covered storage facility.
- d. sale of marina related concessions and provisions. (Amended 05/04/2002 ZC#02-02-006 OCS#02-0467)

Massage Parlor: Any place, establishment, club or business by whatever name designated which offers, advertises or is equipped or arranged so far as to provide as its primary purpose or as a substantial or significant portion of its services any of the following: physical massage of the person, body rubs, alcohol rubs, baths, steam baths, hot box, magnetic baths or any other similar services commonly rendered by such establishments; the following, however, shall not be included within this definition of massage parlor:

1. Establishments or businesses which routinely provide such services by a licensed physician, a licensed chiropractor, a licensed practical nurse or a registered professional nurse, or a massage therapist, licensed pursuant to LSA R.S. 37:3551et seq.;
2. Establishments or businesses which provide electrolysis treatment by a licensed operator or electrolysis equipment;
3. Hospitals, nursing homes, medical clinics, or medical offices;
4. Barber shops or beauty parlors which offer massage to the scalp, the face, the neck or the shoulders only or which are operated by or employ licensed cosmetologists or licensed barbers performing functions authorized under the license held; and
5. Any establishment or business operated by or employing licensed physical therapists, or licensed athletic trainers performing functions authorized under the license held. (Amended ZC00-054 OCS00-0164 7/6/2000)

Methadone Center or Clinic. A methadone center or clinic sponsored or operated by a non-profit, charitable or for-profit entity or by a public agency and subject to licensure by the State of Louisiana whose purpose is the dispensing of controlled substances in connection with or related to the rehabilitation of drug abusers. (Amended ZC00-062 OCS00-0206 10/19/2000)

Mini-Warehouse: See Warehousing - Mini and Warehousing - Public.

Mobile Home. Any vehicle or similar portable structure mounted or designed for mounting on wheels, used or intended for use for dwelling purposes, including structural additions, except parked and unoccupied camping-type trailers.

Mobile Home Lot. A designated site within a mobile home court for the exclusive use of the occupants of a single mobile home.

Mobile Home Park: A site which requires improvements and utilities for the long term parking of mobile homes which may include sewers and facilities for the residents,

Monastery. The living quarters or dwelling units for a religious order or for the congregation of persons under religious vows.

Monument Sign: A monument sign is a freestanding ground sign (a) which is of monolithic construction in which the sign's base or support is of uniform composition with the material comprising the sign area of said sign and the base or support of said sign is directly affixed in or to the ground, (b) the sign face of which is encompassed on the top, sides and bottom by a border or column of the same or compatible material which border or column is not less than 12 inches wide and not more than 24 inches wide, and which border or column compliments and enhances the aesthetic effect of the sign, and (c) a double-faced monument sign shall be made of back-to-back sides unless visibility of such sign is impeded in which case the two sides may form a "V" shape in which the interior angle does not exceed 45 degrees. (Amended 2/13/03 ZC02-06-040 OCS#03-0607)

Motel. A "motel" is an establishment consisting of a group of attached or detached living or sleeping accommodations with bathroom and closet space, located on a single zoning lot and designed for use by transient automobile tourists. A "motel" furnishes customary hotel services such as maid service and laundering of linen, telephone and secretarial or desk service, and the use and upkeep of furniture. In a "motel" less than fifty percent of the living and sleeping accommodations are occupied or designed for occupancy by persons other than transient automobile tourists.

Motor Vehicle. A "motor vehicle" is any passenger vehicle, truck, tractor, tractor-trailer, truck-trailer, trailer or semi-trailer propelled or drawn by mechanical power.

Moving Message or Changing Image Sign: A moving message or changing image sign is any sign including public service signs designed to convey sign copy which changes in form or content with greater frequency than once an hour or which otherwise includes action or motion or the illusion of action or motion within its message or sign copy.

(Amended 2/13/03 ZC02-06-040 OCS#03-0607)

Mulch: Any material that is used to cover the ground surface to prevent erosion, retain moisture and protect plant material. (Amended 2/13/03 ZC02-06-040 OCS#03-0607)

Multi-Occupancy Center: A single building or group of buildings situated in close proximity to each other that house more than one (1) tenant or owner and whose parking facilities may be in common with other tenants, owner, or buildings, except those businesses which engage in the sale of automobile fuel products and other goods and services including, but not limited to, fast food restaurants and convenience stores. (Amended 2/13/03 ZC02-06-040 OCS#03-0607)

Multiple Family. Three or more dwelling units located on a lot.

Murals: A work of art painted or otherwise applied to an exterior wall surface.

Museum. A nonprofit, noncommercial establishment operated as a repository or a collection of nature, scientific, or literary curiosities or objects of interest or works of art, not including the regular sale or distribution of the objects collected.

Neighborhood: An area of a community with characteristics that distinguish it from other community areas and which may include distinct ethnic or economic characteristics, schools or social clubs, or boundaries defined by physical barriers such as major highways, railroads or natural features.

Neon Lighting: Any tubular lighting of which the primary source of light is gaseous.

(Amended 2/13/03 ZC02-06-040 OCS#03-0607)

Neon Signs: Any colored tubular lighting bent or formed into a design or lettering of which the primary source of light is gaseous. Anything within the boundary of the outline of the neon will be considered a part of the sign face. (Amended 2/13/03 ZC02-06-040 OCS#03-0607)

NFPA 110 – Emergency and Standby Power Systems: National Fire Protection

Association's standards establishing performance requirements for power systems providing an alternate source of electrical power to loads in buildings and facilities in the event that the normal power source fails. (Amended 6/1/2006 ZC#06-04-031 OCS#06-1315)

Non-Conforming Building. A building or a structure or portion thereof lawfully existing at the time of adoption of this ordinance, which was designed, erected or structurally altered for a use that does not conform to the use regulations of the district in which it is located.

Non-Conforming Luminaries: Any luminaire located within St. Tammany Parish upon adoption of Section 5.05 which does not conform with the provisions of this Section 5.05. (Amended 2/13/03 ZC02-06-040 OCS#03-0607)

Non-Conforming Sign: A non-conforming sign is any sign structure or sign which was lawfully erected and maintained prior to such time as it came within the purview of this code or any amendments thereto and which fails to conform to all applicable regulations and restrictions of this code, or a non-conforming sign for which a special permit has been issued. (Amended 2/13/03 ZC02-06-040 OCS#03-0607)

Non-Conforming Use. A use which lawfully occupied a building or land at the time of adoption of this ordinance and which does not conform with the use regulations of the district in which it is located.

Noxious Matter or Materials. "Noxious matter" is matter which is capable of causing injury to living organisms by chemical reaction or is capable of causing detrimental effects upon the physical or economic well-being of individuals.

Nursery. Shall be any land used to raise trees, shrubs, flowers, and other plants for sale of for transplanting.

Nursery School! A school designed or provide daytime care or instruction for two or more children from 2 to 5 years of age inclusive, and operated on a regular basis.

Nursing Home. A home for the aged, chronically ill, or incurable persons in which three or more persons not of the same immediate family are received, kept, or provided with food and shelter or care for compensation; but not including hospitals, clinics, or similar institutions devoted primarily to the diagnosis and treatment of the sick or injured.

Occupancy. Pertains to and is the purpose for which a building is used or intended to be used. A change of occupancy is not intended to include a change of tenants or proprietors.

Odorous Matter. "Odorous matter" is any matter or material that yields an odor which is offensive in any way.

Office. A room or building in which a person transacts his business or carries on his stated occupation.

Office Building. A building designed for or used as the offices of professional, commercial, industrial, religious, public or semi-public persons or organizations.

Official Zoning Map: The legally adopted map that conclusively shows the location of all parish zoning.

Off-Premise Sign: An off-premise sign is a sign that directs a person to a different premise or location than that on which the sign is located; which identifies advertised goods, products, or services not available on the premises on which the sign is located; or which conveys a non-advertising idea or message; or identifies or advertises a business, person, firm or corporation not located on or occupying the premises where the sign is located; or which is not otherwise defined as an on-premise sign. (Amended 2/13/03 ZC02-06-040 OCS#03-0607)

Off Premises Signs - The following definitions are to be applied when considering regulations concerning billboards:

- a. On premise outdoor advertising sign - any outdoor advertising; display; figure; painting; drawing; message; plaque; poster; billboard; or any other thing which is designed, intended, or used to advertise or inform, any part of which advertising or informational content is visible from any place on the main traveled way of any public highway system. The term includes signs advertising or identifying only on-premise products, services, or activities sold, produced or furnished on the premises and provided further that the advertising relates to a primary activity on the premises and the owner of the premises does not receive income from the advertising; such on premise advertising structures is exempt from the provisions of these minimum standards and none of the terms or conditions shall be applicable thereto. Provided, however, that should the owner of the premises receive income therefrom, such outdoor advertising structures shall be classified as commercial and shall be deemed to have the status of an off-premise outdoor advertising sign for the purpose hereof and same in subject to all of the terms and conditions of these standards.
- b. Off-premise outdoor advertising sign - any outdoor structure, display, figure, painting, drawing, message, plaque, poster, billboard, or any other thing which is designed, intended or use to advertise or inform, any part of which is visible from any place on the main traveled way of any public highway system; provided that such signs advertise or identify, in whole or in part, any off-premise products, services, or activities.
- c. Distance between structures - spacing and the measurement thereof is the measurement in feet along the nearest edge of the pavement or surface between points directly opposite the signs on each side of the highway and shall apply only to structures located along the same side of the highway, spacing restrictions shall apply to property facing on the highway or interstate system and all other property within two hundred (200) feet of the nearest edge of the right of way of the highway or interstate which is zoned to permit outdoor advertising signs. For the purposes hereof, each side of the State and Federal highway or interstate system shall be considered

