

LOUISIANA LAND USE TOOLKIT: 3.0

CENTER FOR PLANNING EXCELLENCE



ZONING CODE



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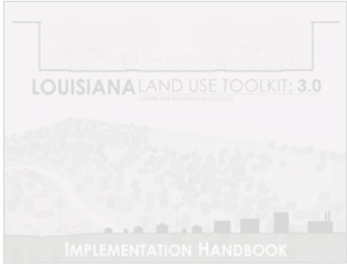
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This is the Louisiana Land Use Toolkit: Zoning Code Version 3.0.
*The Implementation Handbook, the Subdivision Code module and the Additional
 Ordinances module are available for download at www.landusetoolkit.com.*



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.

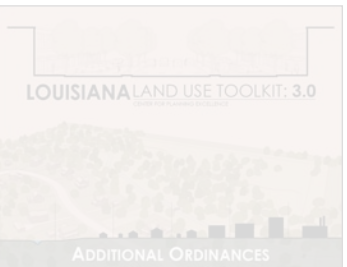
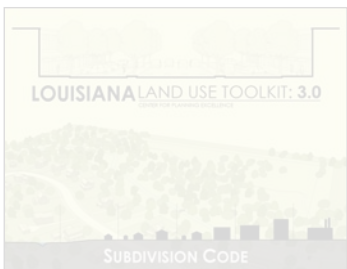
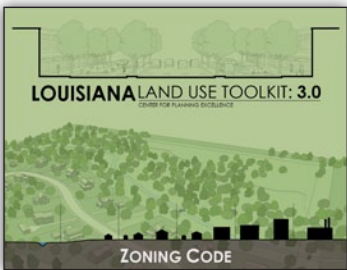
Regardless of your community's approach, some level of customizing and editing will be required. If your community needs assistance implementing the Toolkit, the Center for Planning Excellence (CPEX) can help. CPEX has experience implementing the Toolkit in a variety of settings and understands what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

This Zoning Code module is a basic zoning ordinance that uses regional growth sectors and context areas to make sure that the right rules are applied in the right places. When appropriately mapped, the Zoning Code module is a powerful tool for controlling growth and improving the built environment.

This Zoning Code module provides communities with intuitive regulations for building types and uses to help ensure rural areas stay rural while allowing urban areas to grow more compact. While this document may be adopted as a stand-alone zoning code, it is most effective when adopted in combination with the Subdivision Code module and the Additional Ordinances module as a complete development code.

Throughout this document are a number of *Editor's Notes* and *Mapping Notes*. These notes appear in *italics* and offer suggestions to those calibrating this Zoning Code module either as a stand-alone code or as a complete development code. The *Editor's Notes* provide alternate language or approaches and cross references that help with the customization and synthesis of the Toolkit. Bracketed text in ***blue italics*** must be changed. The *Mapping Notes* provide tips on mapping context areas and zoning districts.



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ARTICLE 1. GENERAL

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Editor's Note: If adopting the Subdivision Code module, then this Article must be reconciled with Article 1 of the Subdivision Code module. The terms "subdivision code" and "zoning code" must be changed to "development code." Proper authority must be cited and the purpose and intent statements must be combined.

Sec. 1.1 General Provisions

1.1.1 Title

This [*Chapter or Title*] shall be known as the "zoning code for [*Jurisdiction*], Louisiana" and may be cited and referred to as "this zoning code."

1.1.2 Authority

This zoning code is adopted pursuant to the authority granted by Louisiana Revised Statute 33:4780.40 *et. seq* [*Cite specific authority based on Jurisdiction*].

1.1.3 Applicability

The provisions of this zoning code apply to the development of all land within [*Jurisdiction*]. No development shall be undertaken without prior authorization pursuant to this zoning code.

1.1.4 Effective Date

This zoning code was adopted on [*insert date*] and became effective on [*insert date*].

1.1.5 Purpose

- A. This zoning code is adopted for the purpose of guiding development in accordance with the [*Jurisdiction's*] comprehensive plan and existing and future needs of the [*Jurisdiction*] in order to protect, promote and improve the public health, safety, morals, convenience, order, appearance, prosperity and general welfare.
- B. The regulations hereby enacted are designed to exercise the full range of authority available to the [*Jurisdiction*] under Louisiana law to:
 1. Promote the public health, safety and general welfare, while recognizing the rights of real property owners, by adopting a comprehensive zoning ordinance.
 2. Help achieve the goals, objectives and policies of the Comprehensive Plan.
 3. Prevent the overcrowding of land and avoid undue concentration or dispersal of population by creating zoning districts consistent with the

character of each area within the [*Jurisdiction*] and adopting an official zoning map.

