



# LOUISIANA LAND USE TOOLKIT: 3.0

CENTER FOR PLANNING EXCELLENCE



## ADDITIONAL ORDINANCES



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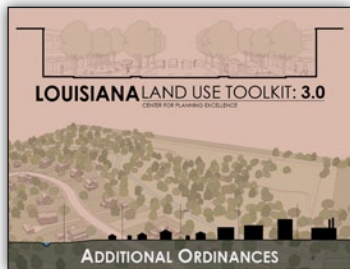
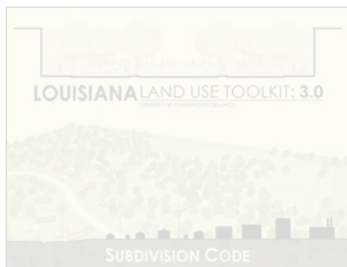
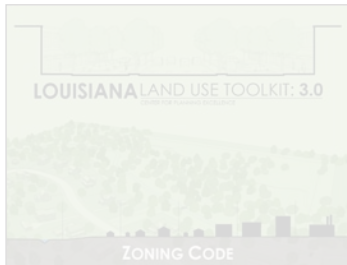
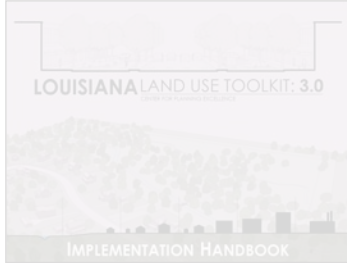
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***This is the Louisiana Land Use Toolkit: Additional Ordinances Version 3.0.***

*The Implementation Handbook, the Zoning Code module and the Subdivision Code module are available for download at [www.landusetoolkit.com](http://www.landusetoolkit.com).*



## Introduction to the Toolkit

Each community in Louisiana has a unique vision for how they will grow and change over time. Likewise, each community has distinct needs for land use regulation and varying levels of tolerance for placing controls on private property. In order to create a set of regulatory tools that respond to these diverse needs, the Louisiana Land Use Toolkit components include the:

1. Implementation Handbook;
2. Zoning Code;
3. Subdivision Code; and
4. Additional Ordinances.

The Toolkit has been written to allow each community to build a regulatory framework that is appropriate for their needs. Each component may be adopted individually or may be combined to create a complete development code.

For example, a community may not be ready for a complete regulatory overhaul and may choose to use just the Zoning Code module or Subdivision Code module. Similarly, a community may already have zoning and subdivision but need a sign or historic preservation ordinance. In this case, a community would choose from the Additional Ordinances module.

Regardless of your community's approach, some level of customizing and editing will be required. If your community needs assistance implementing the Toolkit, the Center for Planning Excellence (CPEX) can help. CPEX has experience implementing the Toolkit in a variety of settings and understands what is required to get the Toolkit adopted in your community.

Additionally, the Implementation Handbook is the user's manual and step-by-step guide for the Toolkit. The Handbook is the starting point and should be consulted before beginning the implementation process. To download a copy of the Implementation Handbook go to [www.landusetoolkit.com](http://www.landusetoolkit.com).

This Additional Ordinances module can be used to supplement the Zoning Code module or it can be used by a community looking for enhanced requirements for a specific issue. This module includes both overlay districts and site development standards.

### Overlay Districts:

- Airport Overlay District
- Rural Corridor Overlay District
- Historic Overlay District

### Site Development Standards:

- Parking
- Landscaping
- Outdoor Lighting
- Outdoor Storage and Display
- Signs

Throughout this module are a number of *Editor's Notes*. These notes appear in *italics* and offer suggestions to those calibrating a component either as a stand-alone ordinance or as part of the full Toolkit. The *Editor's Notes* provide alternate language or approaches and cross references that help with customization. Bracketed text in *[blue italics]* must be changed.



# AIRPORT OVERLAY DISTRICT

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**Sec. 1.1 Airport Overlay District (-AP) . . . . . 2**

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## Sec. 1.1 Airport Overlay District (-AP)

### 1.1.1 Applicability and Purpose

- A. An Airport Overlay District (-AP) is hereby established in order to protect against safety hazards, noise and obstruction problems associated with aircraft using the *[insert names of applicable airports]*.
- B. All development proposed within this overlay shall be subject to the standards specified within this part, in addition to the standards and regulations contained in the underlying district in which the development occurs.
- C. Development activity within this district is subject to regulation primarily to mitigate safety and noise problems; however, land uses within this district are also regulated to mitigate their incompatibility with airport operations.
- D. The provisions of this *[ordinance]* are a supplement to the provisions of the Federal Aviation Act of 1958, 49 U.S.C. 1101 *et seq.*, and Title 14, Code of Federal Regulations, Part 77 (as amended), all of which are incorporated into this zoning code by reference.

### 1.1.2 Overlay District Boundaries

The Airport Overlay District corresponds with the boundaries of the Day Night Average Sound Level (DNL) 60 noise curve in accordance with planning standards of the FAA. Three subdistricts of regulation are delineated within the Airport Overlay District. The Airport Overlay District and subdistricts are mapped on the Official Zoning Map.

**Editor's Note:** *The overlay zoning districts must be added to the Zoning District Map as overlay districts.*

#### A. Secondary Noise Level (DNL 60) Subdistrict

This subdistrict corresponds to the DNL 60 noise curve. It is considered discretionary because it is the transitional impact level between significant and insignificant noise levels in the vicinity of the airport.

#### B. Significant Noise Level (DNL 65) Subdistrict

The DNL 65 noise curve is concentrically located inside the DNL 60 noise curve. Due to its proximity to the airport's primary surface, greater noise and safety concerns exist and more restrictive regulation is required.

#### C. Approach Path Subdistrict

This subdistrict is established to ensure that developments near the airstrip will not pose safety problems due to vertical protrusions. The approach path subdistrict shall match the approach path designated by the FAA.

### 1.1.3 District Standards

The underlying district dimensional and use standards shall be met, except where expressly modified below.

#### A. Discretionary Noise Level District (DNL 60)

Notwithstanding any other provisions of this section, no use may be made of land or water within the DNL 60 noise level district 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 other lights (i.e., colors and patterns), result in glare in the eyes of pilots using the airport, impair visibility in the vicinity of the airport, create bird strike hazards or otherwise in any way endanger or interfere with the landing, takeoff or maneuvering of aircraft intending to use the airport. Noise mitigation measures are encouraged for any proposed residential development.

#### B. Significant Noise Level (DNL 65)

Residential uses are prohibited inside the DNL 65 noise curve due to the severe nature of public health, safety and welfare concerns.

#### C. Approach Path

Within the FAA designated approach path, no building, structure, utility pole or protrusion of any kind shall be permitted to extend to a height measured from the mean elevation of the airport runway that exceeds the limits established by the FAA.

### 1.1.4 Definitions

**Editor's Note:** *The following definitions should be added to your existing definitions section.*

**Day Night Average Sound Level (DNL)** - A 24-hour average noise level used to define the level of noise exposure on a community. The DNL represents the average sound exposure during a 24-hour period and does not represent the sound level for a specific noise event. A 10 dB correction is applied to nighttime (10:00 p.m. and 7:00 a.m.) sound levels to account for increased annoyance due to noise during the night hours. It is the standard FAA metric for determining cumulative exposure of individuals to noise.

**FAA** - Federal Aviation Administration.

**Overlay District** - A district classification superimposed in addition to another (base) district classification. The overlay district includes regulations that either add to or modify the requirements of the underlying zone.

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# RURAL CORRIDOR OVERLAY DISTRICT

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## Sec. 1.1 Rural Corridor Overlay District (-RC)

### 1.1.1 Purpose

The Rural Corridor Overlay District (-RC) is hereby established in order to protect and preserve the natural, scenic beauty along designated rural corridors. Maintaining the attractiveness of these roadway corridors enhances the economic value of the community by encouraging tourism and trade. This overlay district is also established for the purpose of:

- A. Protecting the public investment in and lengthening the time during which highways can continue to serve their functions without expansion or relocation by expediting the free flow of traffic and reducing the hazards arising from cluttered roadside development; and
- B. Reducing the costs of future highway expansions by requiring that buildings and structures be sufficiently set back from the right-of-way to provide adequate storage for vehicles until they can safely enter the highway.

### 1.1.2 Overlay District Boundaries

All Rural Corridor Overlay Districts shall be designated on the Official Zoning Map and shall consist of properties abutting the designated rural corridor.

### 1.1.3 District Standards

The underlying district dimensional and use standards shall be met, except where expressly modified below.

#### A. Street Buffer

1. A street buffer an average of 75 feet in width shall be established along each designated rural corridor. Under no circumstances shall the street buffer be less than 30 feet in width.
2. In the event that necessity requires a public utility easement adjacent to the designated rural corridor which prohibits locating the required street buffer immediately adjacent to the rural corridor right-of-way, the required street buffer shall be located immediately adjacent to the utility easement.

#### B. Landscaping

**Editor's Note:** If including either the Zoning Code module or the Landscaping Standards of this module use the following language.

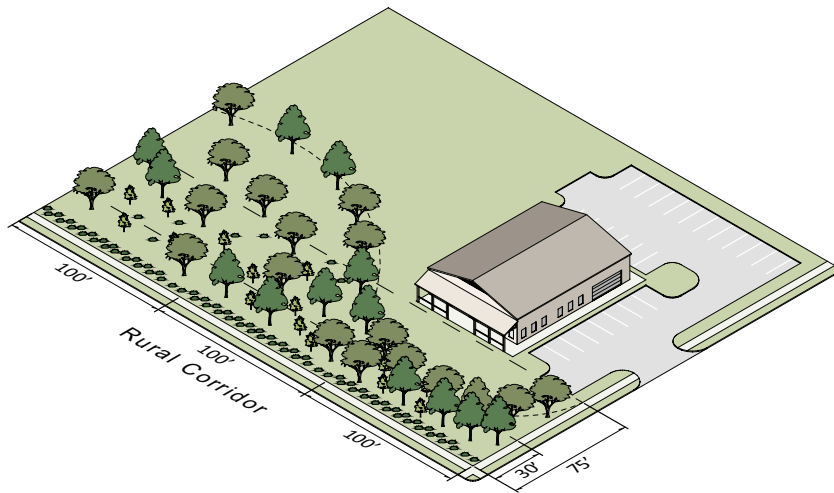
1. Each 100 linear feet, or fraction thereof, of the required street buffer shall consist of the following planting materials:
  - a. A minimum of 10 canopy trees, three of which shall be evergreen trees and five of which shall be deciduous trees;
  - b. A minimum of six understory trees; and
  - c. A minimum of 32 shrubs.
2. All landscaping shall meet the requirements of *[insert citation to Sec. 1.4, Design and Installation and Sec. 1.6, Maintenance in the Landscaping Standards of the Additional Ordinances module]*.
3. An equivalent alternative buffer may be approved through the site plan review process established in *[insert citation to 12.2.6, Site Plan Review in the Zoning Code module]*.
4. The Administrator may grant credit for existing plant material as set forth in *[insert citation to 1.4.2, Credit for Existing Plant Material in the Landscaping Standards of the Additional Ordinances module]*.
5. Properties that are undeveloped or that contain no structure or parking areas within 200 feet of the street buffer shall be exempt from the landscaping provisions of this section.

#### C. Landscaping

**Editor's Note:** If not including either the Zoning Code module or the Landscaping Standards of this module use the following language.

1. Each 100 linear feet, or fraction thereof, of the required street buffer shall consist of the following planting materials:
  - a. A minimum of 10 canopy trees. Three shall be evergreen trees and five shall be deciduous trees;
  - b. A minimum of six understory trees; and
  - c. A minimum of 32 shrubs.

2. All landscaping shall meet the design, installation and maintenance standards of [Jurisdiction].
3. An equivalent alternative buffer may be approved by the Administrator.
4. The Administrator may grant credit for existing plant material.
5. Properties that are undeveloped or that contain no structure or parking areas within 200 feet of the street buffer shall be exempt from the landscaping provisions of this section.



#### D. Fences and Walls

1. Any fence in the required street buffer may not be more than 50 percent opaque and shall be rural in character. Permitted fence and wall types include but are not limited to, stock fences, split rail fences, post and rail fences and stone walls.
2. The following fences and walls are not allowed in the required street buffer.
  - a. Chain-link fences
  - b. Vinyl fences

- c. Wooden privacy fences

#### E. Driveways

No driveway in the required street buffer may be more than 20 feet in width.

#### F. Signs

1. All freestanding signs located in the required street buffer shall be of a monument style.
2. No freestanding sign located in the required street buffer shall be more than 32 square feet in size.

### 1.1.4 Definitions

**Editor's Note:** The following definitions should be added to your existing definitions section.

**Abutting** - The property directly touches another piece of property.

**Adjacent** - see Abutting.

**Buffer** - A specified area of land containing landscaping, open space, fences or walls located parallel to and within the outer perimeter of a lot and extending to the lot line. A buffer is used to physically separate or screen, one use or property from another so as to visually shield or block noise, lights, or other nuisances.

**Overlay District** - A district classification superimposed in addition to another (base) district classification. The overlay district includes regulations that either add to or modify the requirements of the underlying zone.

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# HISTORIC OVERLAY DISTRICT

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## Sec. 1.1 Historic Overlay District (-H)

### 1.1.1 Purpose

- A. The purpose of this [*ordinance*] is to promote the protection, enhancement, perpetuation, and use of improvements of special character or historical interest or value in the interest of the health, safety and welfare of the people of the [*Jurisdiction*] by:
1. Providing a mechanism to identify and preserve the historic and architectural characteristics of [*Jurisdiction*] which represents elements of the community's cultural, social, economic, political and architectural history;
  2. Enhancing property values and the stabilization of historic neighborhoods;
  3. Ensuring sustainability through the conservation of building materials and the embodied energy in existing buildings;
  4. Increasing economic and financial benefits through the community's attractiveness to tourists and visitors; and
  5. Providing educational opportunities to increase public appreciation of the community's unique heritage.
- B. The intent of this [*ordinance*] is to create a method to draw a reasonable balance between private property rights and the public interest in preserving the community's unique historic character by ensuring that demolition of, moving, or alterations to properties of historic value shall be carefully considered for impact to the property's contribution to the community's heritage.

### 1.1.2 District Established

The Historic Overlay District (-H) is hereby established. All Historic Overlay Districts shall be adopted consistent with this [*ordinance*] and shall be shown on the Official Zoning Map.

### 1.1.3 District Standards

The standards and design guidelines associated with each Historic Overlay District shall be established as set forth in this [*ordinance*].

### 1.1.4 Historic Preservation Commission

#### A. Composition

The Historic Preservation Commission shall consist of five voting members, all residents of the [*Jurisdiction*], appointed by the [*Governing Body*].

#### B. Qualification

The members shall be appointed on the basis of expertise, experience or interest in the area of architectural history, building construction or engineering, historical and architectural preservation.

#### C. Terms

Members of the Historic Preservation Commission shall be appointed for terms of three years. Of those members first taking office, one shall be appointed for one year, two for two years, and two for three years. Members shall serve without compensation, but are eligible for reimbursement of expenses related to their service.

#### D. Officers

1. Officers shall consist of a chairman, vice-chairman selected from the members of the Historic Preservation Commission and a secretary.
2. Officers shall be serve a term of one year and shall be eligible for re-election, but no member shall serve as the same officer for more than two consecutive years.
3. The chairman shall preside over meetings. In the absence of the chairman, the vice-chairman shall perform the duties of the chairman. If both are absent, a temporary chairman shall be elected by those present.
4. The secretary to the Historic Preservation Commission shall have the following duties:
  - a. Take minutes of each Historic Preservation Commission meeting;
  - b. Be responsible for publication and distribution of copies of the minutes, reports, and decisions of the Historic Preservation Commission to its members;

- c. Give notice for all public hearings conducted by the Historic Preservation Commission;
- d. Advise the [**Governing Body**] of vacancies on the Historic Preservation Commission and expiring terms of members;
- e. Prepare and submit to the [**Governing Body**] a complete record of the proceedings before the Historic Preservation Commission on any matter requiring [**Governing Body**] consideration.