- separately.
- c. Height - the elevation measured in feet from either the ground level of the sign at its support or the nearest edge of the main traveled way, whichever is higher.
  - d. Lighting - the illumination of whatsoever nature or kind which is attached to, connected with or designed on or off - structure to provide or enhance visibility for any off - premise outdoor advertising; same included: flood lights, thin line or goose neck reflectors.
  - e. Set - Back - the minimum distance measured in feet as to the location of an off - premise sign from the highway right of way or the setback of an existing building.
  - f. Sight line - the triangular area formed by the right of way line and a line connecting them at points specified herein.
  - g. Size - the maximum area as measured in square feet, inclusive of any border or trim but excluding the base or apron, supports and other structural members; the area shall be measured by the smallest square, rectangle, triangle, circle or combination thereof which shall encompass the entire sign; the maximum size limitations shall apply to each side of the sign structure; and signs may be placed back to back or in V - type construction with not more than one display on each facing, and such sign structure shall be considered as one. (Amended 03/15/2001 ZC01-02-011 OCS# 01-0264)

Off-Site: Located outside the lot lines of the lot in question or development location.

Off-Street Parking: A temporary storage area for motor vehicles directly accessible to an access aisle, and which is not located on a dedicated street or right-of-way.

On-Premise Sign: An on-premise sign is a sign identifying or advertising a business, person, firm, corporation, activity, goal, product or service located or available on the premises where the sign is installed and maintained or which is displayed and maintained by the owner or occupant of the premises on which it is located. (Amended 2/13/03 ZC02-06-040 OCS#03-0607)

On-Site: Located on the lot that is the subject of a development location.

Open Space. An unoccupied space open to the sky on the same lot with the building.

Open Storage. A lot used for the outside placement, for a period in excess of 24 hours for items that are customarily used or stored outside and made of a material that is resistant to damage or deterioration from exposure to the outside environment.

Ordinance: A legally adopted law or regulation.

Outdoor Lighting: The night-time illumination of an outside area or object by any man-made device located outdoors that produces light by any means. (Amended 2/13/03 ZC02-06-040 OCS#03-0607)

Outdoor Storage Yard - A facility developed to provide for outdoor storage of operable vehicles and trailers, i.e. cars, trucks, boats, recreational vehicle. These yards shall not include inoperable or wrecked motor vehicles remaining on the premises for more than twenty-four (24) hours, Yards containing such vehicles shall be considered an outside salvage or reclamation use and subject to violation. Unless said vehicle has a valid state registration, current safety inspection certificate and documentary records of pending repairs or other disposition. (Amended 5/14/03 ZC03-03-017 OCS#03-0675)

Out Parcel: A separate accessory lot not included within the of a shopping center.

Overlay District. An Overlay District is a district that is secondary to the primary zoning district. It imposes additional restrictions over and above the underlying zoning classification upon which the overlay rests.

Parapet Sign: A parapet sign is a sign extending above a roof line or which serves as a parapet. (Amended 2/13/03 ZC02-06-040 OCS#03-0607)

Park. A pleasure ground set apart for recreation for the public, to promote its health and enjoyment.

Parking Access: The area of a parking lot that allows motor vehicle's ingress and egress from the street.

Parking Area, Private. An open, hard-surfaced area, other than a street or alley, used for the parking of private passenger automobiles only, of occupants of the building or buildings for which the parking area is developed and is accessory.

Parking Area, Public. An open hard-surfaced area, other than a street or public-way, intended to be used for the storage of passenger automobiles and commercial vehicles under one and one-half ton capacity and available to the public, whether for compensation, free or as an accommodation to clients or customers.

Parking Lot: An off-street ground level area, usually surfaced and improved, for the temporary storage of motor vehicles.

Parking, On-Street: A temporary storage area for motor vehicles which is located on a dedicated Right-Of-Way.

Parking Space, Available. Space within a public or private parking area of not less than 180 square feet (nine feet by twenty feet) exclusive of access drives or aisles, ramps, columns or office and work areas, for the storage of one passenger automobile or commercial vehicle under one and one-half ton capacity.

Particulate Matter. "Particulate matter" is a material, other than water, which is suspended in or discharged into the atmosphere in a finely divided form as a liquid or solid.

Performance Standard. A "performance standard" is a criterion established to control

noise, odor, smoke, toxic or noxious matter, vibration, fire and explosive hazards, or glare or heat generated by, or inherent in, uses of land or buildings.

Pervious Surface: Any material that permits full or partial absorption of storm water.

Planned Business Center. Any commercial development, consisting of one or more buildings containing two or more stores or offices, with an aggregate gross floor space of more than 50,000 square feet, which development may be planned or developed as a coordinated unit or which development may be characterized by an integrated arrangement of stores, offices, buildings and facilities, shall be consider as a single unit for all purposes within the meaning and scope of this ordinance.

Planned Development. A "planned development" is a tract of land which is developed as a unit under single ownership or control, which includes two or more principal buildings and which is at least three (3) acres. In residential districts said "planned development" includes a group housing project (whether separately located or separated only, but completely by fire walls), where existing or contemplated street or streets and lot layouts make it impractical to apply the bulk regulations of this ordinance to the individual units in such housing project.

Planting Area: Any area designed for landscape material installation having a minimum area of twenty-five (25) square feet, with a minimum of five (5) on the side.

Plant Material: Any plant including trees, vines, shrubs, ground covers and annuals or vegetation of any size, species or description. (Amended 2/13/03 ZC02-06-040 OCS#03-0607)

Pole Sign: A pole sign is a ground sign (i) the structure of which consists of one or more vertical poles which are partially placed in the ground for stability, and which may have a horizontal pole at or near the top of a single vertical pole and which may be joined together by a horizontal pole, (ii) the sign face or faces of which are attached to the vertical pole(s) and/or horizontal pole and may be chained, cabled or attached to the vertical pole(s) and (iii) the sign face(s) of which do not touch the ground and, therefore, leave an open space between the bottom of the sign face and the ground. A pole sign cannot be connected to or affixed to a building. (Amended 2/13/03 ZC02-06-040 OCS#03-0607)

Police Jury. Police Jury of St. Tammany Parish.

Political Sign: A political sign is any sign urging the election or defeat of any candidate seeking any political office, or urging the passage or defeat of any ballot measure, but not including any billboard owned or maintained by a commercial firm or advertising company when leased or used as a political sign. (Amended 2/13/03 ZC02-06-040 OCS#03-0607)

Porch. A roofed-over structure, projecting out from the wall or walls of a main structure and commonly open to the weather in part.

Portable Sign: A portable sign is any sign other than a trailer or vehicle sign that is not permanently affixed to a building, structure or the ground or a sign designed to be moved

from place to place. These signs primarily include, but are not limited to: A frame or sandwich board signs, signs attached to wood or metal frames, and signs designed to be self-supporting and moveable. (Amended 2/13/03 ZC02-06-040 OCS#03-0607)

Premises. Land and all buildings and structures thereon.

Principal Use. The primary purpose of function that a lot serves or is intended to serve.

Private Directional Signs: Private directional signs are on-premise signs directing vehicular or pedestrian traffic movement into a premise or within premises. (Amended 2/13/03 ZC02-06-040 OCS#03-0607)

Processing: A series of operations, usually in a continuous and regular action or succession of action carried on in a definite manner.

Professional Office. The office of a person engaged in any occupation, vocation, or calling, not purely commercial, mechanical, or agricultural in which a professed knowledge or skill in some department of science or learning is used by its practical application.

Project Sign: A project sign is a temporary sign announcing a proposed land development or construction project. (Amended 2/13/03 ZC02-06-040 OCS#03-0607)

Projected Sign: A projected sign is a sign or visual image created by the projection of light onto a surface. (Amended 2/13/03 ZC02-06-040 OCS#03-0607)

Projecting Sign: A projecting sign is any sign other than a wall sign affixed to any building or wall which sign has a leading edge extending twelve (12) inches or more beyond such building or wall. Projecting signs are of two (2) types:

1. Fixed - A sign, other than a wall sign, which extends outward twelve (12) inches or more from the facade of any building and is rigidly affixed thereto.
2. Swinging - A sign projecting twelve (12) inches or more from the outside wall or walls of any building which is supported by only one rigid support affixed thereto. (Amended 2/13/03 ZC02-06-040 OCS#03-0607)

Public Building. Any building held, used, or controlled exclusively for public purposes by any department or branch of government, state, county, parish, or municipality, without reference as to the ownership of the building or of the realty upon which it is situated.

Public Directional Signs: Public directional signs are either:

1. Signs permanently or temporarily erected in the public right-of-way or on public property with the approval of the Parish Council which denote the name or route to any educational institution, public building of facility, historic place, shrine, church, synagogue, hospital, library or similar facility or institution; or

2. Signs permanently or temporarily erected identifying a person or entity who has undertaken to plant or maintain landscaping of that portion of the right-of-way. (Amended 2/13/03 ZC02-06-040 OCS#03-0607)

Public Open Space. Any publicly-owned open area, including but not limited to the following: Parks, playgrounds, school sites, parkways and streets.