4. Provide the most beneficial relationship between the uses of land and buildings and the circulation of automobile traffic and pedestrians throughout the [*Jurisdiction*], and to secure safety from natural disaster, fire, and other dangers by providing for the proper location and width of streets, sidewalks, and buildings.
5. Provide for a range of open spaces through the most efficient design and layout of the land.
6. Carry out such other purposes in the public interest as may be specifically cited in this zoning code.

1.1.6 Intent

This zoning code is intended to provide a mechanism for implementing the following goals:

- A. Protecting the natural infrastructure and visual character of the region.
- B. Creating a range of housing opportunities and choices.
- C. Creating mixed use, walkable neighborhoods.
- D. Encouraging community and stakeholder collaboration.
- E. Fostering distinctive, attractive communities with a strong sense of place.
- F. Making development decisions predictable, fair and cost effective.
- G. Mixing land uses.
- H. Preserving open space, farmland, rural character, natural beauty and critical environmental areas.
- I. Providing a variety of transportation choices and transportation corridors that are planned in coordination with land use.
- J. Strengthening and directing development towards existing communities.
- K. Taking advantage of compact building design where infrastructure is in place.

1.1.7 Minimum Requirements

The requirements of this zoning code shall be considered as the minimum requirements for the promotion of the public health, safety and general welfare.

1.1.8 Conflicting Provisions

- A. All development must comply with relevant Federal and State regulations. Whenever any provision of this zoning code imposes a greater requirement or a higher standard than is required in any Federal or State statute or regulation, the provisions of this zoning code shall govern unless preempted by Federal or State law.
- B. It is not the intent of this zoning code to interfere with or annul any easements, covenants, or other agreements between parties; provided that where this zoning code imposes a greater restriction upon the use and dimensions of buildings, structures, or land, or requires larger open spaces than are imposed or required by other ordinances, regulations, or permits, or by easements, covenants, or agreements, the provisions of this zoning code shall govern, except where expressly qualified in this zoning code.

1.1.9 Severability

Should any provision of this zoning code be decided by the courts to be unconstitutional or invalid, that decision shall not affect the validity of this zoning code other than the part declared to be unconstitutional or invalid.

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ARTICLE 2. CODE COMPONENTS

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Editor's Note: If adopting the Subdivision Code module, then this Article must be edited to reflect the unified nature of the Toolkit. The terms "subdivision code" and "zoning code" must be changed to "development code."

Sec. 2.1 Code Approach

2.1.1 Generally

This zoning code is organized around a hierarchal framework from the region to the individual building site. The four organizing elements are:

- A. Regional Growth Sectors;
- B. Context Areas;
- C. Zoning Districts; and
- D. Building Types.

Sec. 2.2 Regional Growth Sectors

Regional growth sectors designate where growth is planned to occur and establish the context areas that are appropriate within each growth sector.

2.2.1 Growth Sectors Established

A. Preservation Sector

The Preservation Sector is intended to include open space that is either protected or should be protected from new growth and development. Public sewers and other urban services do not serve and will not be extended to this sector.

B. Restricted Growth Sector

The Restricted Growth Sector is intended to include areas that are not anticipated to have any significant new growth or development. Public sewers and other urban services do not serve and are not anticipated to serve this sector within the planning horizon.

C. Anticipated Growth Sector

The Anticipated Growth Sector is intended to include areas that are planned to have new growth and development and some redevelopment of existing areas. Public sewers and other urban services either already serve or are anticipated to serve this sector in the near future.