### E. Meetings

A quorum shall consist of a majority of the members. All decisions or actions of the Historic Preservation Commission shall be made by a majority vote of those members present and voting at any meeting where a quorum exists. Meetings shall be held at the call of the Chairman. There shall be a minimum of four meetings per year.

### F. Voting

1. No member of the Historic Preservation Commission shall vote on any matter that may materially or apparently affect the property, income or business interest of that member.
2. No action shall be taken by the Commission that could in any manner deprive or restrict the owner of property in its use, modification, maintenance, disposition, or demolition until such owner shall first have had the opportunity to be heard at public meeting of the Historic Preservation Commission.
3. The Chairman, and in his absence the acting Chairman, may administer oaths and compel the attendance of witnesses. All meetings of the Preservation Commission shall be open to the public.
4. The Preservation Commission keep minutes of its proceedings, showing the vote, indicating such fact, and shall keep records of its examinations and other official actions, all of which shall be immediately filed in the office of the Preservation Commission and shall be a public record.

### G. Powers and Duties

The Historic Preservation Commission shall have the following powers and duties:

1. To adopt its own procedural regulations;
2. To conduct an ongoing survey to identify historically and architecturally significant properties, structures and areas;
3. To investigate and recommend to the [**Governing Body**] the adoption of ordinances designating properties or structures having special historic, community, or architectural value as landmarks;
4. To investigate and recommend to the [**Governing Body**] the adoption of ordinances designating properties or structures having special historic, community or architectural value as historic districts;
5. To keep a register of all properties and structures that have been designated as landmarks or historic districts, including all information required for each designation;
6. To determine an appropriate system of markers and make recommendations for the design and implementation of specific markings of the streets and routes leading from one landmark or historic district to another;
7. To advise owners of landmarks and property or structures within historic districts on physical and financial aspects of preservation, renovation, rehabilitation, and reuse, and on procedures for inclusion on the State or National Register of Historic Places;
8. To inform and educate citizens concerning the historic and architectural heritage of the community by publishing appropriate maps, newsletters, brochures, and pamphlets, and by holding programs and seminars;
9. To hold public hearings and to review applications for construction, alteration, removal, or demolition affecting proposed or designated landmarks or structures or historic districts and issue or deny Certificates of Appropriateness for such actions;

10. To develop specific guidelines for the alteration, demolition, construction, or removal of landmarks or property and structures within historic districts;
11. To review proposed zoning amendments, applications for special use permits or variances that affect proposed or designated landmarks and historic districts. Such review shall be made prior to the hearing by the [**Governing Body**] or the Board of Adjustment;
12. To administer on the behalf of the community any property or full or partial interest in real property that the community may have or accept as a gift or otherwise, upon designation by the [**Governing Body**];
13. To accept and administer on behalf of the community, upon designation by the [**Governing Body**], such gifts, grants and money as may be appropriate for the purpose of this [**ordinance**];
14. To call upon available staff members as well as other experts for technical advice;
15. To delegate to the Administrator such minor Certificate of Appropriateness decisions as the Commission considers appropriate; and
16. To testify before all boards and commissions, including the Planning Commission and the Board of Adjustment, on any matter affecting historically and architecturally significant property and landmarks.

#### H. Training

Members of the Historic Preservation Commission shall participate in a minimum of eight hours annual training related to preservation theory and decision-making procedures. The training may be conducted by the Commission and its staff, or it may involve participating in training programs organized by other groups involved in historic preservation.

#### I. Surveys and Research

1. The Historic Preservation Commission shall undertake an ongoing survey and research effort in the community to identify neighborhoods, areas, sites, structures, and objects that have historic, community, architectural, or aesthetic importance, interest, or value.
2. As part of the survey, the Historic Preservation Commission shall review

and evaluate any prior surveys and studies by any unit of government or private organization and compile appropriate descriptions, facts, and photographs.

3. The Historic Preservation Commission shall identify potential landmarks and historic districts and adopt procedures to nominate them in groups based upon the following criteria:
  - a. The potential landmarks in one identifiable neighborhood or district geographical area of the community;
  - b. The potential landmarks associated with a particular person, event, or historical period;
  - c. The potential landmarks of a particular architectural style or school, or of a particular architect, engineer, builder, designer or craftsman; and
  - d. Such other criteria as may be adopted by the Historic Preservation Commission to assure systematic survey and nomination of all potential landmarks within the community.
4. Key, character-defining features should be described on the survey form to inform property owners and decision-makers which elements are most important in preserving the character of the resource.

### 1.1.5 Landmark Designation

#### A. Nominations

Nominations shall be made to the Historic Preservation Commission on a form provided by the Commission. A filing fee may be required.

#### B. Action on Nomination

1. The Historic Preservation Commission shall, upon investigation as it deems necessary, make a preliminary determination as to whether a property, structure, or area possesses the integrity of design, workmanship, materials, location, setting and feeling and meets one or more of the following criteria:
  - a. Significant value as part of the historic, heritage or cultural characteristics of the community, parish, state or nation;

- b. Its identification with a person or persons who significantly contributed to the development of the community, parish, state or nation;
  - c. Representative of the distinguishing characteristics of architecture inherently valuable for the study of a period, type, method of construction or use of indigenous materials;
  - d. Notable work of a master builder, designer, architect or artist whose individual work has influenced the development of the community, parish, state or nation;
  - e. Its unique location or singular physical characteristics that make it an established or familiar visual feature;
  - f. Its character as a particularly fine or unique example of a utilitarian structure with a high level of integrity or architectural significance; or
  - g. Area that has yielded or may be likely to yield, information important in history or prehistory.
- 2. The landmark must be at least 50 years old, unless the resource is found to be exceptionally important in other significant criteria.
  - 3. A preliminary determination as to whether a property, structure, or area meets one or more of the criteria shall be made within 15 days of filing of a nomination with the Historic Preservation Commission.

### C. Landmark Designation Procedures

- 1. The Historic Preservation Commission shall schedule a public hearing within 60 days after the filing of a nomination.
- 2. The owner, the Historic Preservation Commission, or any organization with an established interest in historic preservation may request a landmark designation for any structure, building or site within the boundaries of **[Jurisdiction]** which may have historic or architectural significance. A landmark may be designated without the consent of the property owner.
- 3. A Certificate of Appropriateness shall be required for alteration, construction, removal or demolition of a proposed landmark from the date

when the nomination form is presented to the Historic Preservation Commission until the final disposition of the request.

- 4. A public hearing shall be held by the Historic Preservation Commission and an opportunity afforded the public to consider the landmark designation. During the public hearing, the Commission shall review and evaluate the application according to the criteria above.
- 5. Written notice of the purpose, time and place of such hearing shall be published in the official journal at least once and at least a minimum of seven days before said hearing; and such written notice may be affixed to a prominent place at or near the main entrance of the building, hall or room where meetings of the **[Governing Body]** are usually held.
- 6. The Historic Preservation Commission shall submit a final written report to the **[Governing Body]** within 30 days after the public hearing and the report and recommendation shall contain:
  - a. A complete description of the site;
  - b. A map or sketch showing the boundaries of the site; and
  - c. Suggestions for a proposed ordinance designed to implement and carry out the recommendation and the provisions of this **[ordinance]**.
- 7. The owners of record shall be notified promptly by a letter containing information of the Commission's decision.
- 8. A simple majority vote by the **[Governing Body]** is necessary for approval of a landmark designation. If the **[Governing Body]** approves the application for a designation, a notice will be sent to the property owner and recorded with the Parish Recorder of Deeds.
- 9. Buildings designated as landmarks shall be subject to issuance of Certificates of Appropriateness.

## 1.1.6 Historic District Designation

### A. Nominations

Nominations shall be made to the Historic Preservation Commission on a form provided by the Commission. A filing fee may be required.

## B. Action on Nomination

1. The Historic Preservation Commission shall, upon investigation as it deems necessary, make a preliminary determination as to whether an area possesses the integrity of design, workmanship, materials, location, setting and feeling and meets one or more of the following criteria:
  - a. The district is a geographically definable area including a concentration, linkage or continuity of buildings. The district is related by a pattern of either physical elements or social activities. District boundaries are defined by visual changes, historical documentation of different associations or patterns of development, or evidence of changes in site type or site density as established through testing or survey.
  - b. The district must be at least 50 years old, unless the resources are found to be exceptionally important in other significant criteria.
  - c. Historic districts shall meet one or more of the following:
    - i. Architectural
      - a) Exemplifies specific elements of an architectural period or style.
      - b) Example of the work of an architect or builder who is recognized for expertise nationally, state-wide, regionally or locally.
      - c) Demonstrates superior craftsmanship or high artistic value.
      - d) Represents an innovation in construction, materials, or design.
      - e) Style particularly associated with area.
      - f) Represents a built environment of a group of people in an era of history.
    - ii. Social
      - a) Site of historic event that had an effect upon society.
      - b) Exemplifies cultural, political, economic or social heritage of the community.
      - c) An association with a notable person or the work of a notable person.
    - iii. Geographic/Environmental
      - a) Enhances sense of identity of the community.
      - b) An established and familiar natural setting or visual feature of the community.

2. The Historic Preservation Commission may seek an indication of support from property owners within the district.
3. Properties that do not contribute to the significance of the historic district may be included within the boundaries, as long as the noncontributing elements do not noticeably detract from the district's sense of time, place and historical development. Noncontributing elements will be evaluated for their magnitude of impact by considering their size, scale, design, location, and information potential.
4. A preliminary determination as to whether an area meets one or more of the criteria shall be made within 15 days of filing of a nomination with the Historic Preservation Commission.

## C. District Designation Procedures

1. The Historic Preservation Commission shall schedule a public hearing within 60 days after the filing of a nomination.
2. An owner, the Historic Preservation Commission, or any organization with an established interest in historic preservation may request a district designation for any area within the boundaries of **[Jurisdiction]** which may have historic or architectural significance.
3. A Certificate of Appropriateness shall be required for alteration, construction, removal or demolition of a proposed contributing structure from the date when the nomination form is presented to the Historic Preservation Commission until the final disposition of the request.
4. A public hearing shall be held by the Historic Preservation Commission and an opportunity afforded the public to consider the district designation. During the public hearing, the Commission shall review and evaluate the application according to the criteria above.
5. Written notice of the purpose, time and place of such hearing shall be published in the official journal at least once and at least a minimum of seven days before said hearing; and such written notice may be affixed to a prominent place at or near the main entrance of the building, hall or room where meetings of the **[Governing Body]** are usually held.
6. The Historic Preservation Commission shall submit a final written report

to the [**Governing Body**] within 30 days after the public hearing and the report and recommendation shall contain:

- a. A complete description of the area;
  - b. A map or sketch showing the boundaries of the area to be included within any proposed historic preservation district; and
  - c. Suggestions for a proposed ordinance designed to implement and carry out the recommendation and the provisions of this [**ordinance**].
7. The owners of record within the district shall be notified promptly by a letter containing information of the Commission's decision.
  8. The [**Governing Body**] shall approve the district designation using the procedures for amending the official zoning map. If the [**Governing Body**] approves the application for a designation, a notice will be sent to the property owner and recorded with the Parish Recorder of Deeds.
  9. New construction, alterations or additions within areas designated as districts shall be subject to issuance of Certificates of Appropriateness.

### 1.1.7 Conservation District Designation

The Historic Preservation Commission may also designate a conservation district using the same procedures as those for an historic district. A conservation district shall not enjoy the full protection of an historic district; however, specific key character-defining elements included in the designating ordinance shall be protected and considered in the Certificate of Appropriateness process. Additional development standards that protect the key, character-defining elements may be adopted at the time of district designation, and modified as required after adoption.

### 1.1.8 Certificate of Appropriateness

#### A. Certificate Required

1. A Certificate of Appropriateness issued by the Historic Preservation Commission shall be required before a building permit, or demolition permit is issued for any designated historic landmark or any building, structure or site in an historic district. A certificate is required if the building, structure or site will be altered, extended, or repaired in such a

manner as to produce a major change in the exterior appearance of such building or structure. Such major changes include, but are not limited to:

- a. Major changes by addition, alteration, maintenance, reconstruction, rehabilitation, renovation or repair;
  - b. Any new construction and demolition in whole or in part requiring a permit from the [**Jurisdiction**];
  - c. Moving a building;
  - d. Any construction, alteration, demolition, or removal affecting a significant exterior architectural feature as specified in the ordinance designating the landmark or historic district.
2. Similarly, if earthworks of historical or archaeological importance exists in the historic district, there shall be no excavating or moving of earth, rock or subsoil without a certificate of appropriateness.
  3. The style, scale, material, size and location of outdoor advertising signs and bill posters within an historic preservation district shall also be under the control of such commission.
  4. An exception to the Certificate of Appropriateness shall be made if the applicant proves to the Commission that a failure to grant the permit will cause an imminent threat to life, health or property.

#### B. Standards for Certificate of Appropriateness

1. In making a determination whether to approve or deny an application for a Certificate of Appropriateness, the Historic Preservation Commission shall be guided by the Secretary of the Interior's "Standards for Rehabilitation" and any other design guidelines that the Historic Preservation Commission or [**Governing Body**] may adopt.
2. The Historic Preservation Commission shall not consider interior arrangement or use but shall consider the relationship of the exterior of the buildings concerned with all others in the historic district as to avoid incongruity and promote harmony.
3. Nothing in this [**ordinance**] shall be construed to prevent ordinary maintenance or repairs which do not involve a change of design, material, or



of the outward appearance; nor to prevent the construction, reconstruction, alteration or demolition of any such feature which is required by the public safety because of an unsafe or dangerous condition.

4. The requirements of this [ordinance] shall not apply to work which has begun or for which a permit has been issued prior to the establishment of the historic district.

## C. Design Guidelines

Design guidelines for applying the criteria for review of Certificates of Appropriateness shall at a minimum, consider the following architectural criteria:

### 1. Height

The height of any proposed alteration or construction should be compatible with the style and character of the landmark and with surrounding structures in a historic district.

### 2. Proportions of Windows and Doors

The proportions and relationships between doors and windows should be compatible with the architectural style and character of the landmark.

### 3. Relationship of Building Masses and Spaces

The relationship of a structure within a historic district to the open space between it and adjoining structures should be compatible.

### 4. Roof Shape

The design of the roof, fascia, and cornice should be compatible with the architectural style and character of the landmark.

### 5. Landscaping

Landscaping should be compatible with the architectural character and appearance of the landmark.

### 6. Scale

The scale of the structure after alteration, construction, or partial demolition should be compatible with its architectural style and character and with surrounding structures in a historic district.

## 7. Directional Expression

Facades in historic districts should blend with other structures with regard to directional expression. Structures in a historic district should be compatible with the dominant horizontal or vertical expression of surrounding structures. The direction expression of a landmark after alteration, construction, or partial demolition should be compatible with its original architectural style and character.

## 8. Architectural Details

Architectural details including types of materials, colors, and textures should be treated so as to make landmark compatible with its original architectural style and character of a landmark or historic district.

## 9. New Structures

New structures in an historic district shall be compatible with the architectural styles and design in said districts.

## 10. Character Defining Elements

For any historic property, that key, character-defining elements are preserved, and that the integrity of the property as an historic resource will be maintained.