Public Service Sign: A public service sign is a sign the primary purpose of which is to provide information as a service to the general public such as time, temperature or the promotion or announcement of public events, or other events of a civic, philanthropic, charitable or religious purpose of general interest to the public. (Amended 2/13/03 ZC02-06-040 OCS#03-0607)

Public Utility. Any person, firm or corporation duly authorized to furnish, under public regulation, to the public, electricity, gas, steam, telephone, telegraph, transportation, water or sewerage system.

Pumping Station. A facility for the transmission of water.

Public Way. A "public way" is any sidewalk, street, alley, highway or other public thoroughfare.

Quarrying. The digging out of stone or slate from an open excavation.

Quorum: A majority of the full authorized membership of a board or agency.

Railroad Right-of-Way. A strip of land with tracks and auxiliary facilities for track operation, but not including depots, loading platforms, stations, train sheds, warehouses, car shops, car yards, locomotive shops or water towers.

Real Estate Sign: A real estate sign is any temporary sign pertaining to the sale, lease or rental of land or buildings, which is erected or displayed on the lot or parcel to which it applies. (Amended 2/13/03 ZC02-06-040 OCS#03-0607)

Rear Yard. An open space, including driveways and parking areas, unoccupied other than by permitted accessory buildings or uses, extending from the rear building line of a principal building to the rear lot line, between the side building lines, projected to the rear lot line.

Recreation - Active: Leisure time activities usually requiring equipment taking place at prescribed places or sites.

Recreation - Passive: Any leisure time not considered active.

Rectilinear Street System: A pattern of streets that is characterized by right angle roadway grid pattern blocks and four way intersections.

Regional Wastewater Treatment Facility. As such relates to a community sewerage system, a sewage treatment facility that is designed, constructed, and authorized to treat more than 499,999 gallons per day of sewage.

Religious Use: A structure or place in which worship, ceremonies and rituals pertaining to a particular system of belief are held.

Resident Identification Sign: A resident identification sign is any on-premise sign limited in content to no more than the name of the premises, its municipal address and the names of the present occupant or occupants of the premises. (Amended 2/13/03 ZC02-06-040 OCS#03-0607)

Retention/Detention Pond: See the definition in Section 5.1611 A. (Amended 2/13/03 ZC02-06-040 OCS#03-0607)

Retirement Center. A facility for the prolonged or permanent care of persons over 65 years of age.

Research Laboratory: An establishment or other facility for carrying on investigation in the natural, physical or surreal sciences, engineering and development as an extension of investigation with the object of creating end products.

Residence: A home, abode or place where an individual is actively living at a specific point in time.

Restaurant. A business establishment where food is prepared and served for consumption primarily within the principal building.

Rest Home or Nursing Home. A "rest home or nursing home" is a private home for the care of children or the aged or infirmed. Such home does not contain equipment for surgical care or for treatment of disease or injury and is not primarily developed for mental patients or alcoholics.

Restrictive Covenant: A restriction on the use of land set forth in a deed.

Retail: Establishments engaged in selling goods, merchandise or providing food or specific services to the general public for sale of such goods or services.

Retail Food Store. An Establishment for the display and retail sale of foods and associated items.

Revolving or Rotating Sign: A revolving or rotating sign is any sign whose sign face is designed to move or turn on any axis. (Amended 2/13/03 ZC02-06-040 OCS#03-0607)

Rezone: To change the zoning classification of particular lots or parcels of land.

Right-Of-Way: A strip of land acquired by reservation, dedication, forced dedication, prescription or condemnation and intended to be occupied by a road, crossroad, railroad,

electric transmission line, oil or gas pipeline, water line, sanitary storm sewer or other similar uses.

Roof: Outside covering of a building.

Roof Sign: A roof sign is any sign erected or painted upon, against or directly above a roof or on top of or above the parapet of a building. (Amended 2/13/03 ZC02-06-040 OCS#03-0607)

Salvage: The utilization of waste material.

School: A building or part thereof designed, constructed or used for educational or institutional purposes.

School, Private or Charter Elementary: A building or part thereof designed, constructed or used for educational or institutional purposes by any entity other than the St. Tammany Parish School Board for students at or below the eighth grade level. (Amended 1/10/2002 OCS# 02-0426)

School, Private or Charter Secondary: A building or part thereof designed, constructed or used for educational or institutional purposes by any entity other than the St. Tammany Parish School Board for students at or above the ninth grade level. (Amended 1/10/2002 OCS# 02-0426)

School, Public Elementary: A building or part thereof designed, constructed or used for educational or institutional purposes by the St. Tammany Parish School Board for students at or below the eighth grade level. (Amended 1/10/2002 OCS# 02-0426)

School, Public Secondary: A building or part thereof designed, constructed or used for educational or institutional purposes by the St. Tammany Parish School Board for students at or above the ninth grade level. (Amended 1/10/2002 OCS# 02-0426)

Searchlight: A strong or bright light with a reflector in a swivel so that its beam may be sent or directed in various directions. (Amended 2/13/03 ZC02-06-040 OCS#03-0607)

Seasonal Use: A temporary use carried on for only a part of the year.

Septic System: An underground system with a septic tank used for the decomposition of domestic wastes.

Septic Tank: A water lined receptacle that receives discharge of sewage from a building, sewer or part thereof, and is designed and constructed so as to permit settling of solids from this liquid, digestion of this organic matter and discharge of the liquid portion into a disposal.

Setback. The minimum horizontal distance between the street wall of a building and the street property line.

Shopping Center: A group of commercial establishments planned, constructed and managed as a total entity with customer and employee parking provided on site. The provision of goods delivery is separated from customer access.

Shrub: A relatively low-growing bushy plant, usually with woody stems. For the purposes of this definition, ground cover, trees and annuals are not considered shrubs. (Amended 2/13/03 ZC02-06-040 OCS#03-0607)

Side and Rear Yard Planting Areas: An area of land between the property line and any vehicular use areas or building that is intended for the placement or preservation of landscape materials.

Sight Obscuring Screen: A 100% opaque visual screen with a minimum height of six (6) feet, if non-living material is used. If living material is used, it shall be at least 70% sight obscuring and be a minimum of four (4) feet in height immediately after planting and shall consist of plants that reach a minimum of six (6) feet in height at maturity.

Sight Triangle: The triangular shaped portion of land established at either side of an accessway or public right-of-way intersections in which nothing is erected, placed, planted or allowed to grow in such a manner as to limit or obstruct the sight of motorists along the intersection with sides of a specific length each along the public right-of-way and/or accessway. Refer to Section 5.01 for specific requirements.

Sign: "Sign" is defined as a medium of communication, including its structure and component parts, which is used or intended to be used to attract attention to its subject matter or location usually for advertising purposes, including paint on the surface of a building. Each distinctive message painted or placed on a building or other structure shall be considered an individual sign. (Amended 2/13/03 ZC02-06-040 OCS#03-0607)

Signable Area: An area which is free of architectural details on the facade of a building or part of a building in which an activity is located. (Amended 2/13/03 ZC02-06-040 OCS#03-0607)

Sign Area: The area of a sign shall be defined as the square foot area enclosed within the perimeter of the sign face with each face contributing to the aggregate area of any sign. With respect to signs which are composed of individual symbols, letters, figures, illustrations, messages, forms, or panels, the sign area shall be defined as that area enclosed by one continuous line connecting the extreme points or edges of the advertising message. In cases where there is no definable simple geometric shape, the simplest geometric shape or rectangle enclosing the outer edges of the advertising message shall determine the sign area. In cases of back-lighted awnings with advertising messages, the entire area of the awning shall be considered as the sign area. (Amended 2/13/03 ZC02-06-040 OCS#03-0607)

Sign - Billboard: A sign which directs attention to a business, commodity, service or entertainment, which is conducted, sold or offered at a location other than the premises on which the sign is located.

Sign - Directional: Signs limited to directional messages, principally for pedestrians or vehicular traffic.

Sign Face: Sign face is the part of the sign that is or can be used to identify, advertise, communicate, inform or convey a visual representation which attracts the attention of the public for any purpose. "Sign face" includes any background material, panel, trim, frame, color and direct or self-illumination that differentiates the sign from the building, structure, backdrop surface or object upon which or against which it is placed. The sign structure shall not be included as a portion of the sign face provided that no message, symbol or any of the aforementioned sign face criteria are displayed on or designed as part of the sign structure, unless it is outlined in neon. (Amended 2/13/03 ZC02-06-040 OCS#03-0607)

Sign, Flashing. A "flashing sign" is any illuminated sign on which the artificial light is not maintained stationary and constant in intensity and color at all times when such sign is in use. For the purpose of this ordinance, any revolving, illuminated sign shall be considered a "flashing sign."

Sign - For Sale: (Concerning real estate.) A temporary sign advertising the private sale of homes, businesses or parcels of land.

Sign Height: Sign height of a sign shall be defined as the vertical distance from the finished grade to the highest point of either the sign or sign structure.

Sign - Illuminated: A sign lighted or exposed to artificial lighting either by lights on in the sign or directed towards the sign.