D. Infill Sector

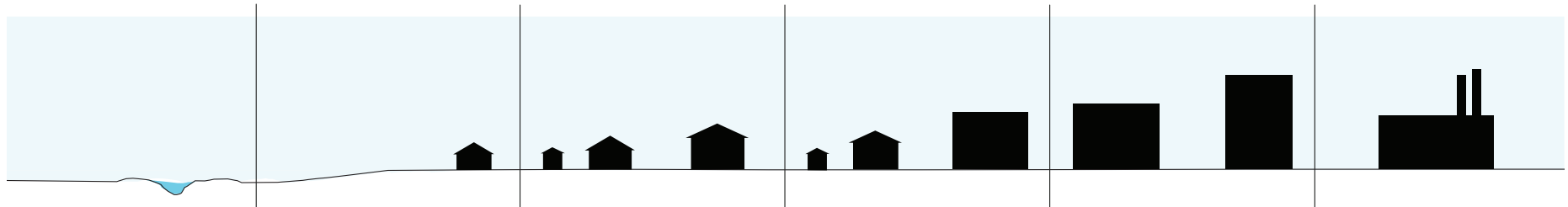
The Infill Sector is intended to include areas that are planned to have new growth in the form of redevelopment of existing areas. Some new development opportunities may exist. Public sewers and other urban services already serve this sector.

Sec. 2.3 Context Areas

Context areas are used to ensure that the right zoning districts are applied in the right places. Context areas are distinguished from one another by the current and anticipated physical and environmental characteristics of the *[Jurisdiction]* as identified in the *[Name of Plan Document]*.

2.3.1 Context Areas Established

This zoning code is organized around the six context areas established below.



A. Natural (N-) ■

Consists of lands approximating or reverting to a wilderness condition, including lands unsuitable for settlement due to topography, hydrology or vegetation. A natural landscape with agricultural use often present.



B. Rural (R-) ■

Consists of sparsely settled lands in open or cultivated states. Typical buildings are farmhouses, agricultural buildings and camps. Limited retail activity is located in specifically designated centers.



C. Suburban (S-) ■

Consists of single-family detached housing with some opportunities for attached housing. Commercial activity is typically concentrated in nodes and corridors along major roadways.



D. Urban (U-) ■

Consists of attached and detached housing types such as single-family houses, row houses and apartments. Commercial activity is concentrated along major roadways and at neighborhood nodes.



E. Center (C-) ■

Consists of the highest density and height, with the greatest variety of uses. Attached buildings form a continuous street wall. The highest pedestrian and transit activity is encouraged.



F. Special (SP-) ■

Consists of large scale civic, institutional, heavy industrial and conservation areas which do not fit easily into other contexts. These uses may also occur within other context areas in smaller concentrations.



2.3.2 Context Area by Regional Growth Sector

The regional growth sectors control where the context areas may be located. The following context areas are allowed only in the regional growth sectors shown in the table below.

CONTEXTS:	Natural (N-)	Rural (R-)	Suburban (S-)	Urban (U-)	Center (C-)	Special (SP-)
Preservation Sector	▪					
Restricted Growth Sector	▪	▪				▪
Anticipated Growth Sector	▪		▪	▪	▪	▪
Infill Sector	▪		▪	▪	▪	▪

KEY: ▪ Allowed Blank cell = Not allowed

Sec. 2.4 Zoning Districts

Zoning districts refine the context areas and carry out the intent and provisions of this zoning code as applied to property set forth on the Official Zoning Map established in [2.6.2, Zoning District Map](#).

2.4.1 Zoning Districts Established by Context Area

The context areas organize the zoning districts and control where they may be located. The following zoning districts are established to carry out the provisions of this zoning code and are allowed only in the context areas shown in the table below.

CONTEXTS:	Natural (N-)	Rural (R-)	Suburban (S-)	Urban (U-)	Center (C-)	Special (SP-)
Agricultural Districts						
Agriculture (AG-)	N-AG-40	R-AG-40 R-AG-20 R-AG-10 R-AG-5				
Residential Districts						
Single-Family (RS-)			S-RS-15 S-RS-6	U-RS-6 U-RS-3		
Multifamily (RM-)			S-RM-3	U-RM-3		
Mixed Use Districts						
Mixed Use (MX-)		R-MX-2	S-MX-3	U-MX-3 U-MX-5	C-MX-5	
Main Street (MS-)			S-MS-3	U-MS-3 U-MS-5	C-MS-5	
Commercial Districts						
Commercial Corridor (CC-)			S-CC-3			
Light Industrial (IL)		R-IL	S-IL	U-IL	C-IL	
Special Purpose Districts						
Community (CD)						SP-CD
Conservation (CON)	N-CON					
Heavy Industrial (IH)						SP-IH
Planned Development (PD)		R-PD	S-PD	U-PD	C-PD	
Planned Industrial Development (PID)						SP-PID

2.4.2 Zoning District Intent Statements

The following zoning district intent statements establish the purpose and intent of each zoning district allowed in each context area.