## D. Hearing on Application

1. The Historic Preservation Commission shall hold a public hearing on each application for a Certificate of Appropriateness, except in those instances where the Commission has determined that the application is not a substantive change and that the Commission has determined the Certificate complies with adopted standards and guidelines.
2. Notice of the time and place of said hearing shall be given by publication in the form of a legal advertisement appearing in the official journal or in a newspaper having general circulation in the area at least seven days before such hearing, and by the posting of such notice on or near the main entrance of any hall or room where the Commission usually meets.
3. Within not more than 45 days after the filing of an application, the Commission shall pass upon it, giving consideration to the adopted standards and guidelines, and shall give written notice of its decision to the applicant setting forth the reasons for the decision.



4. Evidence of approval shall be by certificate of appropriateness issued by the Commission, and whatever its decision, notice in writing shall be given to the applicant.
5. The commission shall keep a record of all applications for certificates of appropriateness and of all its doings under this [ordinance].
6. A Certificate of Appropriateness shall be invalid if changes in the plans review by the Historic Preservation Commission are necessary in obtaining a building permit or if the building permit issued for the work becomes invalid. The Certificate of Appropriateness remains valid for the same period of validity as the building permit.

#### E. Certificate of Economic Hardship

1. Notwithstanding any of the provisions of this [ordinance] to the contrary, the Historic Preservation Commission may issue a Certificate of Economic Hardship to allow the performance of work for which a Certificate of Appropriateness has been denied.
  2. An applicant for a Certificate of Economic Hardship may submit any or all of the following information in order to assist the Commission in making its determination on the application:
    - a. The amount paid for the property, the date of purchase and the party from whom purchased (including a description of the relationship, if any, between the owner and the person from whom the property was purchased).
    - b. The assessed value of the land and improvements thereon according to the two most recent assessments.
    - c. Real estate taxes for the previous two years.
    - d. Remaining balance on mortgage, if any, and annual debt service, if any, for the previous two years.
    - e. All appraisals obtained within the previous two years by the owner or applicant in connection with this purchase, financing or ownership of the property.
    - f. Any listing of the property for sale or rent, price asked and offers received, if any.
  - g. Any consideration by the owner as to profitable adaptive uses for the property.
  - h. If the property is income-producing, the annual gross income from the property for the previous two years, itemized operating and maintenance expenses for the previous two years, and annual cash flow before and after debt service, if any during the same period.
  - i. Form of ownership or operation of the property, whether sole proprietorship, for-profit or not-for-profit corporation, limited partnership, joint venture or other.
  - j. Any other information including the income tax bracket of the owner, applicant or principal investors in the property, reasonably necessary for a determination as to whether the property can be reasonably used or yield a reasonable return to present or future owners.
3. If the Commission finds that without approval of the proposed work, the property cannot obtain a reasonable economic return therefrom, then the application shall be delayed for a period not to exceed 90 days. During this period of delay, the Commission shall investigate plans and make recommendations to the [Governing Body] to allow for a reasonably beneficial use or a reasonable economic return, or to otherwise preserve the subject property. Such plans and recommendations may include, but not be limited to:
    - a. A relaxation of the provisions of this [ordinance];
    - b. A reduction in real property taxes;
    - c. Financial assistance;
    - d. Building code modifications; or
    - e. Changes in zoning regulations.
  4. If by the end of this 90-day period, the Commission has found that without approval of the proposed work, the property cannot be put to a reasonable beneficial use or the owner cannot obtain a reasonable economic return therefrom, then the Commission shall issue a Certificate of Economic Hardship approving the proposed work. If the Commission finds otherwise, it shall deny the application for a Certificate of Economic Hardship.

## F. Appeals

1. When a Certificate of Appropriateness or a Certificate of Economic Hardship is approved or denied for either a landmark or a structure within a historic district, the applicant or any interested party may, within 30 days, appeal the Commission's decision to the **[Governing Body]**.
2. The **[Governing Body]** may receive comments on the contents of the record but no new matter may be considered by the **[Governing Body]**.
3. The **[Governing Body]** may affirm the decision or recommend changes by a majority vote after due consideration of the facts contained in the record submitted to the **[Governing Body]** by the Commission.
4. The **[Governing Body]** may overturn the Commission's decision by a majority vote of a quorum of the **[Governing Body]**.
5. If the **[Governing Body]** decides that a Certificate of Economic Hardship should be issued, the Secretary shall notify the applicant.
6. If the **[Governing Body]** concurs with the Commission's decision not to issue a Certificate of Economic Hardship, the Secretary shall notify the applicant.

## G. Natural Destruction or Demolition

In the case of partial or complete natural destruction or demolition of a site within an historic district or of a landmark, the owner will be required to obtain a Certificate of Appropriateness from the Historic Preservation Commission prior to reconstruction. Although exact duplication of the previous structure may not be required, the exterior design of the property shall be in harmony with:

1. The exterior design of the structure prior to damage; and
2. The character of the district.

## 1.1.9 Enforcement

- A. Any person who undertakes or causes an alteration, construction, demolition, or removal of any nominated or designated landmark or property within a nominated or designated landmark or designated historic district without a Certificate of Appropriateness shall be guilty of a misdemeanor.

Every day such violation shall continue to exist shall constitute a separate violation.

- B. The Administrator is authorized to enforce this **[ordinance]**.
- C. The Historic Preservation Commission may institute any appropriate action or proceeding in the name of the community to enjoin, correct or abate any violation of this ordinance.

## 1.1.10 Definitions

**Editor's Note:** The following definitions should be added to your existing definitions section.

**Administrator** - The person or office designated by the **[Governing Body]** and charged with certain tasks including but not limited to interpreting the provisions of this **[ordinance]**, and other duties prescribed under this **[ordinance]**.

**Certificate of Appropriateness** - A certificate from the Historic Preservation Commission authorizing plans for alterations, construction, removal or demolition of a landmark or site within a designated historic district.

**Overlay District** - A district classification superimposed in addition to another (base) district classification. The overlay district includes regulations that either add to or modify the requirements of the underlying zone.

# PARKING

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***Editor's Note:** The parking standards found in this ordinance are more comprehensive than the parking provisions provided in the Zoning Code module.*

## Sec. 1.1 Parking Standards

### 1.1.1 Applicability

- A. Unless specifically exempted in this *[ordinance]*, all existing and proposed development shall provide parking facilities and manage access in accordance with this *[ordinance]*. No certificate of occupancy may be issued until these standards have been met.
- B. With the exception of restriping a parking area or other vehicular use area which does not result in a reconfiguration of the parking spaces, any modification to existing parking facilities shall conform to the requirements of this *[ordinance]*.
- C. Buildings and uses lawfully existing as of the effective date of this *[ordinance]* may be renovated or repaired without providing additional parking facilities, provided there is no increase in gross floor area or change in use of existing floor area that would increase parking demand.
- D. Where a building or use existed as of the effective date of this *[ordinance]*, and the building or use is enlarged in gross floor area or impervious area by 10 percent or 2,000 square feet, whichever is less, parking as specified in this *[ordinance]* shall be required for the enlarged area. The addition of an accessory building or structure shall be considered an enlargement of the building or use.
- E. A change in use of a building or use existing as of the effective date of this *[ordinance]* shall require additional parking facilities to comply with the requirements of this *[ordinance]* for the new use unless:
  1. The building is less than 2,000 square feet in floor area; or
  2. The new use has the same parking requirement or a lesser requirement than the previous one.

### 1.1.2 General Provisions

#### A. Parking Required

No use shall provide less than the minimum number of parking spaces required under this *[ordinance]*. At the discretion of the property owner or occupier, a fee may be charged for required parking.

### B. Location of Parking Spaces

Unless otherwise approved in an alternative parking plan under 1.1.7, Alternative Parking Plan, parking spaces shall be located as set forth below.

#### 1. Farm Lot, Single-Family House, Attached House and Row House Building Types

- a. Required parking spaces shall be located on the same lot and shall not be located within the required front setback.

*Editor's Note: If including the Zoning Code module add the following language.*

- b. *Garage and carport placement shall meet the requirements of [insert citation to 9.5.1, Garage and Carport Placement].*

#### 2. Apartment, Single-Story Shopfront, Mixed Use Building, Industrial and Civic Building Types

- a. All required parking spaces shall be located on the same site or on off-site land within 300 feet of the building, structure or use served (measured from the nearest point of the parking area to the nearest point of the building, structure or use served by such parking lot).
- b. All off-street parking shall be arranged so that no vehicle is forced onto any public street to gain access from one parking aisle to another parking aisle.

### C. Clear Sight Distance

No parking lot or vehicular use area shall interfere with a clear sight distance as set forth in *[insert citation to clear sight distance (3.3.11) if including the Subdivision Code module]*.

### 1.1.3 Parking Ratios

#### A. Calculation of Ratios

##### 1. Mixed Uses

Developments containing more than one use shall provide parking spaces in an amount equal to the total of the requirements for all uses.

##### 2. Fractional Measurements

Where fractional spaces result, the parking spaces required shall be the next highest whole number.

## B. Minimum

The following minimum parking ratios apply to all zoning districts. Where in the opinion of the applicant, a listed ratio requires too much or too little parking, the applicant may provide an alternative parking plan with data submitted in support of higher or lower ratios.

## C. Required Parking Ratios

Unless specifically reduced in [1.1.4, Parking Reductions](#), the following parking ratios shall apply to all development.

	Specific Use	Minimum Parking
<b>Residential</b>		
Household Living	Detached living	2.0 per unit
	If on lot less than 30 ft in width	1.0 per unit
	Accessory dwelling	1.0 per unit
	Attached living	1.0 per unit
	Multifamily living, Upper-story living	1.25 per each studio/unit 1.50 per each 1 bedroom unit 1.75 per each 2 bedroom unit 2.00 per each 3 bedroom unit
	All other uses	2.0 per unit
	Group Living	1.0 per 300 SF of GFA
Social Service	All uses	1.0 per 300 SF of GFA
<b>Public</b>		
Civic	College or university	1.0 per 400 SF of GFA
	Community garden	1.0 per 5,000 SF of outdoor use area
	Convention center	1.0 per 500 SF of GFA
	Place of worship	1.0 per 5 seats in main worship space
	All other uses	1.0 per 300 SF of GFA
Parks & open space	All uses	As determined by Administrator
Utilities	All uses	1.0 per 250 SF of GFA (office)
<b>Commerce</b>		
Day care	All uses	1.0 per 300 SF of GFA
Indoor recreation	All uses	1.0 per 250 SF of GFA
Medical	Hospital	0.50 per bed
	Medical, dental office or chiropractor	1.0 per 150 SF of GFA
	All other uses	1.0 per 250 SF of GFA

<b>Commerce (continued)</b>		
Office	All uses	1.0 per 250 SF of GFA
	Campground, travel trailer park, RV park	1.0 per space
Outdoor recreation	Golf course or country club	3.0 per hole + 2.0 per court
	Horse stable, riding academy equestrian center	1.0 per each 5 stalls
	Stadium or arena	1.0 per 4 seats
	All other uses	1.0 per 5,000 SF (outdoor use area)
Overnight lodging	All uses	1.0 per guest room + 1.0 per 300 SF of conference, banquet, restaurant
Personal service	If less than 4,000 SF of GFA	1.0 per 1,000 SF of GFA
	All uses	1.0 per 500 SF of GFA
Restaurant/Bar		1.0 per 200 SF of GFA
Retail sales	If less than 4,000 SF of GFA	1.0 per 1,000 SF of GFA
	All other uses	1.0 per 300 SF of GFA
Vehicle sales	All uses	1.0 per 500 indoor SF GFA + 1.0 per 10,000 SF outdoor lot area
Water-oriented	All uses	1.0 per every 3 wet or dry slips
<b>Industrial</b>		
Heavy industrial	All uses	1.0 per 600 SF GFA (office) + 1.0 per 4,000 SF GFA
Light industrial	All uses	1.0 per 600 SF GFA (office) + 1.0 per 4,000 SF GFA
Research & development	All uses	1.0 per 300 SF GFA (office)
Self-service storage	All uses	1.0 per 250 SF GFA (non-storage) + 1.0 per every 50 storage units
Vehicle service	All uses	3.0 per bay or 1.0 per 250 SF GFA, as applicable whichever is greater
Warehouse & distribution	All uses	1 per 500 SF GFA office space + 1 per 4,000 SF indoor storage area
Waste-related service	All uses	1.0 per 250 SF GFA (office) + 1.0 per 4,000 SF GFA
Wholesale trade	All uses	1.0 per 250 SF GFA (office) + 1.0 per 4,000 SF of indoor storage
<b>Open</b>		
Agriculture	All uses	1.0 per 250 SF GFA (office)
Agricultural airstrip	All uses	1.0 per 250 SF GFA (office) + 1.0 per 5,000 SF of hanger area
Resource extraction	All uses	1.0 per 250 SF GFA (office)

#### **D. Maximum**

1. No use shall provide more than 150 percent of the required parking shown in the table above unless any parking above the 150 percent threshold is provided on pervious surface or as underground or structured parking.
2. Where a project is intended to be developed in phases, the Administrator may approve development of a parking area intended to serve current and future development.

#### **E. Unlisted Uses**

The parking space requirements for a use not specifically listed in the table shall be the same as for the listed use deemed most similar to the proposed use by the Administrator.

#### **F. Administrative Modification**

The Administrator may reduce the required number of spaces by up to five percent for reasons of topography, tree protection or other natural conditions specific to the site.

#### **G. Credit for On-Street Spaces**

On-street parking spaces located immediately abutting the subject parcel, lying entirely within the extension of the side lot lines into the roadway and not within any required clear sight distance, may be counted toward meeting these parking requirements.

### **1.1.4 Parking Reductions**

Parking may be reduced according to the following standards.

#### **A. Bus Transit Availability**

Locations within a 660-foot walking distance of an improved bus stop providing both shade and seating may reduce the total number of required parking spaces by 15 percent. Walking distance is measured from the primary entrance of the use to the bus boarding location.

#### **B. Provision of Structured Parking**

Where parking is provided in a structure, the required total number of spaces may be reduced by 10 percent.

#### **C. Access to Car-Sharing Program**

A residential project or a mixed use project with a residential component providing an active car-share program may reduce the total number of required parking spaces. The reduction shall equal five spaces per car-share vehicle available on-site to residents of the project.

#### **D. Tree Preservation**

The Administrator may approve a reduction in the total number of required parking spaces by one space for every tree over 24 inches in diameter at breast height preserved within the parking area. The maximum reduction allowed for tree preservation is five percent of the total required parking spaces.

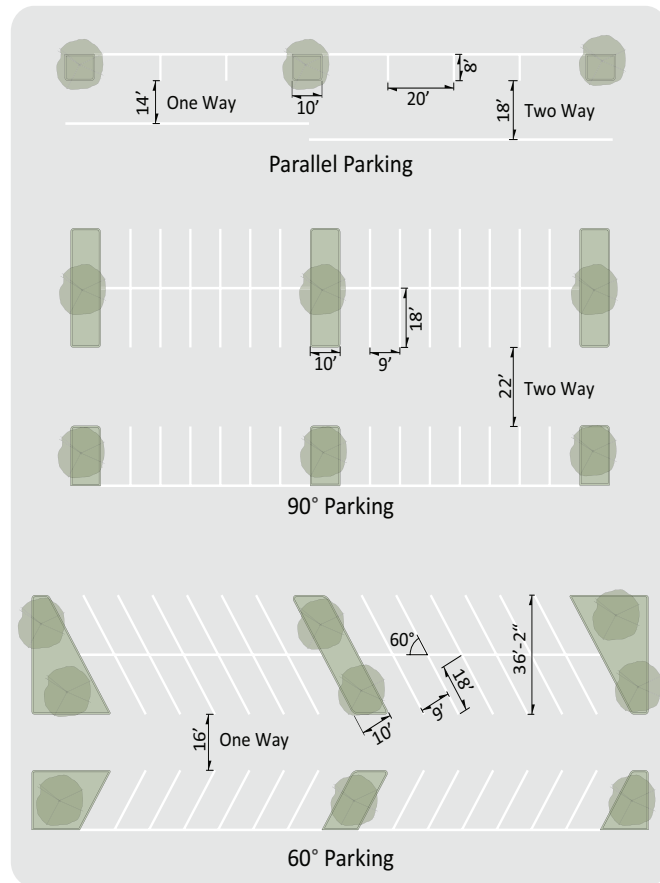
#### **E. Designated Downtown**

No parking is required in a designated downtown area. Where parking is provided, it must meet the dimensional standards of this [\[ordinance\]](#).