Sign Message: The words or symbols on a sign face which convey a message to those viewing the sign. (Amended 2/13/03 ZC02-06-040 OCS#03-0607)

Sign - Moving: A sign or part of a sign which changes physical portions by any movement or rotation or which gives the usual impression of such movement or rotation.

Sign, Premise: A Sign Premise is defined as the contiguous land in the same ownership which is not divided by any highway, street, alley or right-of-way. For purposes of this Article a single premise:

1. May include more than one lot of record when such lots are devoted to a single unity of use; or
2. May consist of a separate structure on the same lot of record when, in the opinion of the Planning Department, such separate structure appears to be a separate premise. (Amended 2/13/03 ZC02-06-040 OCS#03-0607)

Sign - Off Premises: See Sign -Billboard.

Sign Owner: A sign owner is that person who owns a sign and/or who is responsible for a sign. In those cases in which the sign owner cannot be determined; the owner of the

premises upon which the sign is located shall be deemed the owner of the sign. (Amended 2/13/03 ZC02-06-040 OCS#03-0607)

Sign Structure: A sign structure is the supporting structure upon which a sign or sign face is fastened, attached or displayed or is intended to be fastened, attached or displayed; provided however, this definition shall not include a building or fence. (Amended 2/13/03 ZC02-06-040 OCS#03-0607)

Single Family. One dwelling unit located on a lot.

Site: Any plot or parcel of land or combination of contiguous lots or parcels of land.

Skateboard Park: A building, structure or open area containing or developed with slopes, hills, passageways and other challenges where people use skate boards to practice the sport for a fee, rental or sale of skate boards. Related equipment may be included.

Snipe Sign: A snipe sign is a sign which is tacked, nailed, posted, pasted, glued or otherwise attached to poles, stakes, fences, or to other like objects. (Amended 2/13/03 ZC02-06-040 OCS#03-0607)

Solar Energy. Radiant energy received from the sun at wave lengths suitable for heat transfer, photosynthetic use, or photovoltaic use.

Solid Waste. Garbage, refuse and other discarded solid materials including solid waste materials resulting from industrial, commercial and agricultural operations.

Specified anatomical areas:

- (1) Less than completely and opaquely covered:
  - a. Human genitals or pubic region;
  - b. Human buttocks
  - c. Human female breasts below a point immediately above the top of the areola; and
- (2) Human male genitals in a discernibly turgid state, even if completely and opaquely covered. (Amended ZC00-054 OCS00-0164 7/6/2000)

Specified sexual activities:

- (1) Human genitals in a state of sexual stimulation, arousal or swelling;
- (2) Acts of human anilingus, bestiality, buggery, cunnilingus, coprophagy, coprophilia, fellatio, flagellation, masochism, masturbation, necrophilia, pederasty, pedophilia, sadism, sadomasochism, sapphism, sexual intercourse, sodomy, urolagnia or zooerasty;
- (3) Fondling or other erotic touching of human genitals, pubic region, buttocks, anus or female breast; and
- (4) Excretory functions as part of or in connection with any of the activities set forth in subsections (1) through (3) of this subsection. (Amended ZC00-054 OCS00-0164 7/6/2000)

Stable: A structure that is used for the care of horses.

Stadium: A large open or enclosed place used for games and major events and partly or completely surrounded by tiers of seats for spectators.

Start, Commencement. The first placement of building forms or the placements of structural supports, i.e., pilings or tiers, or other structural supports on the site such as footings. For mobile homes, the start of construction shall be considered the placement of the mobile home on the site.

Street Planting Area: See the definition in Section 5.1606 A. (Amended 2/13/03 ZC02-06-040 OCS#03-0607)

Store. A use devoted exclusively to the retail sale of a commodity or commodities.

Store Front: The facade of a space in a building, regardless of the type use of the space, which space must have a direct entrance, by door, from the exterior of the building through the facade, and which facade must face a street or a parking lot for the building. (Amended 2/13/03 ZC02-06-040 OCS#03-0607)

Story. That portion of a building included between the surface of any floor and the surface of the floor next above it, or if there is not floor above it, then the space between the floor and the ceiling next above it. Any portion of a story exceeding fourteen feet in height shall be considered as an additional story for each fourteen feet or fraction thereof.

Story, Half. A half-story is that portion of a building under a gable, hip or mansard roof, the wall plates of which, on at least two opposite exterior walls, are not more than four and one-half feet above the finished floor of such story. In the case of multiple-family dwellings three or more stories in height, a half-story shall be counted as a story.

Street. All property dedicated or intended for public highway, freeway or roadway purposes or subject to public easements thereof.

Street Banner Sign: A street banner sign is any banner sign which is stretched across and hung over a public right-of-way. (Amended 2/13/03 ZC02-06-040 OCS#03-0607)

Street Line or Right-Of-Way Line. The dividing line between a lot, its property line or lines, and a public right-of-way, a public street, road, or highway; or a private street, road or highway, over which two or more abutting owners have an easement or right-of-way.

String of Lights: A string of electrical conductors containing two (2) or more lights or light sockets. (Amended 2/13/03 ZC02-06-040 OCS#03-0607)

Structural Alterations. Any change in either the supporting members of a building, such as bearing walls, columns, beams, or girders, or in the roof and exterior walls.

Structure. Anything constructed or erected, the use of which requires permanent location on the ground or attached to something having a permanent location on the ground, including but without limiting the generality of the foregoing, to advertising signs,

billboards, back stops for tennis courts and pergolas.

Structure, Portable. A structure of a temporary nature which is designed to be removable from a site. Examples include portable buildings, tents and trailers.

Subdivision: The division of a lot, tract or parcel of land into two or more tracts, parcels or other divisions of land.

Subdivision Sign: A subdivision sign is a sign identifying the subdivision and denoting the entrance or exit to the subdivision. (Amended 2/13/03 ZC02-06-040 OCS#03-0607)

Swim, Golf or Tennis Club. A voluntary or corporate association owned solely by its members, the objectives, pursuits, and purposes of which are social or recreational, operating or formed for the purposes of operating a club on a membership basis and not operated for profit, the principal facilities of which shall be a swimming pool or pools, golf course and/or tennis court or courts owned by it and maintained on land owned or leased by it, and which may maintain and operate on the same premises such accessory facilities owned by it as are usually provided by a swim, golf or tennis club. Accessory facilities shall not include bowling alleys.

Technical School. A business enterprise offering instruction and training in a trade such as welding, bricklaying, machinery operation and other similar trades or crafts.

Telephone Exchange. A nonattended telephone switching or transmitting service.

Temporary Outdoor Lighting: The specific illumination of an outside area or object by any man-made device located outdoors that produces light by any means for a period of less than 45 days, with at least 180 days passing before being used again. (Amended 2/13/03 ZC02-06-040 OCS#03-0607)

Temporary Sign: A temporary sign is any sign, the display of which is limited by law, ordinance, or regulation and which advertises a situation or event that is designed, intended, or expected to occur and be completed within a reasonably short or definite period after the erection of such sign. (Amended 2/13/03 ZC02-06-040 OCS#03-0607)

Temporary Use: See Use, Temporary.

Theater: A building or part of a building devoted to showing motion pictures or for dramatic, musical or live performances.

Through Lot. A lot having its front and rear lot lines on adjacent and substantially parallel streets, otherwise known as a double-frontage lot.

Top Soil: The organic upper layer soil material to a depth of 6" which is usually darker and richer than the subsoil.

Tot Lot: An improved and equipped play area for small children usually up to elementary

school age.

Tower/ radio, television or microwave. A structure, over fifty (50) feet in height, supporting antennae that transmit or receive any portion of the electromagnetic spectrum. (Amended 3/7/2002 OCS# 02-0448)

A. Guyed tower: a tower that is supported, in whole or in part by guy wires and ground.

B. Monopole tower: a tower consisting of a single pole or spire self supported by a permanent foundation, constructed without guy wires and ground anchors.

C. Self-support/lattice tower: a tower that is constructed without guy wires and ground anchors.

D. Stealth Building-mounted antennas: antennas which are mounted on an existing structure with or without a mast and, which are painted to match the color of the exterior material of the structure and placed so as not to obscure any significant architectural feature of the structure.

E. Stealth facility: any facility which is designed to blend into the surrounding environment.

Town House. A single-family dwelling constructed as part of a series of dwellings, all of which are either attached to the adjacent dwelling or dwellings by party walls or are located immediately adjacent thereto with no visible separation between walls or roofs.

Trailer. A vehicle equipped for use as dwelling and designed to be hauled along a highway. A vehicle standing on wheels or rigid supports which is used for living or sleeping purposes.

Trailer Sign: A trailer sign is any sign or sign structure attached to or composed in whole or in part of a trailer frame or chassis or skid or skid frame or body or of any materials which have ever previously constituted in whole or in part such a trailer, skid, frame, chassis or body. (Amended 2/13/03 ZC02-06-040 OCS#03-0607)

Transportation Terminal: Any building or area of land in which or upon which a business, service, or industry involving the maintenance, servicing, storage or repair of commercial vehicles is conducted or rendered including the dispensing of motor fuel or other petroleum products directly into motor vehicles, the sale of accessories or equipment for trucks and similar commercial vehicles. This use may also include overnight accommodations and restaurant facilities solely for the use of truck crews.