A. Natural Context Districts

1. Natural Agriculture (N-AG-40)

The Natural Agriculture 40 district is intended to protect farming, ranching and timber lands and uses while conserving undeveloped areas. The N-AG-40 district generally allocates one dwelling unit for every 40 acres of land.

2. Natural Conservation (N-CON)

The Natural Conservation district is intended to conserve and protect natural, open, or environmentally sensitive land while preventing the encroachment of incompatible land uses.

B. Rural Context Districts

1. Rural Agriculture (R-AG-40, -20, -10, -5)

- a. The Rural Agriculture districts are intended to protect farming, ranching and timber lands and uses while preventing the encroachment of incompatible land uses. The area and intensity of land uses and building types permitted in these district promote existing agricultural uses. These districts also allow residential cluster developments with smaller minimum lot sizes and additional building types in exchange for protecting significant common open space.
- b. The R-AG districts vary primarily on the acres required for each lot.
 - i. The R-AG-40 district generally requires 40 acres.
 - ii. The R-AG-20 district generally requires 20 acres.
 - iii. The R-AG-10 district generally requires 10 acres.
 - iv. The R-AG-5 district generally requires five acres.

2. Rural Mixed Use (R-MX-2)

The Rural Mixed Use district is intended to promote small scale retail, services, commercial and some residential uses that are supportive of the surrounding agricultural and rural land uses. The area and intensity

of land uses and building types permitted in this district are designed to grow in a compact manner at rural intersections.

3. Rural Light Industrial (R-IL)

The Rural Light Industrial district is intended to accommodate light manufacturing, warehousing, wholesale and limited agricultural processing uses. The district provides flexibility in the placement of buildings on the lot. The R-IL district allows buildings up to two stories in height.

4. Rural Planned Development (R-PD)

The Rural Planned Development district provides flexibility for development within the Rural context in exchange for a more desirable built form than would be possible under one of the other rural zoning districts. The R-PD district is intended to promote innovative and imaginative projects, at rural densities, that generate amenities beyond those expected in conventional rural development.

C. Suburban Context Districts

1. Suburban Residential Single-Family (S-RS-15, -6)

- a. The Suburban Residential Single-Family districts are intended to accommodate single-family houses on individual lots. These districts should be applied in areas where the land use pattern is predominately single-family residential or where such land use pattern is desired in the future. These districts allow residential cluster development with smaller minimum lot sizes and additional building types in exchange for protecting significant common open space.
- b. The S-RS districts vary primarily on the minimum lot size for a single-family house within the district.
 - i. The S-RS-15 district generally requires 15,000 square feet.
 - ii. The S-RS-6 district generally requires 6,000 square feet.

2. Suburban Residential Multifamily (S-RM-3)

The Residential Multifamily district is intended to accommodate existing or proposed development where the land use pattern is a mix of single-family, two-family and multifamily housing. The S-RM-3 district is

intended to provide for the integration of single-family, two-family and multifamily together. The S-RM-3 district allows buildings up to three stories in height.

3. Suburban Mixed Use (S-MX-3)

The Suburban Mixed Use district is intended to promote safe, active, and pedestrian-scaled mixed use centers as part of a neighborhood. The S-MX-3 district enhances the convenience, ease and enjoyment of walking, shopping and public gathering spaces. Although building types can be exclusively residential or nonresidential in use, the vertical mixing of uses (floor-to-floor) is encouraged. The S-MX-3 district allows buildings up to three stories in height.

4. Suburban Main Street (S-MS-3)

The Suburban Main Street district is intended to promote safe, active, and pedestrian-scaled mixed use streets. This district may be applied in a linear fashion along a block face or at corners of key intersections. The S-MS districts should be applied where a higher degree of walkability and pedestrian activity is desired. The S-MS-3 district allows buildings up to three stories in height.

5. Suburban Commercial Corridor (S-CC-3)

The Suburban Commercial Corridor 3 district is intended to balance the need for safe, active, and pedestrian-scaled areas with the need for limited parking between the buildings and the street. While the S-CC-3 district allows buildings to be built to the street edge, the district is intended to address auto-dominated corridors where it is infeasible or impractical to require buildings pulled up to the street. The S-CC-3 district allows buildings up to three stories in height.