## 1.1.5 Parking Area Design Standards

### A. Parking Space Layout

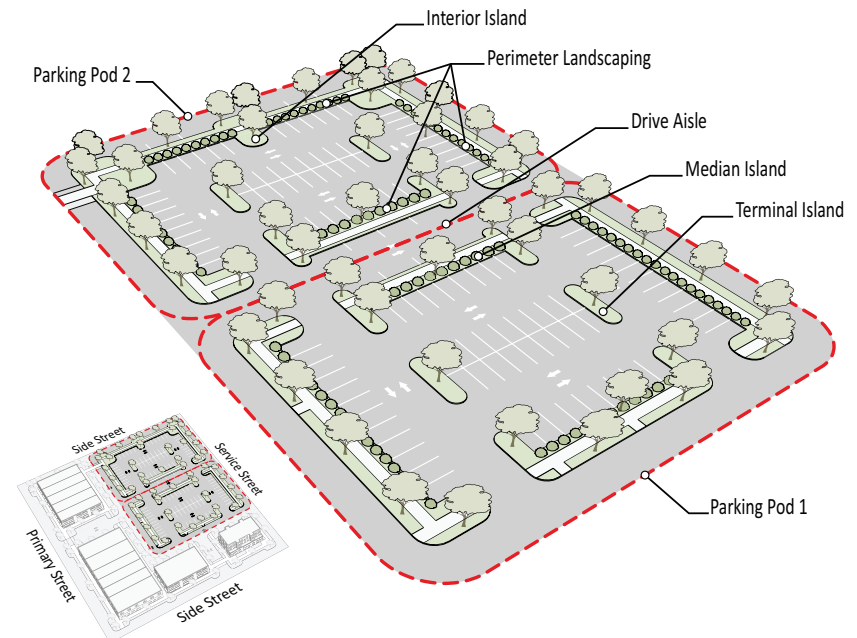
1. Parking space layout shall meet the following dimensions.



2. Parking spaces using geometric standards other than those specified above may be approved if developed and sealed by a registered engineer with expertise in parking facility design, subject to a determination by the Administrator that the proposed facility will satisfy these parking requirements as well as would a facility using the dimensions specified above.

### B. Parking Pods

Parking areas located within 50 feet of an adjacent property or public street right-of-way and consisting of more than 20 parking spaces shall be organized into parking pods that are separated by the following perimeter landscaping and island plantings.



#### 1. Perimeter Landscaping

Perimeter landscaping shall be a minimum of five feet wide, landscaped with shrubs installed at a rate of one for every 15 square feet of landscaped area. Selected shrubs shall not exceed a mature or maintained height of three feet. In the Urban and Center contexts a wall a minimum of 30 inches located in a three-foot planting strip may be substituted for the shrubs.

#### 2. Interior Islands

- a. An interior landscaped island shall be provided for every 10 spaces. Each island shall contain a minimum of 200 square feet with a mini-

mum width of eight feet inside the curb and include a minimum of one canopy tree.

- b. Interior islands shall be distributed throughout the parking area, with no parking space located more than 100 feet from a planting island.
- c. Interior islands may be consolidated or intervals may be expanded in order to preserve existing trees where approved by the Administrator.

### **3. Terminal Islands**

All rows of spaces shall terminate in a curbed landscaped island. Each island shall conform to the specifications described for interior islands above.

### **4. Median Islands**

- a. A median island with a minimum width of eight feet inside the curb shall be sited between every six single parking rows and along primary internal and external access drives.
- b. Each median island shall be planted at the rate of one canopy tree for every 40 linear feet (spaced a maximum of 50 feet apart).
- c. Median intervals may be expanded in order to preserve existing trees, where approved by the Administrator.
- d. A median island may also serve as the location for an sidewalk connecting the use and the street. In such case, the sidewalk shall be a minimum of five feet wide, and the remaining planting area shall be no less than five feet wide.

### **5. Maximum Parking Area Pod Size**

Parking areas shall be broken up by landscaped area, tree islands, and buildings into pods containing no more than 160 parking spaces.

### **6. Accessible Parking**

Accessible parking shall be provided in compliance with the Americans with Disabilities Act Accessibility Guidelines, as determined by the State Fire Marshal.

## **7. Surfacing**

### **a. Surfacing Required**

Except as provided below, where parking facilities or any other vehicular use area are provided, they shall be surfaced with asphalt bituminous, concrete or dustless material approved by the Administrator, and shall be maintained in a smooth, well-graded condition.

### **b. Pervious Parking Surfaces**

- i. All parking spaces may be surfaced with pervious parking surface that is engineered for parking or driveways.
- ii. Where an existing tree is adjacent to parking, paver bricks or other pervious surface shall be used within the dripline of the tree. No parking shall be located closer than five feet from the trunk of an existing tree.
- iii. Where provided, pervious parking surfaces shall be maintained in a smooth, well-graded condition.

## **8. Setback**

- a. All off-street parking must observe the required parking setback for the appropriate building type and zoning district.
- b. In the event any parking abuts a walkway, sidewalk or street, the parking shall be separated by curbing or other protective device with a minimum distance of five feet between the protective device and the edge of the walkway, sidewalk or street.
- c. All parking shall be separated from buildings by a minimum distance of three feet.

## **9. Striping**

All parking areas over 2,000 square feet or containing more than five individual off-street parking spaces, shall stripe their required parking spaces.

## **10. Curbs**

Where parking facilities or any other vehicular use areas are provided, they shall have curbs or wheel stops to prevent vehicles from overhanging adjacent property or landscaped areas. Where vehicles will overhang



over medians or islands, shrubs and trees shall be planted a minimum of two feet from back of the curb or wheel stop. Where pervious parking surfaces or swales are provided, the Administrator may allow wheel stops in place of curbs.

## 11. Drainage

Where possible, a portion of the drainage from parking areas should be drained through swales that include deep rooted perennial ornamental grasses.

### 1.1.6 Bicycle Parking

In order to enhance multi-modal transportation opportunities, the following standards for bicycle parking shall be met.

- A. New mixed use building types shall provide a minimum of four bicycle parking spaces (two high-quality inverted "U" racks). Nonresidential development providing more than 20 vehicle but less than 100 vehicle parking spaces shall be required to provide six bicycle parking spaces. An additional one bicycle parking spaces shall be provided for each additional 15 vehicle parking spaces, or fraction thereof. A maximum of 24 bicycle parking spaces shall be required under this paragraph.
- B. Bicycle parking facilities shall be located within 200 feet of the main building entrance, in areas with natural surveillance.
- C. Bicycle parking facilities shall be high-quality, inverted "U" type construction. Alternative high-quality bicycle parking facilities may be approved by the Administrator if they can be shown to:
  - 1. Provide adequate theft protection and security; and
  - 2. Support the bicycle at two points of contact to prevent damage to the bicycle wheels and frame.

### 1.1.7 Alternative Parking Plan

#### A. Applicant-Submitted Parking Data

The Administrator may modify the parking requirements of this [ordinance] when an applicant submits parking data, prepared and sealed by a registered engineer in the State of Louisiana with transportation expertise, which illustrates that the standards of this [ordinance] do not accurately

apply to a specific development. The data submitted for an alternative parking plan shall include, at a minimum, the size and type of the proposed development, the mix of uses, the anticipated rate of parking turnover and the anticipated peak parking and traffic loads of all uses.

## B. Off-Site Parking

The Administrator may approve the location of required parking spaces on a separate lot from the lot on which the principal use is located if the off-site parking complies with the all of following standards.

### 1. Ineligible Activities

- a. Off-site parking may not be used to satisfy the off-street parking requirements for residential uses (except for guest parking), convenience stores or other convenience-oriented uses.
- b. Required parking spaces reserved for persons with disabilities may not be located off-site.

### 2. Location

Off-site parking spaces shall be located within 750 feet from the primary entrance of the use served unless shuttle bus service is provided to the remote parking area.

### 3. Zoning Classification

Off-site parking areas shall be located within a district which would permit the use to which such parking is accessory.

### 4. Agreement

- a. In the event that an off-site parking area is not under the same ownership as the principal use served, a legally binding written agreement between the record owners of the property establishing the duration and conditions associated with the off-site parking.
- b. An off-site parking agreement may be rescinded only if all required off-street parking spaces will be provided in accordance with this [ordinance].

## C. Shared Parking

The Administrator may allow shared parking facilities if the shared parking complies with all of the following standards:

### 1. Ineligible Activities

Required parking spaces reserved for persons with disabilities may not be located off-site.

### 2. Location

Shared parking spaces shall be located within 750 feet of the primary entrance of all uses served, unless shuttle bus service is provided to the parking area.

### 3. Zoning Classification

Off-site parking areas shall be located within a district which would permit the use to which such parking is accessory.

### 4. Shared Parking Study

Applicants shall submit a shared parking analysis to the Administrator that clearly demonstrates the feasibility of shared parking. The study shall address, at minimum, the size and type of the proposed development, the composition of tenants, the anticipated rate of parking turnover, and the anticipated peak parking for all uses that will be sharing the parking spaces.

### 5. Agreement

- a. A shared parking plan will be enforced through written agreement among all owners of record. An attested copy of the agreement between the owners of record shall be submitted to the Administrator.
- b. A shared parking agreement may be rescinded only if all required off-street parking spaces will be provided in accordance with this [ordinance].

### D. Valet Parking

The Administrator may approve valet parking as a means of satisfying parking requirements if the valet parking meets all of the following standards:

1. Adequate assurance of the continued operation of the valet parking is provided, such as a contractual agreement for valet services or the tenant's affidavit agreeing to provide such services;
2. An equivalent number of valet spaces are available to replace the re-

quired parking spaces. Such valet spaces do not require individual striping, and may take into account the tandem or mass parking of vehicles.

3. Valet parking drop-off locations shall meet the requirements for stacking areas.
4. The design of the valet parking shall not cause customers who do not use the valet service to park off-premise or cause queuing in the right-of-way.

### E. Recording of Approved Plans

An attested copy of an approved alternative parking plan and any associated agreements shall be recorded in the deed records for [Jurisdiction]. The applicant shall provide proof of recording prior to approval of the certificate of occupancy.

### F. Amendments

An alternative parking plan may be amended by following the same procedure required for the original approval.

## 1.1.8 Site Access

### A. General Standards

1. All buildings shall be located on a site abutting a public or private street.

**Editor's Note:** *If including the Subdivision Code module use the following language in place of paragraph 1 above.*

*All buildings shall be located on a site abutting a public or private street built in accordance with [insert citation to Sec. 3.2, Block and Cul-de-sac Standards] and [insert citation to Sec. 3.2, Street and Alley Standards].*

2. Unless otherwise approved by the [Jurisdiction] Engineer, all liner buildings must take vehicular access from within the site.
3. Unless otherwise approved by the [Jurisdiction] Engineer, all nonresidential sites abutting an arterial street must provide a shared access easement with a minimum paving width of 22 feet when abutting another mixed use or nonresidential property.

4. No vehicle or obstacle may block driveways intended for use as a fire lane, or cross-access easement.

## B. Access to Arterial Streets

1. Direct driveway access from any lot to an existing or proposed arterial street shall be prohibited unless the lot meets the minimum widths measured at the right of way of the table below.

Zoning Districts	Lot Width (min)
[insert rural intensity districts]	300'
[insert suburban intensity districts]	150'
[insert urban intensity district]	75'

**Editor's Note:** If including the Zoning Code module or the Subdivision Code module use the following table in place of the table above.

Context of Lot	Lot Width (min)
Natural, Rural, Special	300'
Suburban	150'
Urban, Center	75'

2. When a non-residential site is abutting an existing or proposed arterial street, access to the arterial street may be limited by one of the following means:
  - a. Driveway access between the site and an arterial street may be located no closer than 300 feet to any other proposed or existing intersecting arterial;
  - b. Sites may be subdivided so as to provide access onto a frontage road; or
  - c. Approval of driveway access between a site and the arterial at an interval less than those specified may be granted only by review and recommendation of the [Jurisdiction] Engineer.

## C. Driveways for Residential Uses

**Editor's Note:** If including the Zoning Code module use the following language in place of the section title of paragraph C. above.

*Driveways for Single-Family, Attached House, Row House and Apartment Building Types.*

### 1. Alley Access Required

- a. When an improved alley is provided, all vehicular access shall take place from the alley. Access may be taken from the side street on corner lots.
- b. All lots 40 feet or less in width are required to take vehicular access from a rear alley. In the event that a lot existing at the time of the effective date of this [ordinance] is less than 40 feet in width and does not abut an alley, then the lot may take vehicular access from the street.

### 2. Width of Driveways

- a. Residential driveways on lots less than 35 feet in width may be no less than eight feet and no more than 12 feet in width in the required front setback.
- b. Residential driveways serving on lots greater than 35 feet in width may be no less than eight feet and no more than 20 feet in width in the required front setback.

### 3. Location of Driveways

- a. Non-alley loaded residential driveways may be no closer than 30 feet from any other driveway and no closer than three feet to any side lot line.
- b. Unless otherwise approved or required by the [Jurisdiction] Engineer, non-alley loaded residential driveways may intersect a street no closer than 20 feet from the intersection of two street right-of-way lines and no closer than 50 feet from the intersection of an arterial street.

## D. Driveways for Mixed Use and Non-Residential Uses

**Editor's Note:** If including the Zoning Code module use the following language in place of the section title of paragraph D. above.

*Driveways for Single-Story Shopfront, Mixed Use, Industrial and Civic Building Types.*

### 1. Alley Access Required

When an improved alley is provided, all vehicular access shall take place from the alley. Access may be taken from the side street on corner lots.

### 2. Width of Driveways

The width of a mixed use or commercial driveway may be no less than eight feet and no more than 30 feet in width.

### 3. Location of Driveways

- a. A platted lot shall be permitted the number of driveways identified in the table below. The *[Jurisdiction]* Engineer may approve or require additional driveways. Such determination shall consider site design, pedestrian and vehicle circulation, adjacent uses, topography, speed of traffic on adjacent roads, and other such considerations.

Total Site Frontage	Number of Driveways (max)
200 feet of frontage or less	1
201 feet to 400 feet of frontage	2
401 feet to 600 feet of frontage	3
601+ feet of frontage	4

- b. Mixed use or commercial driveways shall be separated by a distance not less than 150 feet measured centerline to centerline of the driveways. In the event that an infill lot is unable to meet this separation requirement due to the location of existing driveways on adjacent lots, the infill lot shall be permitted one driveway.
- c. Unless otherwise approved or required by the *[Jurisdiction]* Engineer, the permitted driveway for a corner lot shall connect to the street with the lower roadway classification.
- d. Unless otherwise approved or required by the *[Jurisdiction]* Engineer, non-alley loaded mixed use driveways may intersect a street no closer than 50 feet from the intersection of two street right-of-

way lines and no closer than 100 feet from the intersection of an arterial street.