Tree - Class A: Any self-supporting woody plant of a species which normally grows to an overall height of a minimum of fifty (50) feet, usually with one main stem or trunk although some species may have multiple trunks, and with many branches. A list of Class A native trees can be found in Section 5.1613 B. (Amended 2/13/03 ZC02-06-040 OCS#03-0607)

Tree - Class B: Any self-supporting woody plant of a species which normally grows to an overall height of a minimum of twenty-five (25) feet, with one or more main stem(s) or trunk(s) and many branches. A list of species considered to be Class B native trees can be found in Section 5.1613 C. (Amended 2/13/03 ZC02-06-040 OCS#03-0607)

Tree Preservation. The preservation of existing trees on a parcel of property through the development and construction process. For tree preservation the following definitions shall apply:

- a. Unimproved Land. Where no grading, street surfacing, curbs, gutters, sidewalks, water mains, fire hydrants, sanitary sewers, storm sewers, culverts and/or other improvements to the natural state of the land have not occurred and occupancy permits have not yet been given or public improvements accepted.
- b. Partially Improved Land. Where grading, street surfacing, curbs, gutters, sidewalks, water mains, fire hydrants, sanitary sewers, storm sewers, culverts and/or other improvements to the natural state of the land have occurred but occupancy permits have not yet been given or public improvements accepted.
- c. Tree Removal. Any act by which a tree is caused to not longer live. Included is any act which causes a tree to die within a period of two years, including, but not limited to, damage inflicted upon the root systems by machinery, storage of materials and solid compaction; changing the natural grade above the root system or around the trunk; damage indicated on the tree permitting infection or pest infestation; excessive pruning; paving with concrete, asphalt or other impervious material within the proximity as to be harmful to the tree.
- d. Improved Land. Where grading, street surfacing, curbs, gutters, sidewalks, water mains, fire hydrants, sanitary sewers, storm sewers, culverts and/or other improvements have occurred and occupancy permits have been given and public improvements accepted.

Tree Root Zone: That area that extends outward from the trunk to the drip line of the tree. (Amended 2/13/03 ZC02-06-040 OCS#03-0607)

Truck Stop: See transportation terminal.

Understory Plants: An underlying layer of low vegetation including all shrubs and trees 35 feet or smaller.

Undeveloped Land: Land in its natural state before development.

Unobstructed Open Space. Land not covered by buildings or structures.

University. An accredited academic institution of higher learning beyond the level of secondary school.

Uplighting: Any light source that distributes illumination above a 90 degree horizontal plane. (Amended 2/13/03 ZC02-06-040 OCS#03-0607)

Use Any activity, occupation, business or operation carried on within a building, structure or on a tract of land.

Use, Compatible. A use which is capable of existing in harmony with other uses situated in its immediate vicinity.

Use, Conditional. A use which may be permitted in a district through the granting by the Zoning Commission of a special exception upon a finding by the board that it meets special conditions.

Use, Incompatible. A use which is incapable of existing in harmony with other uses situated in its immediate vicinity.

Use, Non-conforming. See Non-Conforming Use.

Use, Permitted. A "permitted use" is a use which may be lawfully established in a particular district or districts, provided it conforms with all requirements, regulations and performance standards (if any) of such district.

Use, Principal. A "principal use" is the main use of land or buildings as distinguished from a subordinate or accessory use. A principal use may be either "permitted" or "conditional."

Use, Temporary: A use established for a fixed period of time with the intent to discontinue such use upon the expiration of the time period.

Utility Services: Establishments engaged in the generation, transmission, and/or distribution of electricity, gas or steam, including water and irrigation systems, sanitary systems used for the collection and disposal of garbage, sewage and other wastes.

Variance: Permission to depart from literal requirements of a zoning ordinance.

Variance - Hardship: A departure from the provisions of a zoning ordinance relating to setbacks, site yards, frontage requirements, and lot size, but not involving actual use of structure.

Vehicle Sign: A vehicle sign is any sign displayed on or from any mode of transportation,

including but not limited to cars, buses, trucks/trailers, trains, boats, or airplanes. (Amended 2/13/03 ZC02-06-040 OCS#03-0607)

Vehicular Access Area: Driveways, accessways, parking areas and other areas which vehicles use. (Amended 2/13/03 ZC02-06-040 OCS#03-0607)

Veterinary Clinic, Small Animal: An establishment used by veterinarians, or practitioners in related specialties, for the purpose of practicing veterinary medicine and where small animals are admitted for examination or treatment, and less than twenty animals are lodged or kept over night. Limited laboratory and other diagnostic services may be offered on an outpatient basis. For the purpose of this section, small animals shall include but may not be limited to the following domestic animals: dogs, cats, rabbits, hamsters and birds. Reptiles, lizards, hoofed animals, exotic birds or animals and wild animals shall not be considered as small animals.

Veterinary Hospital: An establishment used by veterinarians, or practitioners in related specialties, for the practice of veterinary medicine where small animals are admitted for examination or treatment and greater than twenty animals are lodged or kept overnight. Limited laboratory and other diagnostic services may be offered on an outpatient basis. For the purpose of this section, small animals shall include the following domestic animals: dogs, cats, rabbits, hamsters and birds. Reptiles, lizards, hoofed animals exotic birds or animals and wild animals shall not be considered as small animals.

Wall Sign: A wall sign is a sign other than a parapet sign which is painted on or which projects less than twelve (12) inches from the wall of a building, and is painted on, attached to or erected against any exterior wall or window of a building or structure with the exposed face of the sign being in a plane parallel to the plane of said wall or window and not extending above the building. (Amended 2/13/03 ZC02-06-040 OCS#03-0607)

Warehouse: A building used primarily for storage of goods and materials.

Warehousing - Mini: A structure containing separate storage space of varying sizes leased or rented on an individual basis. (See also Warehousing - Public.)

Warehousing - Private: Terminal facilities operated for a specific commercial establishment or group of establishments in a particular industrial or economic field usually including distribution centers.

Warehousing - Public: Terminal facilities available to the general public at a fee for the storage of furniture, household goods, commercial or private goods of any nature.

Wastewater Treatment Facilities. A Regional Wastewater Treatment Facility or a Limited Wastewater Treatment Facility, either and both of which as defined in this Section.

Wholesale Broker/Agent: Establishments or places of business primarily engaged in selling merchandise to retailers, to industrial, commercial, institutional, professional business uses, other wholesale brokers or agents; or selling such merchandise to such

individuals or companies. This includes lumber and building material establishments catering to a retail market.

Wholesale Storage: See Warehousing - Private.

Window Sign: A window sign is any sign which is painted on, applied to, attached to or projected upon the exterior or interior of a building glass area, including doors, or located within one foot of the interior of a building glass area, including doors, whose identification, message, symbol, insignia, visual representation, logo type or any other form which communicates information, can be perceived from any off-premises contiguous property or public right-of-way. (Amended 2/13/03 ZC02-06-040 OCS#03-0607)

Yard. An open space on the same zoning lot with a principal building or group of buildings which is unoccupied and unobstructed from its lowest level upward, except as otherwise permitted in this ordinance and which extends along a lot line and at right angles thereto to a depth or width specified in the yard regulations for the district in which the zoning lot is located.

Yard, Front. A yard extending across the full width of the zoning lot in accordance with the setback requirements of this ordinance (see definition of Setback). Corner lots - see definition for corner lots.

Yard, Rear. A yard which is bounded by side lot lines, rear lot lines and rear yard line.

Yard, Rear - Depth of. The mean horizontal distance between the rear line of the buildings and the center line of the alley, where an alley exists, otherwise the rear lot line.

Yard, Side. A yard which is bounded by the interior side lot line, side yard line, the front building line and rear yard line.

Yard Line, Front. See Building Line.

Yard Line, Rear. A line or lines in a lot which is parallel to the rear lot line or lines which is not nearer to the rear lot line or lines at any point than the required rear yard depth.

Yard Lines, Side. A line in a lot which is parallel to the side lot line and which is not nearer to the side lot line at any point than the required side yard depth.

Yard Lines, Side Adjoining a Street. A line in a lot which is parallel to the lot line adjoining a street and which is not nearer to the lot line adjoining the street at any point than the depth of the front yard for that lot, unless otherwise permitted in this or other ordinances.

Youth Camp: Any parcel or parcel of land having the general characteristics of a camp as the term is generally understood, used wholly or partially for recreational or educational purposes and accommodating five (5) or more children under the age of eighteen (18), for a period of, or portions of, two days or more and including a site that is operated as a day camp or as a resident camp.

Zoning Commission. It shall act as a Land Use Commission at such time as this ordinance shall go into effect.

Zoning Lot. A lot or parcel of land that meets the minimum lot area and frontage requirements of the Zoning District wherein the Zoning Lot is located.

Zoning Map. See Official Zoning Map.

Zoning Parcel. A plot of ground, made up of one or more zoning lots, which is or may be occupied by a use, building or buildings including the open spaces required by this ordinance.



## SECTION 11 CIRCULATION ELEMENT

The Circulation Element consists of a classification of roadways which addresses the functional capacity based upon usage. This classification delineates all active roadways into subgroups, which have standards for capacity, rights of ways, design width, and number of lanes. These subgroups are expressways, principal arterial, minor arterial, major collector, minor collector and local roads.