6. Suburban Light Industrial (S-IL)

The Suburban Light Industrial district is intended to accommodate light manufacturing, research and development, warehousing, wholesale and upper story residential uses. Buildings may be either pulled up to the street or set back to allow some parking between the building and the street. The S-IL district allows buildings up to three stories in height.

7. Suburban Planned Development (S-PD)

The Suburban Planned Development district provides flexibility for small scale developments within the Suburban context in exchange for a more desirable built form than would be possible under one of the other suburban zoning districts. The S-PD district is intended to allow innovative and imaginative projects, at suburban densities, that generate amenities beyond those expected in conventional suburban development.

D. Urban Context Districts

1. Urban Residential Single-Family (U-RS-6, -3)

- a. The Urban Residential Single-Family districts are intended to accommodate single-family detached houses on individual lots. These districts should be applied in areas where the land use pattern is predominately single-family residential or where such land use pattern is desired in the future.
- b. The U-RS districts vary primarily on the minimum lot size for a single-family house within the district.
 - i. The U-RS-6 district generally requires 6,000 square feet.
 - ii. The U-RS-3 district generally requires 3,000 square feet.

2. Urban Residential Multifamily (U-RM-3)

The Residential Multifamily district is intended to accommodate existing or proposed development where the land-use pattern is a mix of single-family, two-family and multifamily housing. The U-RM-3 district is intended to provide for the integration of single-family, two-family and multifamily together. The U-RM-3 district allows buildings up to three stories in height.

3. Urban Mixed Use (U-MX-3, -5)

- a. The Urban Mixed Use districts are intended to promote safe, active, and pedestrian-scaled mixed use centers as part of a neighborhood. The U-MX districts enhance the convenience, ease and enjoyment of walking, shopping and public gathering spaces. Although buildings can be exclusively residential or nonresidential in use, the vertical mixing of uses (floor-to-floor) is encouraged.

- b. The U-MX districts vary primarily on the maximum number of stories allowed within the district.
 - i. The U-MX-3 district allows up to three stories in height.
 - ii. The U-MX-5 district allows up to five stories in height.

4. Urban Main Street (U-MS-3, -5)

- a. The Urban Main Street districts are intended to promote safe, active, and pedestrian-scaled mixed use streets. These districts may be applied in a linear fashion along a block face or at corners of key intersections. The U-MS districts should be applied where a higher degree of walkability and pedestrian activity is desired.
- b. The U-MS districts vary primarily on the maximum number of stories allowed within the district.
 - i. The U-MS-3 district allows up to three stories in height.
 - ii. The U-MS-5 district allows up to five stories in height.

5. Urban Light Industrial (U-IL)

The Urban Light Industrial district is intended to accommodate light manufacturing, research and development, warehousing, wholesale and upper story residential uses. Buildings may be either pulled up to the street or set back to allow some parking between the building and the street. The U-IL district allows buildings up to five stories in height.

6. Urban Planned Development (U-PD)

The Urban Planned Development district provides flexibility for small scale developments within the Urban context in exchange for a more desirable built form than would be possible under one of the other urban zoning districts. The U-PD district is intended to allow innovative and imaginative projects at urban densities, that generate amenities beyond those expected in conventional urban development.

E. Center Context Districts

1. Center Mixed Use (C-MX-5)

The Center Mixed Use district is intended to promote safe, active, and pedestrian-scaled mixed use centers. The C-MX-5 district enhances the convenience, ease and enjoyment of transit, walking, shopping and

public gathering space. Although buildings can be exclusively residential or nonresidential in use, the vertical mixing of uses (floor-to-floor) is strongly encouraged. The C-MX-5 district allows buildings with up to five stories in height.

2. Center Main Street (C-MS-5)

The Center Main Street districts are intended to promote safe, active, and pedestrian-scaled mixed use streets. These districts are typically applied in a linear fashion along entire block faces. The C-MS districts should be applied where a higher degree of walkability and pedestrian activity is desired. The C-MS-5 district allows buildings with up to five stories in height.

3. Center Light Industrial (C-IL)

The Center Light Industrial district is intended to accommodate light manufacturing, research and development, warehousing, wholesale and upper story residential uses. Buildings are pulled up to the street. The C-IL district allows buildings up to five stories in height.