- e. Mixed use or commercial driveway shall be contained entirely within the property frontage or as part of a joint access easement with an adjacent platted property.

## 1.1.9 Stacking

The following stacking standards shall apply unless otherwise expressly approved by the Administrator. The Administrator may require additional stacking spaces where trip generation rates suggest that additional spaces will be needed.

### A. Minimum Number of Spaces

Off-street stacking spaces shall be provided as follows:

Facility	Spaces (min)	Measured From
Automated teller machine	3	Machine
Bank teller lane	4	Teller or window
Car lubrication stall	2	Entrance to stall
Car wash stall, automated	4	Entrance to wash bay
Car wash stall, hand-operated	3	Entrance to wash bay
Day care drop off	3	Passenger loading area
Parking area, controlled entrance	4	Key code box
Restaurant drive through	6	Order box
Restaurant drive through	2	Order box to pick-up window
Valet parking	3	Valet stand
School (public and private)	*	Determined by Administrator
Other	*	Determined by Administrator

### B. Design and Layout

Required stacking spaces are subject to the following design and layout standards:

#### 1. Dimensions

Stacking spaces shall be a minimum of nine feet by 20 feet in size.

## 2. Location

Stacking spaces shall not impede on- or off-site traffic movements or movements into or out of parking spaces.

## 3. Design

Stacking spaces shall be separated from other internal driveways by raised medians if deemed necessary by the Administrator for traffic movement and safety.

### 1.1.10 Off-Street Loading

#### A. Loading Facilities Required

1. Off-street loading facilities shall be required for uses that regularly handle large quantities of goods, as determined by the Administrator. Loading facilities shall be of sufficient quantity to adequately serve the proposed use.
2. Any vehicle sales or rental facility or similar use requiring delivery of vehicles by truck shall demonstrate adequate on-site area exists for the loading and unloading of such trucks.
3. Any convenience store or similar use requiring deliveries by truck shall demonstrate adequate on-site area exists for the loading and unloading of such trucks.

#### B. Design and Layout

1. With the exception of designated downtown areas, loading and unloading activities shall not be permitted in any public right-of-way.
2. With the exception of designated downtown areas, loading and unloading activities may not encroach on or interfere with the public use of streets, sidewalks, and lanes by vehicles or pedestrians. Adequate space shall be made available for the unloading and loading of goods, materials, items or stock for delivery and shipping.
3. Where off-street loading facilities are provided, they shall be not less

than 15 feet in width by 40 feet in length, with not less than 15 feet of vertical clearance.

4. All loading areas shall be screened from view from public right-of-way and adjacent residential districts.

**Editor's Note:** *If including the Landscaping Standards of this module use the following language in place of paragraph 4 above.*

*All loading areas shall be screened from view from public right-of-way and adjacent residential districts with a low intensity buffer as established in [insert citation for 1.1.3, Required Buffers].*

### 1.1.11 Definitions

**Editor's Note:** *The following definitions should be added to your existing definitions section.*

**Administrator** - The person or office designated by the [Governing Body] and charged with certain tasks including but not limited to interpreting the provisions of this [ordinance], and other duties prescribed under this [ordinance].

**Arterial Street** - Any street designated on the [Jurisdiction] Comprehensive Plan as an arterial street or any street carrying more than 10,000 vehicles per day.

**Clear Sight Distance** - The length of street visible to a driver at an intersection or driveway required to make a safe turning movement onto the street.

**Easement** - A grant of one or more of the property rights by the owner to, or for the use by, the public, a corporation, or another person or entity.

**Pervious Parking Surface** - Parking surface which is engineered to allow the infiltration of water, air and nutrients to root systems of adjacent plant material which lie directly under the ground. Loose gravel is not a pervious parking surface.

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# LANDSCAPING

**Sec. 1.1 Landscaping Standards. . . . .32**

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***Editor's Note:** The landscaping standards found in this ordinance are more comprehensive and provide more detailed buffer and screening requirements than the landscaping provisions provided in the Zoning Code module.*

## Sec. 1.1 Landscaping Standards

### 1.1.1 Applicability

- A. Unless specifically exempted below, all existing and proposed development shall provide landscaping in accordance with this [ordinance]. No certificate of occupancy shall be issued until these standards have been met.
- B. Buildings and uses lawfully existing as of the effective date of this [ordinance] may be renovated or repaired without providing additional landscaping, provided there is no increase in gross floor area or change in use of existing floor area, or the addition of accessory buildings or structures.
- C. Where a building or use existed as of the effective date of this [ordinance], and the building or use is enlarged in gross floor area or impervious area by 10 percent or 2,000 square feet, whichever is less, landscaping as specified in this [ordinance] shall be required.
- D. Parking areas providing five or less spaces are exempt from the parking landscaping requirements below.

### 1.1.2 Landscaping Standards

#### A. Street Trees

1. Street trees are required to be installed [as identified in the Jurisdiction's Comprehensive Plan]. In the event that a specific streetscape designation does not apply, street trees shall be required at the rate of one canopy tree per lot or one canopy tree for every 40 linear feet (spaced a maximum of 50 feet apart).

**Editor's Note:** If including the Subdivision Code module use the following language in place of paragraph 1 above.

Street trees are required to be installed as identified in [include citation to Sec. 3.2, Street and Alley Dimensional Standards]. In the event that a specific street dimensional standard does not apply, street trees shall be required along all streets at the rate of one canopy tree per lot or one canopy tree for every 40 linear feet (spaced a maximum of 50 feet apart).

2. Where overhead utilities exist, understory trees may replace canopy

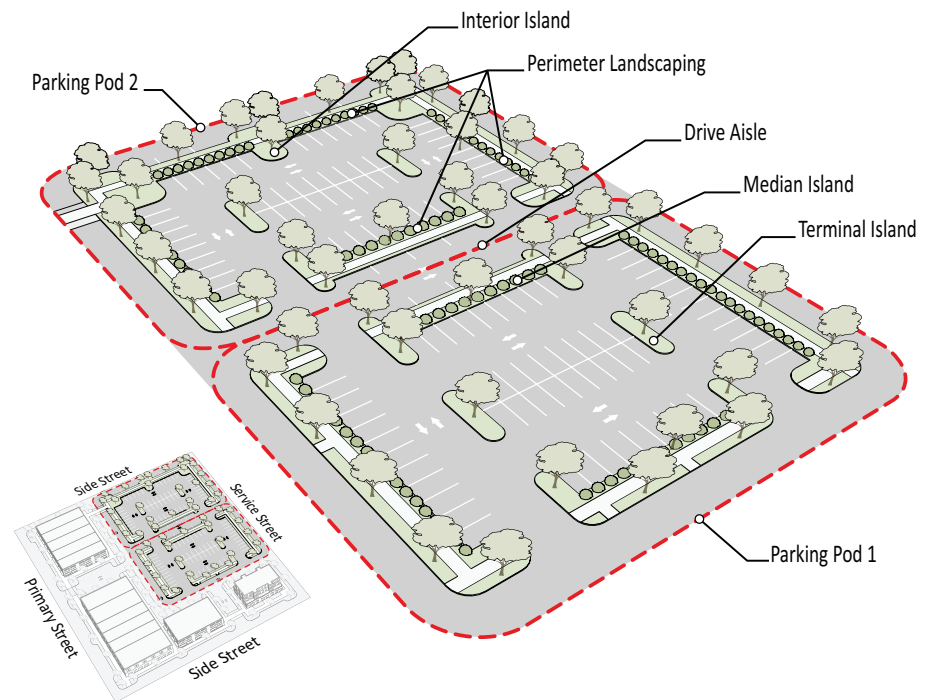
trees at the rate of one understory tree for every 20 feet (spaced a maximum of 30 feet apart).

3. All street trees shall be planted in the right-of-way. Where underground utilities or other practical difficulties exist, the Administrator may allow street tree planting no less than five feet or more than 15 feet from the back of the sidewalk.

#### B. Parking Pod Landscaping

**Editor's Note:** If including the Parking Standards of this module that including Sec. 1.3, Parking Area Design Standards, then the following section (B. Parking Pod Landscaping) may be deleted.

Parking areas located within 50 feet of an adjacent property or public street right-of-way and consisting of more than 20 parking spaces shall be organized into parking pods that are separated by the following perimeter landscaping and island plantings.





### 1. Perimeter Landscaping

Perimeter landscaping shall be a minimum of five feet wide, landscaped with shrubs installed at a rate of one for every 15 square feet of landscaped area. Selected shrubs shall not exceed a mature or maintained height of three feet. In the Urban and Center contexts a wall a minimum of 30 inches located in a three-foot planting strip may be substituted for the shrubs.

### 2. Interior Islands

- a. An interior landscaped island shall be provided for every 10 spaces. Each island shall contain a minimum of 200 square feet with a minimum width of eight feet inside the curb and include a minimum of one canopy tree.
- b. Interior islands shall be distributed throughout the parking area, with no parking space located more than 100 feet from a planting island.
- c. Interior islands may be consolidated or intervals may be expanded in order to preserve existing trees where approved by the Administrator.

### 3. Terminal Islands

All rows of spaces shall terminate in a curbed landscaped island. Each island shall conform to the specifications described for interior islands above.

### 4. Median Islands

- a. A median island with a minimum width of eight feet inside the curb shall be sited between every six single parking rows and along primary internal and external access drives.
- b. Each median island shall be planted at the rate of one canopy tree for every 40 linear feet (spaced a maximum of 50 feet apart).
- c. Median intervals may be expanded in order to preserve existing trees, where approved by the Administrator.
- d. A median island may also serve as the location for an sidewalk connecting the use and the street. In such case, the sidewalk shall be a minimum of five feet wide, and the remaining planting area shall be no less than five feet wide.

### 5. Maximum Parking Area Pod Size

Parking areas shall be broken up by landscaped area, tree islands, and buildings into pods containing no more than 160 parking spaces.

### 6. Accessible Parking

Accessible parking shall be provided in compliance with the Americans with Disabilities Act Accessibility Guidelines, as determined by the State Fire Marshal.

### 7. Surfacing

#### a. Surfacing Required

Except as provided below, where parking facilities or any other vehicular use area are provided, they shall be surfaced with asphalt bituminous, concrete or dustless material approved by the Administrator, and shall be maintained in a smooth, well-graded condition.

#### b. Pervious Parking Surfaces

- i. All parking spaces may be surfaced with pervious parking surface that is engineered for parking or driveways.
- ii. Where an existing tree is adjacent to parking; paver bricks or other pervious surface shall be used within the dripline of the tree. No parking shall be located closer than five feet from the trunk of an existing tree.
- iii. Where provided, pervious parking surfaces shall be maintained in a smooth, well-graded condition.

### 8. Setback

- a. All off-street parking must observe the required parking setback for the appropriate building type and zoning district.
- b. In the event any parking abuts a walkway, sidewalk or street, the parking shall be separated by curbing or other protective device with a minimum distance of five feet between the protective device and the edge of the walkway, sidewalk or street.
- c. All parking shall be separated from buildings by a minimum distance of three feet.

## 9. Striping

All parking areas over 2,000 square feet or containing more than five individual off-street parking spaces, shall stripe their required parking spaces.

## 10. Curbs

Where parking facilities or any other vehicular use areas are provided, they shall have curbs or wheel stops to prevent vehicles from overhanging adjacent property or landscaped areas. Where vehicles will overhang over medians or islands, shrubs and trees shall be planted a minimum of two feet from back of the curb or wheel stop. Where pervious parking surfaces or swales are provided, the Administrator may allow wheel stops in place of curbs.

## 11. Drainage

Where possible, a portion of the drainage from parking areas should be drained through swales that include deep rooted perennial ornamental grasses.

## C. Landscaping for Stormwater Areas

Stormwater ponds and other man-made water features shall be planted with native wetland plants for a minimum of 50 percent of the length of the shoreline.

### 1.1.3 Required Buffers

#### A. Generally

1. A required buffer is not commensurate with the term setback. A required buffer is determined exclusive of any required setback; however, the required buffer may be located wholly or partially within a required setback.
2. No principal building on the subject site may be located closer than 10 feet to a required buffer.
3. A purpose of a buffer requirement is to interrupt sight lines from adjacent properties. If the grade of the site, or other condition, prevents

the buffer from accomplishing this purpose then the minimum requirements may be modified by the Administrator.

4. Water, sanitary sewer, electrical, telephone, natural gas, cable, storm drainage, or other service lines may be located within buffers.
5. Required trees and shrubs must be installed a minimum of five feet away from any flow line of a swale.
6. The parking of vehicles is prohibited in a required buffer.
7. Buffer width is calculated on the average width of the buffer per 100 feet or portion of buffer. The minimum width of the buffer at any one point shall not be less than one-half the required width of the buffer.
8. Design variations may be permitted by the Administrator.

#### B. District Boundary Buffers by Context

**Editor's Note:** If including the Zoning Code module use the following for enhanced district boundary buffer requirements.

##### 1. Low Intensity Buffers

- a. A low intensity buffer is required along the lot boundary line of any lot in a mixed use district that abuts an agricultural or residential district.
- b. A low intensity buffer may be required along perimeter lot lines abutting other lots for certain uses as a use standard under [Article 10. Use Provisions](#).

##### 2. High Intensity Buffers

- a. A high intensity buffer is required along the lot boundary line of any lot in a mixed use district that abuts an agricultural or residential district.
- b. A high intensity buffer may be required along perimeter lot lines abutting other lots for certain uses as a use standard under [Article 10. Use Provisions](#).

### 3. District Boundary Buffers by Context

The following Buffer standards establish the requirements for each 100 lineal feet, or portion thereof, for each buffer intensity level in each applicable context area.

#### a. Rural Context, Low Intensity



##### i. Width

The buffer shall be an average of 15 feet wide.

##### ii. Fence

The required fence shall be a split rail fence, lap rail fence, or post and rail fence constructed of high quality wood or other material approved by the Administrator.

##### iii. Canopy Trees

The buffer shall contain four canopy trees per 100 lineal feet.

##### iv. Understory Trees

The buffer shall contain three understory trees per 100 lineal feet.

##### v. Shrubs

The buffer shall be required to contain 20 shrubs per 100 lineal feet.

#### b. Rural Context, High Intensity



##### i. Width

The buffer shall be an average of 35 feet wide.

##### ii. Wall

The required wall shall be a minimum of three feet in height and constructed of one or a combination of the following: stone; cast-stone; split-faced block; or other material approved by the Administrator.

##### iii. Canopy Trees

The buffer shall contain six canopy trees per 100 lineal feet.

##### iv. Understory Trees

The buffer shall contain five understory trees per 100 lineal feet.

##### v. Shrubs

The buffer shall contain 20 shrubs per 100 lineal feet.

**c. Suburban, Low Intensity**



**i. Width**

The buffer shall be an average of 10 feet wide.

**ii. Fence**

The required fence shall be a minimum of six feet in height and constructed of materials, such as treated wood or other material approved by the Administrator.

**iii. Canopy Trees**

The buffer shall contain four canopy trees per 100 lineal feet.

**iv. Understory Trees**

Understory trees are not required for this buffer.

**v. Shrubs**

The buffer shall be required to contain 10 shrubs per 100 lineal feet.

**d. Suburban, High Intensity**



**i. Width**

The buffer shall be an average of 25 feet wide.

**ii. Wall**

The required wall shall be a minimum of six feet in height and constructed of one or a combination of the following: brick; stone; cast-stone; split-faced block; stucco over standard concrete masonry blocks; or other material approved by the Administrator.

**iii. Canopy Trees**

The buffer shall contain six canopy trees per 100 lineal feet.

**iv. Understory Trees**

The buffer shall contain five understory trees per 100 lineal feet.