The interrelationship of each sub-group constitutes a system for the movement of vehicles. Accordingly, associated alterations to the system alignment and capacity shall be considered in the review of the Zoning Commission for proposed land use district changes.

The following tables reflect the road segments in each subgroup. Any roadway which is not classified as an arterial or collector is considered a local road.

### DEFINITIONS

Expressway: An expressway is a high class arterial. Generally, the term "expressway" means an access free, high speed road with grade-separated interchanges. The Louisiana Department of Transportation and Development Minimum Design Standards for new construction or major reconstruction for rural highways and roads identifies expressway as a Class 1 arterial. Expressways or Class 1 arterials are multi-lane roadways with current average daily traffic of 12,000 over vehicles per day.

Principal Arterial: The principal arterial main function is to move large volumes of vehicles from one part of the Parish to another. This arterial is identified as a Class 2 arterial. Average daily volume of a principal arterial or Class 2 arterial ranges from 3,000 to 12,000 vehicles per day.

Minor Arterial: The minor arterials are designated as Class 3 arterials. As with all arterials, the main function of the roadway is to move higher volumes of traffic for longer trips. Generally, twenty-four hour traffic volumes for a minor arterial is 3,000 or less vehicles per day.

Major Collector: Collector streets primarily move traffic from local streets to arterials or major traffic generators such as shopping centers. Major Collectors are designated as Class 4 roadways. These roadways have current average daily volumes of 751 to 1,500 vehicles per day.

Minor Collector: DOTD Class 5 roadway are identified as minor collectors whose main function is to conduct traffic from local roads to arterials. Current average daily volumes are less than 750 vehicles per day.

The above subgroups will meet the Office of Highways, Department of Transportation and Development, Minimum Design Standards for streets and highways.

Local streets or roads Any road or street which is not classified as an arterial or collector is considered a local road. The characteristics of a local road involves the provision of access to adjacent land and allows a travel way over a relatively short distance.

The minimum standards for a public local road shall have a 60 foot right-of-way except where concrete curb and gutter with subsurface drainage are provided. Streets having these features may be 50 feet in width. Boulevards or Avenues shall have a minimum R-O-W width of 80 feet.

**SECTION 11.01 EXPRESSWAYS**

**TABLE 1  
EXPRESSWAYS**

<u>Facility</u>	<u>Segment Location</u>	<u>Ward</u>
Interstate 10	From the Lake Pontchartrain shoreline to Mississippi State Line	8 & 9
Interstate 12	From the Tangipahoa Parish Line to the intersection of Interstates 10 and 59	1, 3,4,7, 8 & 9
Interstate 59	From the Mississippi State Line to the intersection of Interstates 10 and 12	6, 8 & 9
U. S. 190	From the Covington City Limits to the Lake Pontchartrain Shoreline	3 & 4

**SECTION 11.02 PRINCIPAL ARTERIAL**

TABLE 2

Principal Arterial

<u>Facility</u>	<u>Segment Location</u>	<u>Ward</u>
U. S. 11	From the Town of Pearl River Limits to the Slidell City Limits	8 & 9
U. S. 90	From the Lake Pontchartrain Shoreline to the Mississippi State Line	8
U. S. 190	From Tangipahoa Parish to LA 25	1 & 3
U. S. 190	From the intersection of LA 22 & U. S. 190 to Slidell City Limits	4, 7 & 9
U. S. 190B	From Slidell City Limits to the intersection of U. S. 190 and U.S. 190 Business	8
U. S. 190	From the intersection of U. S. 190 (Gause Blvd.) and LA 1090 to the intersection of U. S. 190 and U. S. 90	8
LA 21	From the Washington Parish Line to the Madisonville City Limits	1, 3, 5 & 10
LA 22	From the Tchefuncta River to U. S. 190	4
LA 25	From U. S. 190 to the Washington Parish Line	2 & 3
LA 36	From LA 21 to Town of Abita Springs Limits	3 & 10
LA 40	From the Village of Folsom Limits to the intersection of LA 437 and LA 1081	2
LA 41	From the intersection of LA 41 and LA 21 to the Town of Pearl River Limits	5 & 6
LA 59	From the Town of Abita Springs Limits to U. S. 190	4
LA 433	From U. S. 190 to Bayou Liberty Bridge	9
LA 437	From the intersection of LA 40 and LA 1081 to	

	Covington City Limits	2 & 3
LA 1088	From LA 59 to Interstate 12 By-Pass	4
LA 1090	From Brownsvillage Road to U. S. 190	8
West Causeway Approach	From LA 22 to U. S. 190	4
Gause Blvd.	From Interstate 10 to the intersection of U. S. 190 and LA 1090	8
Brownsvillage Road	From U. S. 11 to LA 1090	8

**SECTION 11.03 MINOR ARTERIAL**

TABLE 3

Minor Arterial

<u>Facility</u>	<u>Segment Location</u>	<u>Ward</u>
LA 16	From the Washington Parish Line to the Village of Sun Limits	5
LA 22	From the Tangipahoa Parish Line to the Town of Madisonville Limits	1
LA 36	From the Town of Abita Springs Limits to LA 41	4, 6 & 10
LA 40	From the Washington Parish line to Village of Folsom	2
LA 40	From LA 1129 to LA 21	2 & 5
LA 433	From Bayou Liberty Bridge to Slidell City Limits	9
LA 433	From Interstate 10 to U. S. 90	8
LA 435	From the Town of Abita Springs Limits to LA 41	6 & 10
LA 450	From the Washington Parish Line to LA 25	2
LA 1077	From U. S. 190 to LA 21	1
LA 1091	From U. S. 11 to the Slidell City Limits	8

**SECTION 11.04**    **MAJOR COLLECTOR**

TABLE 4

Major Collector

<u>Facility</u>	<u>Segment Location</u>	<u>Ward</u>
LA 433	From LA 36 to the end of LA 434	6 & 7
LA 1077	From US 190 to LA 1078	1 & 2
LA 1082	From LA 21 to LA 40	5 & 10
LA 1088	From LA 36 to Interstate 12 Overpass	4 & 6
LA 1090	From U. S. Hwy 11 to Brownsvillage Road	8
Archie Singletary Rd	From LA 41 to LA 36	6
Brewster Road	From LA 1085 to LA 1077	1
Harrison Road	From U. S. Hwy 190 to LA 59	3
Sharp Rd.	From LA 59 to Old U.S. Hwy 190	4
Voters Rd.	From LA 433 to Allen Rd.	8
16th Section Road	From LA 41 to LA 36	6
Hoover Drive	From U.S. Hwy 190 to US Hwy 190B	8

**SECTION 11.05 MINOR COLLECTOR**

TABLE 5

Minor Collector

<u>Facility</u>	<u>Segment Location</u>	<u>Ward</u>
LA 59	From LA 21 to Town of Abita Springs Limits	10
LA 437	North of the Intersection with LA 40	2
LA 1077	From LA 1078 to LA 25	2
LA 1078	From LA 1077 to LA 25	2
LA 1081	From Intersection of LA 437 and LA 40 to LA 437	2
LA 1083	From LA 21 to LA 437	10
LA 1085	From Brewster Road to LA 21	1
LA 1093	From U. S. 190 to Pontchartrain Drive	7
Allen Road	From U. S. 190B to Voters Road	8
Berry Todd Road	From LA 434 to Ward 7 Boundary	7
Brewster Rd	From LA 1077 to LA 21	1
Dixie Ranch Road	From Interstate 12 Overpass, to U. S. 190	7
Lowe Davis Road	From LA 59 to LA 21	3 & 10
Million Dollar Road	From LA 25 to LA 437	3
River Road	From LA 25 to LA 437	8

## **SECTION 12 - LAND USE POLICY**

### **SECTION 12.01 SUMMARY STATEMENT**

St. Tammany Parish is a place of exceptional natural beauty with outstanding recreational and residential opportunities. Local, regional and national publications continually stress the high quality of life enjoyed by the citizens of the Parish. In the metropolitan New Orleans area, no other community possesses the desirability and attractiveness which makes St. Tammany so popular among area residents. The forests and rivers, the rolling land and the Lake are irreplaceable resources enjoyed by all.

However, these qualities of attractiveness and desirability are today creating a threat to the very land and resources which have made St. Tammany so popular. Rapid population growth and accompanying problems are changing the area's character. Realizing this, the St. Tammany Parish Police Jury has initiated a Comprehensive Land Use Plan. The Land Use Policy contained within this report is the recommended set of guidelines to promote more organized and beneficial growth for the future. This policy will serve as the "constitution" and a revised zoning ordinance will function as the "codified law" so that future zoning and land use decisions can be made with clear intent and effect.

Land use problems within the Parish are difficult to address because of the frequency of occurrence rather than because of the unmanageability of individual problems. The greatest resource in the Parish, the citizens, exhibit a great level of interest and concern within the community. The goals which these citizens have expressed and seek to achieve through their elected officials can be summarized as follows:

To protect and promote the high quality of life and the natural beauty of St. Tammany Parish while planning for future growth through land use controls which will maintain the balance between the need for jobs and services and the desires of residents for a clean and attractive living environment.

To achieve this goal and the objectives it implies, a Land Use Policy has been developed to provide Parish-wide guiding policies as well as more specific directiveness for those areas experiencing the most rapid level of growth.