4. Center Planned Development (C-PD)

The Center Planned Development district provides flexibility for small scale developments within the Center context in exchange for a more desirable built form than would be possible under one of the other center zoning districts. The C-PD district is intended to allow innovative and imaginative projects at downtown densities, that generate amenities beyond those expected in conventional development.

F. Special Context Districts

1. Special Community (SP-CD)

The Special Community district is intended to provide for large scale civic and institutional campuses, organized by master plans, that do not readily assimilate into neighborhoods. The SP-CD district is also intended to accommodate large scale active recreational needs and to promote recreational uses that may not be compatible in other zoning districts.

2. Special Heavy Industrial (SP-IH)

The Special Heavy Industrial district is intended to accommodate high-impact manufacturing and industrial uses, including extractive and waste-related uses, that are either large scale or contain uses that by their nature create a nuisance, and which are not properly associated with or are compatible with neighborhoods.

3. Special Planned Industrial Development (SP-PID)

The Special Planned Industrial Development district provides flexibility in the development of high intensity light and heavy industrial employment centers in exchange for reduced impact on surrounding properties and a better environment than would be possible under one of the Light Industrial or Heavy Industrial zoning districts. The SP-PID is intended to allow greater protection of surrounding land uses while encouraging innovative designs that will promote amenities beyond those expected in conventional industrial development.

2.4.3 Planned Neighborhood Development (PND)

A Planned Neighborhood Development (PND) is not a single zoning district, but is a process to apply multiple context areas and zoning districts to a tract of land for the purpose of building complete neighborhoods. Rather than rezoning a tract of land in individual applications, a package of context areas and zoning districts available under this zoning code may be applied to a tract of land and certain deviations from this zoning code may be granted by the [*Governing Body*] in an approved concept plan. The process and requirements for Planned Neighborhood Developments (PND) are established in 12.2.11, Planned Neighborhood Development (PND).

Sec. 2.5 Building Types

Building types explain how buildings and structures relate to their lots, surrounding buildings and structures, street and alley rights-of-way, and the overall public realm.

2.5.1 Building Types Established

The following building types have been established to allow for detailed regulation of form based on the various context areas and zoning districts.



Farm Lot

A large lot designed to accommodate agricultural and residential uses. A farm lot may have multiple structures including a farm house, barn, workshop, or other accessory structures, provided the lot maintains low building coverage. A farm lot may also be used to accommodate other uses with large areas of open space.



Single-Family House

A building type containing one principal dwelling unit typically located on a single lot with private yards on all four sides. Single-family house also includes modular or manufactured homes.



Attached House

A building type containing two principal dwelling units on a single lot with private yards on all four sides. Each unit has its own external entrance. Units can be located on separate floors, side by side, or back-to-back. Often called a duplex.



Row House

A building type consisting of three or more attached structures. Each structure shares a common side wall. Each structure may contain up to two principal dwelling units which may be stacked vertically. Each unit has its own external street facing entrance.



Apartment

A building type containing three or more dwelling units consolidated into a single structure. An apartment contains internal common walls. Dwelling units within a building may be situated either wholly or partially over or under other dwelling units. The building often shares a common entrance. Primary entrances are prominent and street facing.



Single-Story Shopfront

A building type intended primarily for large format single-story retail. Storefront windows are provided to encourage interaction between the pedestrian and the ground story space. Primary entrances are prominent and street facing.



Mixed Use Building

A building type intended for ground floor commercial uses with upper-story residential or offices uses. Windows are provided on the ground floor to encourage interaction between the pedestrian and the ground story space. Primary entrances are prominent and street facing and are spaced at regular intervals along the street edge.



Industrial

A building type intended primarily for industrial, manufacturing and employment uses. To the extent possible, building entrances should face the street. Ground floor transparency is limited due to the intensive nature of the work inside. May include bay doors for vehicles.



Civic

A building type containing community or public uses that serve the surrounding community. Civic buildings are usually sited adjoining or surrounded by civic spaces or they provide a visual landmark by being placed at the axial termination of a street.



Open Lot

An open lot is designed to accommodate open space or natural areas worthy of preservation. An open lot is intended primarily to provide for public or private open space. Open lots may also be used to accommodate uses with large areas of open space and low building coverage.