**v. Shrubs**

The buffer shall be required to contain 25 shrubs per 100 lineal feet.

**e. Urban, Low Intensity**



**i. Width**

The buffer shall be an average of 10 feet wide.

**ii. Fence**

The required living fence shall be a minimum of six feet in height and constructed of materials, such as treated wood, wrought iron or other material approved by the Administrator and shall be planted so as to create an evergreen wall.

**iii. Canopy Trees**

The buffer shall contain four canopy trees per 100 lineal feet.

**iv. Understory Trees**

Understory trees are not required for this buffer.

**v. Shrubs**

Shrubs are not required for this buffer.

**f. Urban, High Intensity**



**i. Width**

The buffer shall be an average of 15 feet wide.

**ii. Fence**

The required wall shall be a minimum of six feet in height and constructed of one or a combination of the following: brick; stone; cast-stone; split-faced block; stucco over standard concrete masonry blocks; or other material approved by the Administrator.

**iii. Canopy Trees**

The buffer shall contain four canopy trees per 100 lineal feet.

**iv. Understory Trees**

Understory trees are not required for this buffer.

**v. Shrubs**

The buffer shall be required to contain 12 shrubs per 100 lineal feet.

**g. Special, High Intensity**



**i. Width**

The buffer shall be an average of 35 feet wide.

**ii. Fence**

The required wall shall be a minimum of eight feet in height and constructed of one or a combination of the following: brick; stone; cast-stone; split-faced block; stucco over standard concrete masonry blocks; or other material approved by the Administrator.

**iii. Canopy Trees**

The buffer shall contain 10 canopy trees per 100 lineal feet.

**iv. Understory Trees**

The buffer shall contain nine understory trees per 100 lineal feet.

**v. Shrubs**

The buffer shall be required to contain 35 shrubs per 100 lineal feet.

**C. District Boundary Buffers by Context**

**Editor's Note:** If not including the Zoning Code module use the following less sophisticated district boundary buffer requirements.

**1. Low Intensity Buffer**

- a. A low intensity buffer is required along the lot boundary line of any lot in a *[insert mixed use or commercial zoning districts]* that abuts *[insert residential districts]*.

**Editor's Note:** If not including the Zoning Code module use the following language as a means of mitigating negative secondary effects of certain uses.

- b. A low intensity buffer may be required along common lot line lot lines with *[insert list of uses or link to use standards identified in other portions of your code]*.

**2. High Intensity Buffer**

- a. A high intensity buffer is required along the boundary line of any lot in a *[insert industrial zoning district or industrial uses]* that abuts a *[insert agricultural and/or residential districts]*.

**Editor's Note:** If not including the Zoning Code module use the following language as a means of mitigating negative secondary effects of certain uses.

- b. A high intensity buffer may be required along perimeter lot lines abutting the lot lines of *[insert list of uses or link to use standards identified in other portions of your code]*.

### 3. Low Intensity Buffer Standards



#### a. Width

The buffer shall be an average of 10 feet wide.

#### b. Fence

The required living fence shall be a minimum of six feet in height and constructed of materials, such as treated wood, wrought iron or other material approved by the Administrator and shall be planted so as to create an evergreen wall.

#### c. Canopy Trees

The buffer shall contain four canopy trees per 100 lineal feet.

#### d. Understory Trees

Understory trees are not required for this buffer.

#### e. Shrubs

Shrubs are not required for this buffer.

### 4. High Intensity Buffer Standards



#### a. Width

The buffer shall be an average of 25 feet wide.

#### b. Wall

The required wall shall be a minimum of six feet in height and constructed of one or a combination of the following: brick; stone; cast-stone; split-faced block; stucco over standard concrete masonry blocks; or other material approved by the Administrator.

#### c. Canopy Trees

The buffer shall contain six canopy trees per 100 lineal feet.

#### d. Understory Trees

The buffer shall contain five understory trees per 100 lineal feet.

#### e. Shrubs

The buffer shall be required to contain 25 shrubs per 100 lineal feet.

### 1.1.4 Screening

#### A. Service Areas

1. Trash collection, trash compaction, recycling collection and other similar service areas shall be located on the side or rear of the building and shall be effectively screened from view from residential properties or public rights-of-way.
2. Enclosures shall be fully screened by opaque walls or fences at least eight feet high with self-closing access doors. Wall or fence materials shall be compatible with the primary structure.

#### B. Loading Areas

1. All loading areas visible from residential districts or public rights-of-way shall provide a 100 percent opaque, year-round screen.
2. This screen shall consist of walls, fences, plant material or combination totaling eight feet in height at installation. Wall or fence materials shall be compatible with the primary structure.

#### C. Mechanical Equipment

1. All roof, ground and wall-mounted mechanical equipment (e.g. air handling equipment, compressors, duct work, transformers and elevator equipment) shall be screened from ground level view from residential districts or public rights-of-way.
2. Roof-mounted mechanical equipment shall be shielded from view on all sides. Screening shall consist of materials consistent with the primary building materials, and may include metal screening or louvers painted to blend with the primary structure.
3. Wall or ground-mounted equipment screening shall be constructed of:
  - a. Planted vegetative screens;
  - b. Brick, stone, reinforced concrete or other similar masonry materials; or
  - c. Redwood, cedar, pressure-treated wood or other similar materials.

#### D. Utilities

With the exception to those located in the right-of-way, all above-ground utilities and appurtenances to underground utilities which require above-ground installation, shall be screened by a continuous planting of shrubs, with a minimum mature height equal to that of the utility structure. Required access points to these utilities are exempt from screening.

#### E. Fencing and Walls

1. No fence or wall may be more than nine feet in height. A fence or wall in any required front yard shall not exceed four feet in height.
2. No wall or fence may be located within any required drainage, utility or similar easement.
3. All fences and walls shall be constructed of high quality materials including one or a combination of the following: decorative blocks; brick; stone; cast-stone; split-faced block; stucco over standard concrete masonry blocks; treated wood; wrought iron; or other material approved by the Administrator. No wall containing more than 50 percent exposed standard concrete masonry blocks may be allowed, whether painted or not.
4. Electrified fences, barbed wire or concertina wire shall not be permitted.
5. Chain-link fences are not allowed in any front yard setback or any street facing side setback.
6. Breaks in the fence or wall may be provided for pedestrian connections to adjacent developments.
7. The maximum length of a continuous, unbroken and uninterrupted fence or wall plane shall be 100 feet. Breaks shall be provided through the use of columns, landscaped areas, transparent sections or a change in material.



## 1.1.5 Design and Installation

### A. Plant Material

#### 1. General

- a. All landscaping shall be installed in a sound manner and in accordance with accepted standards of the Louisiana Nurseryman's Manual for the Environmental Horticulture Industry, latest edition, as published by the Louisiana Nursery and Landscape Association.
- b. Plant material shall be true to name, variety and size and shall conform to all applicable provisions of the American Standards for Nursery Stock, latest edition.
- c. Plant materials shall be cold hardy for the specific location where they are to be planted.
- d. Trees and shrubs shall be salt-tolerant in coastal areas.
- e. Trees and shrubs shall be drought-tolerant and able to survive on natural rainfall once established with no loss of health.

#### 2. Canopy Trees

- a. Canopy trees selected for planting shall meet the minimum requirements provided in the AMERICAN STANDARD FOR NURSERY STOCK, latest edition as published by the American Nursery & Landscape Association.
- b. All single trunk trees shall have a minimum 2½-inch caliper and must measure a minimum of 10 feet tall at time of planting. All tree heights shall be measured from the top of the root ball to the tip of the highest branch.
- c. Multi-trunk trees shall have main stems with a minimum 1½-inch caliper per trunk, a minimum of three main stems, and must measure a minimum of 10 feet tall at time of planting. All tree heights shall be measured from the top of the root ball to the tip of the highest branch.

#### 3. Understory Trees

- a. Understory trees selected for planting shall meet the minimum requirements provided in the AMERICAN STANDARD FOR NURSERY

STOCK, latest edition as published by the American Nursery & Landscape Association.

- b. All single trunk trees shall have a minimum 1½-inch caliper and must measure a minimum of eight feet tall at time of planting. All tree heights shall be measured from the top of the root ball to the tip of the highest branch.
- c. Multi-trunk trees shall have main stems with a minimum one-inch caliper per trunk, a minimum of three main stems, and must measure a minimum of eight feet tall at time of planting. All tree heights shall be measured from the top of the root ball to the tip of the highest branch.

#### 4. Shrubs

- a. Shrubs selected for planting shall meet the minimum requirements provided in the AMERICAN STANDARD FOR NURSERY STOCK, latest edition as published by the American Nursery & Landscape Association.
- b. All required shrubs shall be a minimum of 20 inches in height in a minimum three-gallon container.
- c. Shrubs shall be of a species that under average conditions will reach a minimum height of 24 inches within 12 months.
- d. When planted as a hedge, the maximum spacing for 20-inch high shrubs shall be 36 inches on center. Spacing for other size shrubs shall be determined by the Administrator.

### B. Credit for Existing Plant Material

1. Required landscaped areas shall incorporate existing natural vegetation to the maximum extent feasible. Prior to disturbance of a required planting area, approval shall be obtained from the Administrator. Where existing vegetation is inadequate to meet the required landscaping standards, additional plant material shall be required.
2. Existing native habitat or vegetation located within planting areas and meeting the requirements of this [ordinance] may be counted.
3. In the event that the existing vegetation has been credited and is

subsequently removed or dies, it shall be replaced with the appropriate planting material.

4. Credit may also be permitted for existing plant material, fences and walls on abutting property, provided such items are in a permanently protected area, including, but not limited to:
  - a. A conservation easement or preserve area on adjacent property; or
  - b. An existing utility or drainage easement exceeding 100 feet in width.

### C. Sight Distance Planting

1. Excluding street trees 12 inches or less DBH required by this *[ordinance]*, at the intersection of a driveway and a street and on all corner lots (the intersection of two streets); a clear sight distance shall be established as set forth in *[insert citation for clear sight distance (3.3.11) if including the Subdivision Code or cite to your existing clear sight distance language]*.
2. All established street trees interfering with the clear sight distance shall be maintained by the abutting property owner and shall be kept free of foliage for 80 inches measured up from the base of the tree. Any shrubs interfering with the clear sight distance shall not exceed 30 inches in height.

### D. Soils

Planting areas shall have un-compacted coarse loam that is a minimum of 12 inches deep. Soils shall be appreciably free of gravel, stones, rubble or trash. All compacted soil, contaminated soil or road base fill shall be removed.

### E. Irrigation

A water source shall be supplied within 100 feet of any planting requiring continuing watering. Where non-native or non-drought tolerant native vegetation is incorporated, an irrigation system shall be required.

### F. Tree Protection During Construction

1. Existing trees to remain on the site as required landscaping shall be protected from vehicular movement and material storage over their root

spaces during construction. An undisturbed area with a porous surface shall be reserved below the dripline of each tree or group of trees.

2. Trees designated for protection must be completely enclosed by a fence. Fencing must be in place prior to any clearing or site work. Fencing must remain in place until all construction has been completed or a certificate of occupancy has been issued, whichever is latest.

### G. Issuance of Certificate of Occupancy

1. The Administrator shall not issue a permanent certificate of occupancy until all seeding, trees and plant material have been placed in accordance with the requirements of this *[ordinance]*.
2. A temporary certificate of occupancy may be issued for a period of 30 days under circumstances that would affect the seeding and planting of the site, or until the proper planting season is reached to complete the landscaping requirements, and may be extended up to 90 days upon request.

### H. Constrained Sites

Alternative landscaping may be approved by the Administrator only where the required landscaping in this *[ordinance]* cannot be physically met on the site for one of the following reasons:

1. Redevelopment of an existing site requires landscaping to be added, but a building, pavement or stormwater facility already exists; or
2. The site has lost area from existing landscaping due to adjacent road widening.

## 1.1.6 Maintenance

### A. Responsibility

The responsibility for maintenance of a planted area shall remain with the owner, his or her successors, heirs, assignees or any consenting grantee.

### B. Maintenance

1. All plant materials shall be maintained in an attractive and healthy condition. Maintenance shall include, but not be limited to, watering, mulching, fertilizing and pest management, mowing, weeding, removal of litter and dead plant material, and necessary pruning and trimming.
2. Necessary pruning and trimming shall be in accordance with the American National Standards for Tree Care Operations: Tree Shrub and Other Woody Plant Maintenance – Standards Practices (Pruning), and shall not be interpreted to include topping of trees through removal of crown material or the central leader, or any other similarly severe procedures that cause irreparable harm to the natural form of the tree, except where such procedures are necessary to maintain public overhead utilities.
3. Dead or diseased plant materials shall be removed. Replacement plant materials shall be provided for any required plants that die or are removed for any reason.
4. Landscape structural features such as walls, fences, berms or water features shall be maintained in a structurally safe and attractive condition.

### C. Failure to Maintain

1. In the event that any owner of a landscaped area fails to maintain the area according to the standards of this paragraph, the *[Jurisdiction]* shall have the right to recover the cost of enforcement, including reasonable attorney fees.
2. The *[Jurisdiction]* may also, following reasonable notice and a demand that deficiency of maintenance be corrected, enter the landscaped area to take maintenance action. The cost of such maintenance shall be

charged to the party having the primary responsibility for maintenance of the landscaped area.

## 1.1.7 Definitions

**Editor's Note:** The following definitions should be added to your existing definitions section.

**Abutting** - The property directly touches another piece of property.

**Adjacent** - see Abutting.

**Administrator** - The person or office designated by the *[Governing Body]* and charged with certain tasks including but not limited to interpreting the provisions of this *[ordinance]*, and other duties prescribed under this *[ordinance]*.

**Buffer** - A specified area of land containing landscaping, open space, fences or walls located parallel to and within the outer perimeter of a lot and extending to the lot line. A buffer is used to physically separate or screen, one use or property from another so as to visually shield or block noise, lights or other nuisances.

**DBH** - Diameter at Breast Height.

**Caliper** - The diameter of plant material, measured at six inches above grade.

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# OUTDOOR LIGHTING

**Sec. 1.1 Outdoor Lighting Standards . . . . .46**

1.1.1 Applicability . . . . .46

1.1.2 Prohibited Sources . . . . .46

1.1.3 Design Requirements . . . . .46

1.1.4 Specific Lighting . . . . .46

1.1.5 Definitions . . . . .47

## Sec. 1.1 Outdoor Lighting Standards

### 1.1.1 Applicability

- A. Unless specifically exempted below, all existing and proposed development shall meet the provisions of this [ordinance].
- B. Buildings lawfully existing as of the effective date of this [ordinance], may be renovated or repaired without modifying outdoor lighting in conformance with this [ordinance], provided there is no increase in gross floor area in the building or the impervious area of the site.
- C. Where a building existed as of the effective date of this [ordinance], and the building is enlarged in gross floor area or impervious area on the site by 10 percent or 2,000 square feet, whichever is less, outdoor lighting as specified in this [ordinance] shall be provided.

### 1.1.2 Prohibited Sources

The following light fixtures and sources shall not be used where the source of the direct light emitted is visible from adjacent lots:

- A. Low-pressure sodium and mercury vapor light sources;
- B. Cobra-head-type fixtures having dished or drop lenses or refractors which house other than incandescent sources; and
- C. Searchlights and other high-intensity narrow-beam fixtures.