### **SECTION 12.02 OBJECTIVES**

As clearly as goals can be outlined, their achievement depends on realistic objectives which can direct the day-to-day operation of St. Tammany Parish. These objectives include:

1. To provide all residents with an understanding of the forces and trends affecting the resources and character of St. Tammany Parish so that the Parish can better manage its future.
2. To have a Comprehensive Plan which is accepted as the primary development guide of the Parish's Growth Management Area.
3. To provide separate, suitable regulations for urban areas by delineating an overlay district, the growth management area (GMA), as well as a rural or less restricted division.
4. To provide for the long-term environmental integrity of terrestrial, aquatic and ecologic systems which are the basic units of the Parish's natural environment.
5. To promote the general health, safety and welfare of people and their protection from the hazardous and detrimental effects of development.
6. To promote sound land use and fiscal planning efforts which enhance the efficient and effective use of the Parish's economic resources.
7. To encourage the compatible development of commercial and employment centers designed and located to expand the Parish's tax-base and provide employment opportunities for local residents.
8. To encourage a variety of housing types to meet current needs and future growth, while recognizing fiscal impact of land development.
9. To coordinate planning efforts with the Parish's incorporated communities for effective transportation, public facility and utility systems.
10. To coordinate Capital and Operating Budgets with the preferred land use management system to realize an effective use of Parish resources.

### **SECTION 12.03     GROWTH MANAGEMENT PROGRAM**

#### **A.     Introduction and Context**

A growth management program (GMP) represents a concerted effort by local government to focus its resources into specific geographic areas in a coordinated manner. The primary result of such an approach to land use management is a degree of protection regarding how development will occur. Specifically, the GMP focuses on the pace, location and type of development that will occur in a community. The growth management

program also sets forth the basic parameters for "diplomacy planning". This represents the legitimate function of local government to negotiate with developers in order to achieve an optimal and financially feasible pattern of land use for both public and private interests.

This section of the Land Use Policy details the salient points for an effective growth management program that St. Tammany Parish may follow in its efforts to achieve a balanced rate of urban growth. The elements of the GMP include the following parameters:

- o The Growth Management Area
- o Capital Facilities Programming
- o Site Development Review

Each of these elements is discussed in terms of the roles they play in the overall planning and zoning process. Specifically, the program illustrates how these non-zoning techniques can effectively guide growth and development.

## B. Growth Districts

### 1. Definition and Elements

The main task of a growth management program is to define where current growth is occurring as well as its pattern and type. This serves as a basis for projecting where and how growth is to occur in the future. To accomplish this, social and economic patterns must be studied for the entire Parish and its sub-areas (Wards). Consequently, the portions of the Parish most likely to receive the majority of future development can be identified; and policies formulated and implemented that are capable of addressing the major problems the community is likely to face in the future.

The major criteria for identifying a growth district include the following:

- o Population Growth Rate
- o Density Per Square Mile
- o Major Arterial Average Daily Traffic Volume

Where a geographic area exhibits a rate of increase or a concentration of growth that is greater than the Parish average, that geographic area is defined as growth management area (GMA). Particular attention is focused on the distribution of population growth

and traffic volumes. These elements represent the major indicators and constraints which development produces. Because the number of housing units and commercial square footage constructed are direct results of population growth and traffic, they provide guidance for developing public policies that can address the ability of a local government to provide public services. An example of the policy applications that GMA provides includes analyzing those capital facilities that require a large lead time in implementing. Specifically, the elements employed to define the GMA provide a direct measure for identifying those public services which are currently deficient. By having this information, it is possible to formulate options that are available to the Parish in managing and providing for future growth. Thus, the GMA's are an integral part of a plan to establish regional sewerage districts that have the ability to float bonds to provide for this most important public service.

After a careful review of existing growth parameters and land settlement trends, it is suggested that a Growth Management Area include the urbanized and sub-urbanized areas of the 1st, 3rd, 4th, 7th, 8th, and 9th Wards.

This area was determined as of 1980 to consist of a population of 52,032 persons within the boundary versus a total of 13,559 outside of it. The associated population growth rate for this area is 101.2% versus 62.5% for the rural areas. Which in real growth terms means the urbanized area has developed between 1970 and 1980 at a much faster rate.

Population density figures indicate that during this same period the GMA experienced an average net change from 74 persons per square mile in 1970 to 167 persons per square mile in 1980. The rural area density is averaged to be 39 persons per square mile with the middle 5th Ward area having the lowest ratio of less than 20 persons per square mile. This existing rural density is only 52% of the 1970 density of the proposed urbanized area. Accordingly, the existing rural density is only 16 persons per square mile more than it was in 1970 which is significantly less than the urbanized concentration. Traffic volumes within the proposed GMA have in many cases increased by sizeable amounts within a definitive period.

Noticeable examples include Airport Road in the 9th Ward and Highway 22 in the 4th Ward. The thoroughfare study recently conducted by the Regional Planning Commission showed marked increases in volume over capacity roadway, especially within the GMA limits resulting in many of these systems being graded a failure for adequacy.

The three criteria of population growth, density and traffic generation are integral components in the proposal to delineate an area as suitable for urbanized development standards. The characteristics of an urbanizing area warrant more coordination of use conditions that reflect the character of an emerging metropolitan area.

The rural area on the other hand, does not immediately exhibit the concentration of population nor the diversity of use extremes reflective of this degree of growth management.

## C. Capital Facilities Programming

### 1. Capital Budgeting

An integral part of any planning effort is the ability to find and use funds that can provide the services deemed necessary. Since most land services require significant expenditures of money, a financial plan is required to allow for their orderly delivery. A key element of this plan is its orientation towards the future and the manner in which the debt is managed. Most communities generally float bonds that are paid out over a period of years. These bonds represent a commitment by the local jurisdiction to construct and pay for public facilities that are capable of addressing public needs.

The Capital Facilities Plan is such a mechanism in that it stresses those public projects that are in the most need. Furthermore, the Capital Facilities Plan illustrates the source of funds and the annual amount of funds needed to amortize the bonds. In the context of a GMA, capital facilities planning is a central key in determining where future growth and development should and should not occur. It can become as powerful a tool as zoning in directing future land use changes within the constraints of public resources.

A capital facilities plan is usually drawn up for five or ten year periods and illustrates the type of long-term public facilities needed to achieve an acceptable level of service. The Capital Budget a distinct part of the Capital Facilities Plan, lists the financial resources needed to fund the identified improvements for the next five years. Consequently, a jurisdiction can constantly evaluate its priorities. When this process is not carried out in conjunction with land use planning, an uncoordinated land use pattern results.

### 2. Fiscal Impact Review

The most efficient manner for the Parish to monitor growth is to evaluate development proposals for their impact on the ability of local government to provide public services. This is accomplished by

conducting a cost revenue analysis. A cost revenue analysis looks at specific elements that the Parish would have to provide in order for a development to be constructed. It then analyzes the potential public revenues that the development creates and compares them to the costs the Parish must incur. For example, a new industrial park may be proposed that requires a variety of improvements such as sewerage and highway construction. After an analysis of the job creating potential, sales property tax revenue, and improvements the developer will pay for, the Parish may decide that the development generates a net positive revenue. This allows the Parish to then make an objective decision regarding the approval of the project.

A fiscal impact review that requires net positive revenue is more difficult to identify with regard to residential development as long as the existing homestead exemption limits prevail. It is not equitable that all costs for a residential tax exempt occupant use be directed to the developer.

To carry out this procedure, it is necessary for close cooperation between developers and the Parish to be established. For example, the Parish has to have ready access to cost estimates for infrastructure that the developer's engineer prepares. However, the developer has to be assured that his proposal will not be lost in a maze of bureaucratic red tape. Furthermore, the developer also needs assurances that the time it takes for the Parish to review his plans is not inordinate.

#### D. Site Development Review

##### 1. Administrative Process

The site development review process is perhaps the most important task the Parish can employ to insure that quality development is constructed in accordance with the goals and objectives set down by the citizens. The process begins with the developer submitting a preliminary plan with cost estimates and design parameters. These developments allow the Parish Planning staff to conduct an analysis of the impacts of a particular development. The key features that come into play during the site review include:

- o Gross Density
- o Land Use Allocation
- o Net Density
- o Traffic Impact

- o Site Capacity
- o Sewerage Capacity

All of these elements will be reviewed in terms of their conformance with development policies, the zoning ordinance, and subdivision regulations. Deficiencies will be noted to the developer. It is incumbent upon the developer to finalize his site plan to conform with the regulatory performance standards outlined in the ordinance and subdivision regulations. Furthermore, upon completion of a fiscal impact review, an assessment is to be made regarding the cost revenue position the Parish faces given the completion of the project. This forms the basis for the use of incentives and bonuses regarding the approval of the project. Thus, one of the major criteria employed for determining whether or not a particular development is to be built outside a growth management area is the net benefits accruing to the Parish.

## 2. Urban Design

Another critical element of the site development review process is the use of performance and design standards for evaluating development proposals. This stage of the process focuses upon such elements as:

- o Open Space Ratios
- o Buffer Areas
- o Clustering
- o Landscaping Plans

Each of these elements allows for an assessment of how a particular development fits within the existing urban fabric and rural atmosphere. Furthermore, it encourages developers to formulate plans and designs that are beneficial to the physical environment.