### 1.1.3 Design Requirements

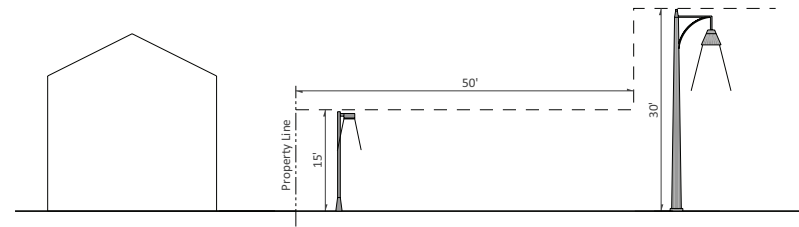
Outdoor lighting shall primarily be used to provide safety, while secondarily accenting key architectural elements and to emphasize landscape features. Light fixtures shall be designed as an integral design element that complements the design of the project. This may be accomplished through style, material or color. All lighting fixtures designed or placed to illuminate any portion of a site shall meet the following requirements:

#### A. Fixture (Luminaire)

The light source shall be concealed and shall not be visible from any street right-of-way or adjacent properties. In order to direct light downward and minimize the amount of light spill into the night sky and onto adjacent properties, all lighting fixtures shall be cutoff fixtures.

#### B. Fixture Height

Lighting fixtures shall be a maximum of 30 feet in height within parking areas and shall be a maximum of 15 feet in height within non-vehicular pedestrian areas. Light fixtures located within 50 feet of the property line of any ground floor residential use may not exceed 15 feet in height.



#### C. Light Source (Lamp)

Only incandescent, fluorescent, light-emitting diode (LED), metal halide, or color-corrected high-pressure sodium may be used. The same light source type shall be used for the same or similar types of lighting throughout the development.

#### D. Mounting

Fixtures shall be mounted in such a manner that the cone of light is contained on-site and does not cross any property line of the site.

#### E. Limit Lighting to Periods of Activity

The use of sensor technologies, timers or other means to activate lighting during times when it will be needed is encouraged to conserve energy, provide safety and promote compatibility between different land uses.

### 1.1.4 Specific Lighting

#### A. Security Lighting

- 1. Building-mounted security light fixtures such as wall packs shall not project above the fascia or roof line of the building and shall be shielded.
- 2. Security fixtures, including but not limited to floodlights and wall packs, may not face ground floor residential uses.
- 3. Security fixtures shall not be substituted for parking area or walkway

lighting and shall be restricted to loading, storage, service and similar locations.

#### B. Accent Lighting

Only lighting used to accent architectural features, landscaping or art may be directed upward, provided that the fixture shall be located, aimed or shielded to minimize light spill into the night sky.

#### C. Canopy Area Lighting

All development that incorporates a canopy area over fuel sales, automated teller machines or similar installations shall use a cutoff fixture with a recessed lens cover flush with the bottom surface of the canopy that provides a shielded light distribution.

#### D. Entrances to Mixed Use Building Types

All entrances to mixed use building types, and all entrances in apartment building types containing more than four units, shall be adequately lighted to ensure the safety of persons and the security of the building.

#### E. Commercial Parking Area Lighting

All commercial parking areas shall be required to provide lighting consistent with the design requirements of this [ordinance] during nighttime hours of operation.

#### F. Outdoor Recreation

1. Lighting for outdoor recreation fields shall be arranged to prevent direct glare onto any public or private property or streets.
2. Field illumination shall utilize a shielded light at the edge of the regular field so that light cast beyond the shield does not exceed one footcandle.
3. No luminaries or light shield shall be visible from adjoining residential districts.

#### G. Excessive Illumination

1. Lighting within any lot that unnecessarily illuminates and substantially interferes with the use or enjoyment of any other property shall be pro-

hibited. Lighting unnecessarily illuminates another lot if it exceeds the requirements of this [ordinance].

2. Lighting shall not be oriented so as to direct glare or excessive illumination onto streets in a manner that may distract or interfere with the vision of either drivers or pedestrians.

### 1.1.5 Definitions

*Editor's Note: The following definitions should be added to your existing definitions section.*

**Abutting** - The property directly touches another piece of property.

**Adjacent** - see Abutting.

**Cutoff fixture** - A type of light fixture with no light emitted above horizontal, no light dispersion or direct glare shines above a 90-degree, horizontal plane from the base of the fixture.

**Footcandle** - A unit of measure of the intensity of light falling on a surface, equal to one lumen per square foot.

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# OUTDOOR STORAGE AND DISPLAY

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## Sec. 1.1 Outdoor Storage and Display Standards . . . . . 50

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1.1.3 Outdoor Display . . . . . 51

1.1.4 Definitions . . . . . 51

## Sec. 1.1 Outdoor Storage and Display Standards

### 1.1.1 Applicability

- A. Any merchandise, material or equipment stored outside of a completely enclosed building shall be subject to the requirements of this [ordinance].
- B. Where merchandise, material or equipment is stored outside of a completely enclosed building in the [insert agricultural or rural zoning districts here], and the storage area lies more than 100 feet from any adjacent right-of-way or property line, the provisions of this [ordinance] shall not apply.

**Editor's Note:** If including the Subdivision Code module use the following language in place of paragraph B above.

*Where merchandise, material or equipment is stored outside of a completely enclosed building in the Natural or Rural contexts and the storage area lies more than 100 feet from any adjacent right-of-way or property line, the provisions of this [ordinance] shall not apply.*

- C. Vehicles for sale, lease or rent as part of a permitted use (including boats and manufactured housing) shall not be considered merchandise, material or equipment subject to the requirements of this [ordinance].

### 1.1.2 Outdoor Storage

Materials stored in outdoor storage are not normally brought indoors overnight. Outdoor storage is broken into the following two categories.

#### A. Limited Outdoor Storage

- 1. Limited outdoor storage includes storage that is secondary to the principal use on the site. Storage activities include but are not limited to the overnight outdoor storage of vehicles awaiting repair (includes the storage of vehicles at self-storage facility), storage of merchandise or material in boxes, in crates, on pallets or other kinds of shipping containers, shopping carts, garden supplies, building supplies, plants, fleet vehicles and other similar merchandise, material or equipment.
- 2. Limited outdoor storage is only permitted in the mixed use, commercial, and industrial districts following approval of a site plan illustrating

the extent of the permitted area for limited outdoor storage and provided it meets the standards below.

- a. Limited outdoor storage shall not be more than 12 feet in height and shall be fully screened from view from the public right-of-way, public parking areas, or adjacent residential development by a 100 percent opaque visual barrier or screen.
- b. All limited outdoor storage shall be located at least 15 feet from the public right-of-way and any abutting residential district.
- c. Limited outdoor storage shall be located in the rear yard.
- d. Limited outdoor storage may be located to the side of a building, provided it is not located within the side setback.
- e. Vehicles awaiting repair may be stored up to 14 days within the required screened storage area.

#### B. General Outdoor Storage

- 1. General outdoor storage includes uses and activities that by the size and scale of their operations require the outdoor storage of products. Typical uses include but are not limited to salvage yards, vehicle storage yards, overnight outdoor storage of shipping containers, lumber, pipe, steel, junk and other similar merchandise, material or equipment.
- 2. General outdoor storage is only permitted in the industrial districts following review of a site plan illustrating the extent of the permitted area for general outdoor storage and provided it meets the standards below.
  - a. General outdoor storage shall be screened by a 100 percent opaque visual barrier or screen. Such screening shall be high enough to completely conceal all outdoor storage from view from adjacent rights-of-way and any residential district.
  - b. All general outdoor storage shall be located at least 15 feet from the public right-of-way and any abutting residential district.
  - c. No general outdoor storage shall be permitted in a street yard or otherwise forward of the front building line.
  - d. General outdoor storage may be located in the side or rear yard.

### 1.1.3 Outdoor Display

- A. Outdoor display is the outdoor display of products actively available for sale. The outdoor location of soft drink or similar vending machines shall be considered outdoor display. Outdoor display shall not include merchandise or material in boxes, in crates, on pallets or other kinds of shipping containers (such merchandise shall be considered outdoor storage).
- B. Outdoor display is permitted in association with any nonresidential use following approval of a site plan illustrating the extent of the permitted area for outdoor display. The area for outdoor display must meet the standards below.
1. Outdoor display is permitted adjacent to the primary façade (façade with principal customer entrance) and shall extend no more than eight feet from such façade.
  2. Outdoor display shall be located no closer than five feet from any public entrance.
  3. Outdoor display shall occupy no more than 30 percent of the horizontal length of the façade.
  4. Outdoor display shall not impair the ability of pedestrians to use the sidewalk or parking areas.

### 1.1.4 Definitions

**Editor's Note:** *The following definitions should be added to your existing definitions section.*

**Abutting** - The property directly touches another piece of property.

**Adjacent** - see Abutting.

**Completely Enclosed Building** - A building separated on all sides from adjacent open space or other structures by a permanent roof and by exterior walls or party walls, pierced only by windows and doors.

**Facade** - The front of the building.

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# SIGNS

## Sec. 1.1 Signage Standards . . . . .54

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- 1.1.3 Prohibited Signs . . . . .54
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- 1.1.13 Nonconforming Signs . . . . .61
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## Sec. 1.1 Signage Standards

### 1.1.1 Applicability

This [ordinance] applies to all signs erected, placed, painted, installed or otherwise made visible on private or public property, except as otherwise provided in this [ordinance].

### 1.1.2 Exempt Signs

The following signs shall not be subject to the regulations of this [ordinance]:

- A. Signs erected by or on behalf of or pursuant to the authorization of a governmental body or agency.
- B. Flags, pennants, or insignia of any governmental or nonprofit organization, when not displayed in connection with a commercial promotion or as an advertising device. The flag pole shall not exceed the allowed height in the district.
- C. Signs directing and guiding traffic on private property that do not exceed four square feet in size each and that bear no advertising message or logo.
- D. Signs not exceeding four square feet in size that are customarily associated with residential use and that are not of a commercial nature, such as signs giving names of occupants, signs on mailboxes and newspaper tubes, and signs posted on private property relating to private parking or warning the public against trespassing or danger from animals.
- E. Signs containing the message that the real estate on which the sign is located is for sale, lease, or rent, together with information identifying the owner or agent. The real estate sign shall not exceed 16 square feet in size for developments under two acres, and shall not exceed 32 square feet in size or six feet in height for all developments larger than two acres. Only one sign on each street frontage may be erected.
- F. Hanging signs located below a canopy or awning that do not exceed 18 inches in height or five square feet in area, provided there is no more than one such sign per customer entrance and the sign maintains a clear height of eight feet above the ground.
- G. Directory signs (attached or freestanding) that are not visible from the street, provided that no more than one sign per customer entrance is allowed, up to a maximum of 16 square feet in area.
- H. Displays, including lighting, erected in connection with the observance of holidays. Such signs shall be removed within 10 days following the holiday.
- I. One on-premises construction project sign, not to exceed 16 square feet in size in a residential district, or 32 square feet in size in all other districts. Construction signs shall not be erected prior to site plan or plat approval or the issuance of a building permit, and shall be removed within 15 days after final inspection and approval of the project.
- J. Political signs are permitted in all districts. Signs shall not exceed 16 square feet in aggregate area per lot. No such sign shall be located within or over the public right-of-way.
- K. Signs indicating special events, such as a fair, carnival, festival, grand opening, sale, or similar non-permanent activity to be conducted within the [Jurisdiction]. Such sign shall not exceed 32 square feet in area and may be erected for a period not to exceed 30 days. Such signs shall be removed within seven days after the event has taken place.
- L. "Yard Sale" signs located on-site and not exceeding four square feet in area, not used in connection with any continuous commercial activity.
- M. "Yard Sale" signs, located off-site from the property where such activity is to occur, shall be permitted outside of public rights-of-way. Such signs may not exceed four square feet in size. Signs shall not be erected more than 48 hours before the sale date and shall be removed within 24 hours of the sale date.

### 1.1.3 Prohibited Signs

The following signs are expressly prohibited within all zoning districts:

- A. Portable signs, including any signs painted on or displayed on vehicles or trailers usually parked in public places primarily for displays. Additionally, any such prohibited sign designed to be portable shall not be permitted to be altered so as to be made permanent.
- B. Roof signs.

- C. Windblown signs, including banners, pennants, streamers, spinners, blimps, gas balloons, and no more than two flags, unless specifically exempted above.
- D. Any sign or device set into motion by mechanical, electrical, or other means.
- E. Any flashing sign or device displaying flashing or intermittent lights or lights of changing degrees or intensity.
- F. Any mechanized or electronic changeable copy sign that flashes, scrolls or is otherwise displayed for less than five minutes at one time. Changeable copy is allowed to replace any portion of an existing or proposed sign, provided the message remains static (no flashing or scrolling) for a period of no less than five minutes at one time.
- G. Any sign which is a copy or imitation of an official sign, or which purports to have official status.
- H. Any sign that is attached to the roof of a building that projects above the parapet wall or apex of the roof to which it is attached.
- I. Any off-premises sign not expressly permitted by this [ordinance].
- J. Any sign placed in the right-of-way, other than those erected by a governmental agency.
- K. Any sign attached to utility poles, trees or plants.

#### 1.1.4 Existing Signs or Sign Structures

Existing signs and sign structures that were legally erected shall be brought into conformance with this [ordinance] as follows.

- A. Any modification (except for sign maintenance) shall be in compliance with this [ordinance]. Changing the tenant panel of a multi-tenant sign shall be exempt from the is requirement.
- B. A nonconforming sign that is within 10 percent of the height or area requirements of this [ordinance] may be reviewed and approved for continuation by the Board of Adjustment.

#### 1.1.5 Sign Permit Required

A zoning permit is required for each sign or series of signs to be installed on a site. The zoning permit shall ensure compliance with this [ordinance] prior to the issuance of any building or other permit for a sign.

#### 1.1.6 Common Sign Plan

A common sign plan shall be filed with the Administrator for all sites occupied by more than one tenant. After the filing of a common sign plan, all tenant signs shall meet the requirements of the plan. The applicant shall indicate the standards of consistency of all signs on the subject property with regard to:

- A. Colors;
- B. Letter/graphics style;
- C. Location of each sign;
- D. Materials used in sign construction; and
- E. Maximum dimensions and proportion.

#### 1.1.7 Variances Allowed

No variance shall be allowed for:

- A. Sign type;
- B. Building sign area;
- C. Freestanding sign height, area or number; or
- D. Sign illumination.

#### 1.1.8 Noncommercial Message Substitution

A noncommercial message may be substituted for the commercial message allowed on any sign type.

## 1.1.9 Types of Signs

### A. Building Signs

A building sign is an on-premises sign that is directly attached to, erected on, or supported by a building or other structure having a principal function other than the support of such sign.

#### 1. Generally

##### a. Allowed [*Districts or Context Areas*]

Building signs are allowed in all [*insert applicable zoning districts or insert applicable context areas if using the Zoning Code module*]

##### b. Size

The maximum size of the sum of the area of all building signs shall not exceed 15 percent of the facade area of the tallest floor (typically the ground floor).

##### c. Number

More than two building signs on separate facades may be erected, provided the total surface area allowed is not exceeded.

##### d. Height

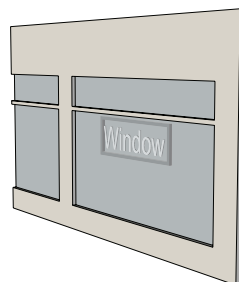
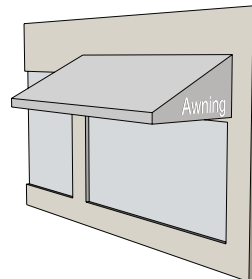
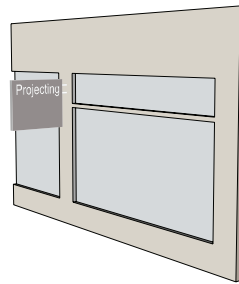
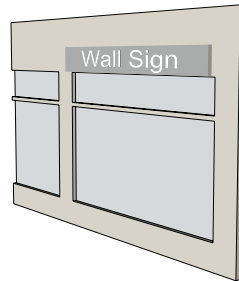
No building sign may extend above the parapet wall or roof line of the building.