The above system of development review entails a great deal of time for the Parish and developer to commit before a project is undertaken. It is, therefore, imperative that a time frame be set forth so that a developer can have an idea of the time required for site development review.

No development will be approved until the developer has a long-term sewerage management program approved by the Parish. Furthermore, the Parish will standardize design requirements for private package treatment systems. By so doing, maintenance

routines can be established and, when applicable, the plants can be tied into a parish-maintained regional system within the GMA.

## **SECTION 12.04    REVISED POLICIES**

These policies are developed with the following belief:

St. Tammany Parish, through the democratic process, will determine when and where development should occur and will phase growth at a pace that its citizens and government are able and willing to support with infrastructure, schools and other services.

### **A.     Residential**

The following policies are to guide the Parish in the creation of a comprehensive zoning ordinance and delineation of land use designations for residential development.

1.     The primary goal for residential development is to create livable, enjoyable and ecologically sound neighborhoods with a balanced mix of housing types and densities to serve present and future community needs.
2.     The encouraged location of residential development is in areas close to employment, recreation, shopping facilities, and infrastructure availability.
3.     The character and density of new developments shall minimize or shall not create negative impacts with existing or proposed parish land use patterns in regard to noise, odor, glare, safety traffic, or by causing a nuisance.
4.     Residential development is encouraged in urbanized areas designated as Growth Management Areas (GMA).
5.     GMA's will be designated on the adopted Land Use Map and will be based upon historical and projected population growth, density and traffic patterns and infrastructure availability.
6.     Average residential density in the GMA's shall be established by Ordinance.
7.     Maximum residential density for developments in a GMA shall be calculated based on both usable residential area and areas unusable because of ecological reasons or set aside for common open space.
8.     In all cases, average allowable density of residential developments in

a GMA shall be judged based upon access to major thoroughfares and the individual merits of the particular site - its shape, size, location, natural features and design concept applied to the designated set of performance standards for the area.

9. Residential development in rural areas should avoid sprawl over isolated forest and agricultural areas unless adequate roadway conditions exist that are suitable to accommodate it.
10. The natural character of the Parish should be protected and promoted both for the health, safety and enjoyment of residents, as well as for the protection of land values through the development of compatible uses of land.
11. Residential development of any site which is partly or totally within a designated flood zone declared to be the limit of a 100-year flood by the Federal Emergency Management Agency must meet performance standards set-up to protect the natural environment and recreational areas of the Parish. Additionally, any such development shall be subject to the review procedures established for a Planned Unit Development (PUD).
12. When the impact of a new development extends beyond the bounds of the site and creates additional capital facility requirements, the Parish will address those requirements through a joint effort with the developer.
13. The Parish encourages the development of a wide-range of housing types and costs in order to provide affordable housing for the present and future population.
14. In plans for a proposed development, the parish will require the identification of future contingencies for waste and potable water tie-ins with regional or community systems including the identification of internal roadway classifications.
15. To meet policy objectives and to preserve and promote the natural characteristics of the parish, residential land use shall reflect the natural and locational characteristics of the site.

#### B. Planned Unit Development

The flexibility inherent in a Planned Unit Development (PUD) provides many opportunities not commonly found in traditional developments. The PUD concept promotes better coordination of public and private investment; innovation in land use arrangements and service systems without the constraints of existing patterns; and incorporation of design features which

are difficult to obtain on a piecemeal basis. The following policies will guide the Parish in the creation of a zoning ordinance for planned unit developments.

16. In order to give certain developments flexibility because they cannot be readily accommodated by the established zoning classifications due to the increase of density, variation of setback, the addition of amenities or greenspace, or the variation of other criteria not provided for in this ordinance; these developments shall be developed as PUD's.
17. The individual uses and portions of the PUD committed to each use are to be developed with adherence to the policy guidelines set forth in this document.
18. All regulations specified for the district in which the PUD is located shall prevail. Uses not commonly permitted in the district will be allowed provided additional conditions or performances are established by the Zoning Commission as part of the approval.
19. Any multi-family residential development of 100 units or more shall come under the regulations for a PUD.
20. Development for any use that may be seriously affected by inundation that falls within a 100-year flood zone as defined by the Federal Emergency Management Agency shall come under the regulations for a PUD.

C. Commercial

Commercial land uses can impact the structure, character and quality of adjacent land uses, particularly residential. The following policies will guide commercial development and the creation of an effective zoning ordinance.

21. A series of commercial zoning district designations shall be established to provide a great degree of resolution by specifically identifying allowable uses and by eliminating allowable use pyramiding for all commercial uses from neighborhood shop to high-rise office developments.
22. All commercial uses which may create noise, odors, hazards, unsightliness, or which may generate excessive traffic shall be placed in proper areas within the appropriate districts so that they do not adversely affect other uses.
23. Any commercial or office use or uses in individual structures less than 3,000 square feet each, and together occupying less than 10,000

square feet, may be located in close proximity to the local residents which those uses are intended to serve.

24. Minimum set-backs and lots sizes will be utilized to encourage a desirable level of commercial developments and to discourage continuous strip-type development along major roads.
25. New commercial and office centers locating close to existing centers shall be designed to function together as a single commercial area to encourage pedestrian circulation and discourage multi-stop trips of automobiles onto streets whose main function is to carry through-traffic.
26. Major commercial and office centers shall be located in areas where adequate infrastructure exists and where traffic and noise will not adversely affect surrounding residential uses.
27. Commercial uses shall locate only in less hazardous flood zone areas. A detailed statement and plan as to the method of mitigation of flood danger will be required.
28. Signage, parking lot design and lighting, entryways, exits, plantings and building design shall be created to blend with the surrounding environment to promote the environmental character of the Parish.
29. Detailed plans for any proposed commercial development are to show on-site traffic patterns, pedestrian ways, drainage run-off systems, landscaping and signage as well as a description of these factor's impacts on surrounding areas and land uses.

#### D. Industrial

In evaluating the potential for industrial land uses, each type of process should be judged independently in regard to its compatibility with surrounding uses. The following policies set the general guidelines for all industrial development within the Parish.

30. Industrial development land uses will be promoted to encourage a broad and diverse employment base, and all types of environmentally acceptable industry will be encouraged to become viable members of the community.
31. Industrial development shall be located within areas which will maximize safety and have associated uses, while minimizing infrastructure improvements and services costs to local governments.
32. The Parish will promote development of Planned Industrial

Developments and discourage proliferation of industrial uses along highways without adequate landscape buffering and safe vehicular access.

33. Industrial developments should be encouraged to located in park-like settings and in all instances have substantial setbacks and buffers from roadways and surrounding non-industrial uses.
34. Performance standards shall be created to promote clean and safe industrial development.
35. Industrial uses may be located in less severe flood zone areas provided an impact statement is prepared delineating potential impacts of flood and effects on down-stream properties.
36. Waste water and site runoff control systems shall be developed and presented for Parish review for any proposed new industrial development.

E. Open Space/Recreational

Public, private and common open spaces are all essential parts of a successful community. The following policies outline general methods of open space and recreational usage.

37. The Parish will promote the establishment of public and common open space.
38. Open spaces are to be used in all types of development to improve a site's attractiveness, to preserve natural features and vegetation, and/or to provide recreational space at an economical cost.
39. Open space areas involving either passive or active recreational uses are to be an integral part of all residential developments. Dedicated common or public open space shall, at a minimum equal the amount of impermeable surface created by the construction of street systems in developments.
40. Open space for commercial development shall be established based on the type of use and the intensity of the developmental impact on the site. Based on the commercial classification, a range from 20 to 40 percent of open space shall be used for storm run-off control, landscaping planting, greenways and buffers.
41. Open space for industrial development shall be established based on the type of use and the intensity of the developmental impact on the site. Based on the industrial classification, a range from 30 to 50

percent of open space shall be used for storm run-off control, landscape planting, greenways, buffers and parking.

42. Open areas and recreational spaces are to be used to protect the natural characteristics of the Parish, as well as providing adequate buffer and recreational spaces for different land uses.
43. A Parish-wide parks system will be promoted along with the concept of a "recreation network" to identify bicycle routes, hiking trails, river uses and other recreational opportunities.
44. Creation of park areas and management techniques for the development and maintenance of parks is to be a part of the planned Capital Facilities Program.

G. General

In recognition of the great diversity among citizens and the variety of natural features within St. Tammany Parish, several general policies will guide land planning for the benefit of all. The GMA boundaries may be reviewed and modified periodically as growth dictates based upon petitioning to the Police Jury within the affected area.

The Zoning Commission will not amend the GMA boundary into another ward without a resolution from the Police Jury.

45. Where differing land uses are in close proximity to one another, a gradation from the more to less intense will be used to make the transition less severe.
46. A classification for scenic roads will be established to protect and promote the beauty and natural characteristics of certain road which serve mainly residential areas.
47. Realizing that water bodies in the Parish are to be used for the benefit of property owners, the Parish will support standards to protect these valuable resources and will work to allow fishing and port-related industries, recreational and residential uses to co-exist.
48. The Parish will deal equally and fairly, but not the detriment of the policies in this document and of future citizens, with the problems created by "paper subdivisions", sub-standard lots-of-record, and non-conforming uses previously established in rural districts.
49. At all times, the Parish will strive to work closely with the incorporated communities within its borders and to plan for an economically and environmentally sound future for all citizens.



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