##### e. Projection/Clearance

With the exception of a projecting sign, no building sign may project more than 12 inches from the building wall. All building signs that project more than six inches from the wall shall maintain a clear height of eight feet above the ground.

##### f. Illumination

Building signs may be illuminated either internally or externally, provided that no sign located within 150 feet of a residential district may be illuminated during the hours between 12:00 midnight and 6:00 a.m.



### 2. Wall Signs

A wall sign is an on-premises sign attached flat to or mounted away from but parallel to the building wall, projecting no more than 12 inches from the building wall.

### 3. Projecting Sign

- A projecting sign is an on-premises sign fastened directly to a supporting building wall, and intersecting the building wall at a right angle. A projecting sign extends more than 12 inches from the building, and may be two or three-dimensional.
- The maximum area of any single side of a projecting sign shall be 20 square feet. No more than one projecting sign shall be allowed for each tenant. No projecting sign shall project closer than three feet to the curb line. No sign shall project more than one-half the width of the sidewalk.

### 4. Awning or Canopy Sign

- An awning or canopy sign is a sign which is attached flat to an awning or canopy.
- The maximum area of a single awning or canopy sign shall not exceed 25 percent of the surface area of the face of the awning or canopy. One awning sign shall be allowed per awning. No portion of any awning or canopy sign shall project closer to the curb line than the awning or canopy to which it is attached.

### 5. Window Sign

- A window sign is an on-premise sign attached flat but parallel to the inside of a window.
- Window signs are included in the total area of building signs allowed. No window sign shall cover more than 25 percent of the area of the window to which it is attached.



## B. Freestanding Signs

A freestanding sign is an on-premises sign that is not directly attached to, erected on, or supported by a building or other structure having a principal function other than the support of such sign, but is instead attached to, erected on, or supported by some structure such as a pole, frame or other structure that is not a part of the building.

### 1. Generally

#### a. Allowed Contexts

Freestanding signs are not permitted in Main Street (-MS-) Districts.

#### b. Size

Allocation of sign area is based on the lineal frontage of the project site. A maximum sign area of 1 square foot for each 2 lineal feet of frontage, provided that the maximum surface area shall not exceed the following:

- i. Nonresidential uses in residential districts, 16 square feet.
- ii. All other uses, 64 square feet.

#### c. Number

- i. One freestanding sign is allowed on any lot.
- ii. A pylon sign shall only be allowed on a lot which contains 100 feet or more of frontage on the street to which the pylon sign is to be oriented.
- iii. If a common sign plan is approved, two freestanding signs may be allowed on a lot or development having a minimum frontage of 300 feet on each of two adjacent streets, or more than 600 lineal feet of frontage on a single street, but only one may be a pylon sign.

#### d. Setback

No portion of any freestanding sign may extend over any public right-of-way, or be located within 15 feet of any interior side lot line.

#### e. Height

- i. No pylon sign or any part of the pylon sign (including base or apron, supports, supporting structures, and trim) may exceed 20 feet in height.
- ii. No monument sign may exceed five feet in height.

#### f. Projection/Clearance

All pylon signs shall maintain a clear height of eight feet above the ground.

#### g. Construction

All freestanding signs shall be securely fastened to the ground so that the sign will not be moved by wind or other forces of nature and cause injury to persons or property.

#### h. Address Number

All freestanding signs shall incorporate a street address or address range. Address numbers shall be a minimum of eight inches in height. The address number shall not be counted against the allowed sign area unless it exceeds twice the minimum height allowed.

#### i. Lettering Size

Sign lettering shall be a minimum of eight inches in height on any street with a designated speed of 45 MPH or greater.

#### j. Illumination

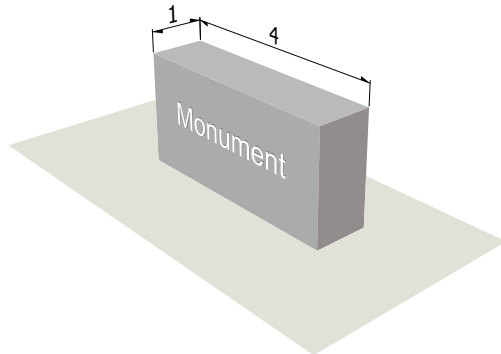
All freestanding signs may be illuminated either internally or externally, provided that no sign located within 150 feet of a residential district may be illuminated during the hours between 12:00 midnight and 6:00 a.m. Lighting directed toward a sign shall be shielded so that it does not shine directly into a public right-of-way or residential building and does not interfere with the safe vision of motorists.

#### k. Landscaping

Shrubs, flowers or ground cover with a planting bed area equal to one-half the sign area shall be planted around the base of any free-standing sign. Required landscaping shall be subject to the requirements of *[insert citation to appropriate landscaping standards for design and installation and maintenance]*.

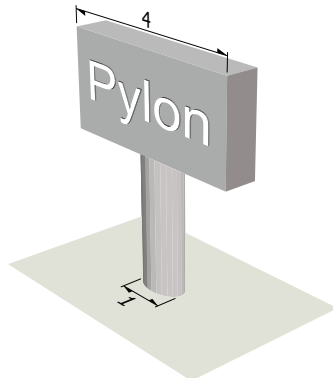
#### 2. Monument Sign

A freestanding sign no more than eight feet in height and having a ratio of less than four to one sign width to narrowest width of support structure. Any sign constructed to the above referenced ratio of support structure to sign width, but in excess of eight feet in height, shall be considered and regulated as a pylon sign.



#### 3. Pylon Sign

A freestanding sign attached to the ground by one or more support structures having a ratio of greater than four to one sign width to narrowest width of support structure.



### C. Off-Premises Signs: Billboards

With the exception of Billboards meeting the standards below, all off-premises sign are prohibited.

#### 1. Size

The maximum area of a single side of a billboard shall not exceed 200 square feet, with a maximum height of 15 feet, and a maximum width of 20 feet, inclusive of any border and trim, but excluding the base or apron, supports, and other structural members. No advertising message is allowed on the base or apron. Not more than one advertising face is allowed on each side of the display. No side-by-side or stacked billboards are allowed.

#### 2. Spacing

- No part of any billboard shall be located less than 5,000 feet from any part of another billboard. The minimum distance between billboards shall apply regardless of the side of the road the billboard is located on.
- Billboards shall not be located in such a manner as to obscure or physically interfere with the effectiveness of an official traffic sign, signal, or device or obstruct or physically interfere with a driver's view of approaching, merging, or intersecting traffic.
- No billboard shall be located within 660 feet of the edge of the right-of-way of the federal Interstate Highway System.
- For the purpose of this paragraph, measurement shall be made in a straight line, without regard to intervening structures or objects from the property line of the lot containing the billboard to the nearest property line of any other billboard or any highway right-of-way.

#### 3. Setback

Billboards shall be placed at least 50 feet off the right-of-way of the road.

#### 4. Height

No billboard or part of a billboard (including base or apron, supports, supporting structures and trim) may exceed the maximum height of the zoning district in which the billboard is located but in no case may a

billboard exceed 65 feet in height, measured from the top of the sign to the ground at the base of the sign or the crown of the roadway, whichever is higher.

## 5. Projection/Clearance

All billboards shall maintain a clear height of eight feet above the ground at the base of the sign or crown of the roadway, whichever is higher.

## 6. Construction

All billboards shall be constructed in accordance with applicable building codes.

## 7. Illumination

Billboards may be externally illuminated, so long as such lighting is effectively shielded to prevent beams or rays of light from being directed into any portion of the traveled ways of a public street, and is not of such intensity or brilliance as to cause glare or to interfere with any driver's operation of a motor vehicle.

## D. Historic Signs

1. A building or freestanding sign that is 50 years or older, or a sign that is particularly unique in character, design, or history, or that is part of the historic character of a business or building.
2. When an attached off-premise sign is determined to have particular historical or culturally significant value, such determination to be made by the [Governing Body], the terms of this section may be waived.

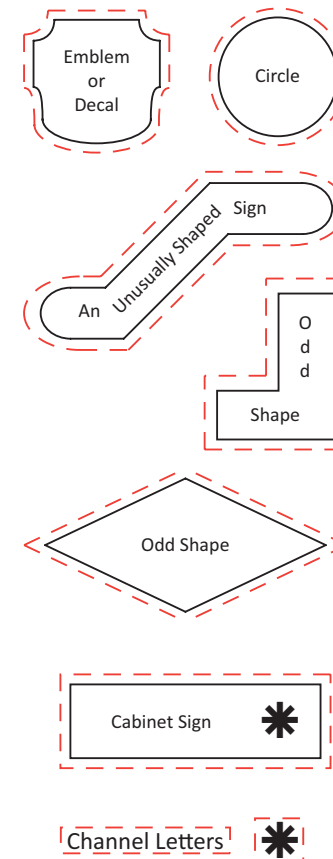
## 1.1.10 General Sign Regulations

### A. Computation of Sign Area

The area of all signs shall be computed as follows:

1. The area of a sign that consists of individual letters erected directly onto a wall or awning is measured by finding the area of the minimum imaginary rectangle or square which fully encloses all sign words, copy, or message.
2. The area of any sign with a structure or cabinet is measured by find-

ing the area of the minimum imaginary rectangle or square which fully encloses all extremities of one side of the sign, exclusive of its supports.

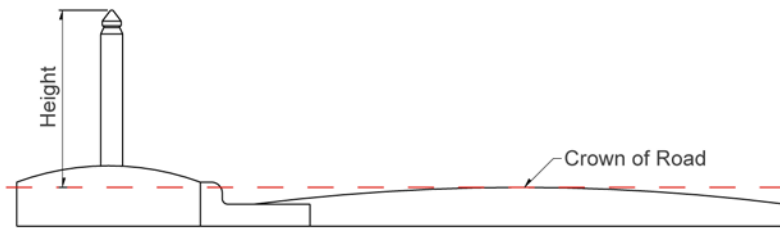


## B. Construction Standards

1. All signs shall comply with the appropriate provisions of the applicable building code and this [ordinance].
2. Freestanding signs shall meet all Louisiana DOT sight distance requirements.
3. Signs shall be located in such a way that they maintain sufficient horizontal and vertical clearance from all overhead electrical conductors, provided that no sign, except governmental signs, shall be installed closer than 10 feet horizontally or vertically from any conductor or public utility guy wire.
4. In no way shall a sign hinder or obstruct the visibility of the right-of-way, either at intersections or points of ingress or egress from parking lots.

## C. Height of Sign

The height of a sign shall be measured from the highest point of the sign or supporting structure to the crown of the road adjacent to the sign.



### 1.1.11 Sign Maintenance

- A. All signs shall be maintained in a state of good repair. The Administrator is authorized to inspect each sign periodically to determine that it meets the requirements of this [ordinance]. Whenever it shall appear to the Administrator that any sign has been structured or is being maintained in violation of this [ordinance], such sign shall be made to conform, or shall be removed at the expense of the owner within 10 days after written notification by the Administrator.

- B. To ensure that signs are erected and maintained in a safe and attractive manner, the following maintenance requirements shall apply to all signs visible from any street right-of-way:
1. A sign shall have no more than 20 percent of its surface area covered with disfigured, cracked, ripped, or peeling paint, poster paper, or other material for a period of more than 30 successive days.
  2. A sign shall not stand with bent or broken sign facing, with broken supports, with loose appendages or struts, or more than 15 percent from vertical for a period of no more than 30 successive days.
  3. A sign shall not have weeds, trees, vines, or other vegetation growing upon it, or obscuring the view of the sign from the street or right-of-way from which it is to be viewed, for a period of no more than 30 successive days.
- C. The sign maintenance requirements may be suspended for up to six months following a natural disaster.

### 1.1.12 Removal of Obsolete or Deteriorated Signs

#### A. Obsolete Signs

1. Signs which identify businesses or tenants no longer in existence, products no longer being sold, services no longer being rendered, or events which have already occurred shall be removed by the owner of the premises within 90 days of receipt of notification by the Administrator.
2. When a sign is determined to have particular historical or culturally significant value, such determination to be made by the Board of Adjustment, the terms of this section may be waived.

#### B. Deteriorated Signs

Any sign which, together with its supports, braces, anchors, and other structural elements, is not maintained in accordance with the provisions of the applicable building code, or which is otherwise determined to be unsound or unsafe, shall be removed or brought into compliance with all codes within 30 days of notification by the Administrator.

### 1.1.13 Nonconforming Signs

#### A. Removal by Abandonment or Change of Business

1. Any nonconforming off-premise sign, the use or copy of which is discontinued or removed for a period of six months, regardless of any intent to resume or not to abandon such sign, shall be deemed to be abandoned and shall not thereafter be re-established. Abandonment or obsolescence of a nonconforming sign shall terminate immediately the right to maintain such sign.
2. Any nonconforming on-premise sign, the use or copy of which is discontinued or removed for a period of 365 days, regardless of any intent to resume or not to abandon such sign, shall be deemed to be abandoned and shall not thereafter be re-established. Abandonment or obsolescence of a nonconforming sign shall terminate immediately the right to maintain such sign.
3. Any period of such discontinuance caused by government actions, strikes or acts of God, without any contributing fault by the nonconforming user, shall not be considered in calculating the length of discontinuance for the purposes of this paragraph.

#### B. Removal by Damage or Destruction

Any nonconforming off-premise sign which is partially damaged or destroyed by any means, to beyond 50 percent of its current market value, that is nonconforming to the requirements of this [ordinance], shall not be restored, but shall be removed or reconstructed in conformance with the provisions of [ordinance].

#### C. Removal When Not Repaired Within 60 days

Any nonconforming sign removed for any reason, including voluntary removal, whose reconstruction has not commenced within 60 days shall not be permitted to be replaced unless the replacement sign conforms with all requirements of this zoning code. A nonconforming sign repaired within 60 days may only be reconstructed or repaired to its original condition as to height, area and in the same location.

#### D. Removal Upon Change of Principal Use

Any nonconforming sign shall be removed or brought into compliance with this [ordinance] immediately upon a change in the principal use of the site.

#### E. Enforcement of Removal

1. If any sign is not removed as required by this section, the Administrator shall initiate the necessary proceedings to secure removal of such illegal or nonconforming sign, or secure compliance with the provisions of this zoning code.
2. Upon the determination of the Administrator that a sign remains nonconforming after termination of the allowable time periods provided for above, the Administrator shall notify the sign owner and/or the owner of the land on which the nonconforming sign is located and such owner shall have 30 days after such written notice within which to remove said sign or to appeal the administrative decision.
3. The removal expense may be made a lien upon such real property by the Administrator sending by certified mail to the owner of such real property, a notice of lien for the cost of such removal. The cost of all such mailing and the cost of obtaining the name and address of the owners shall be part of the cost of such removal.

#### F. Forfeiture

Any private sign installed or placed on public property shall be forfeited to the public and subject to confiscation, unless it conforms to the requirements of this [ordinance]. In addition to other remedies granted by this section, the Administrator shall have the right to recover from the owner or person placing the sign, the full costs of removal and disposal of the sign.

### 1.1.14 Definitions

**Editor's Note:** *The following definitions should be added to your existing definitions section.*

**Abutting** - The property directly touches another piece of property.

**Adjacent** - see Abutting.

**Facade** - The front of the building.

**Off-Premise Sign** - A sign that draws attention to or communicates information about a business, service, commodity, accommodation, attraction, or other activity that is conducted, sold, or offered at a location other than the premises on which the sign is located.

**On-Premise Sign** - A sign that draws attention to or communicates information about a business, service, commodity, accommodation, attraction, or other activity that is conducted, sold or offered at the location on which the sign is located.

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