Sec. 2.6 Official Maps

2.6.1 Regional Growth Sector Map

The boundaries of the regional growth sector map are established and shown on the [*Name of Plan Document*] and may be cited and referred to as the "Official Regional Growth Sector Map." The Official Regional Growth Sector Map is hereby made part of this zoning code. All notations, references and other information shown shall have the same force and effect as if fully set forth or described in this zoning code. Regional Growth Sector Map must be properly attested and kept on file by the Administrator.

2.6.2 Zoning District Map

The boundaries of the zoning districts are established and shown on the "[*Jurisdiction*]" Zoning District Map" and may be cited and referred to as the "Official Zoning Map". The Official Zoning Map is hereby made part of this zoning code. All notations, references and other information shown shall have the same force and effect as if fully set forth or described in this zoning code. The Zoning Map must be properly attested and kept on file by the Administrator.

2.6.3 Official Map Interpretation

- A. In the event that any uncertainty exists with respect to the intended boundaries as shown on either the Official Regional Growth Sector Map or the Official Zoning Map, the Administrator is authorized to interpret the boundaries.
- B. Where uncertainty exists as to the boundaries of any growth sector shown on the Official Regional Growth Sector Map or any zoning district shown on the Official Zoning Map, the following rules shall apply:
 1. Boundaries are the center lines of the streets, alleys, waterways and rights-of-way, unless otherwise indicated. Where designation of a boundary line on either map coincides with the location of a street, alley, waterway or right-of-way, the center line of the street, alley, water way or right-of-way shall be construed to be the boundary of such district.
 2. Where the boundaries do not coincide with the location of streets,

alleys, waterways and rights-of-way, but do coincide with parcel or lot lines, such parcel or lot lines shall be construed to be the boundaries.

3. Where the boundaries do not coincide with the location of streets, alleys, waterways, rights-of-way, parcel or lot lines, the boundary shall be determined by the use of the scale shown on the map.
- C. The applicant may appeal the map interpretation to the Board of Adjustment as set forth in [12.2.5, Appeal of Administrative Decision](#).

ARTICLE 3. NATURAL

Sec. 3.1 Natural Context 3-2

- 3.1.1 General Character 3-2
- 3.1.2 Regional Growth Sectors 3-2
- 3.1.3 Zoning Districts 3-2
- 3.1.4 Building Types and Dimensions 3-2
- 3.1.5 Street, Alley and Block Patterns 3-2
- 3.1.6 Parking and Mobility Options 3-2

Sec. 3.2 Building Types 3-3

- 3.2.1 Farm Lot 3-4
- 3.2.2 Civic 3-6
- 3.2.3 Open Lot 3-8

Mapping Note: *The Natural Context is applicable to areas both large and small. It is appropriate to apply this context area to large tracts of preservation land such as wildlife management areas or environmentally sensitive wetlands and floodplain areas as well as to medium and large scale parks and open space inside more urban areas. See the Implementation Handbook for a more detailed discussion of mapping the Natural Context and Natural Zoning Districts.*

Sec. 3.1 Natural Context



3.1.1 General Character

The Natural context consists of lands in a wilderness state, whether they have remained roughly unsettled or have reverted to this condition. These lands may be unsuitable for settlement due to topography, hydrology, vegetation, or other environmental constraints. The Natural context consists of a natural landscape with some agricultural uses.

3.1.2 Regional Growth Sectors

The Natural context is typically mapped in areas designated as Preservation or Restricted Growth Sectors on the Regional Growth Sector Map. Areas within this context will not be served by public sewer or other urban services within the planning horizon. No growth should occur in this context area.

3.1.3 Zoning Districts

The Natural context allows the N-AG-40 District. Conservation (N-CON) is allowed as a special purpose district.

3.1.4 Building Types and Dimensions

There may be a few outlying single-family houses; however, the context has few structures of any kind.

3.1.5 Street, Alley and Block Patterns

Few roadways are present with the exception of limited access routes. There may be unpaved roads and trails.

3.1.6 Parking and Mobility Options

Parking is located only on private lots. Roadways are geared towards automobiles but the natural state of this context may enable hiking trails and paths.

Sec. 3.2 Building Types



NATURAL

Farm Lot Single-Family House Attached House Row House Apartment Single-Story Shopfront Mixed Use Building Industrial Civic Open Lot

Large Lot Residential Districts

Agriculture-40 (N-AG-40)	■							□		■
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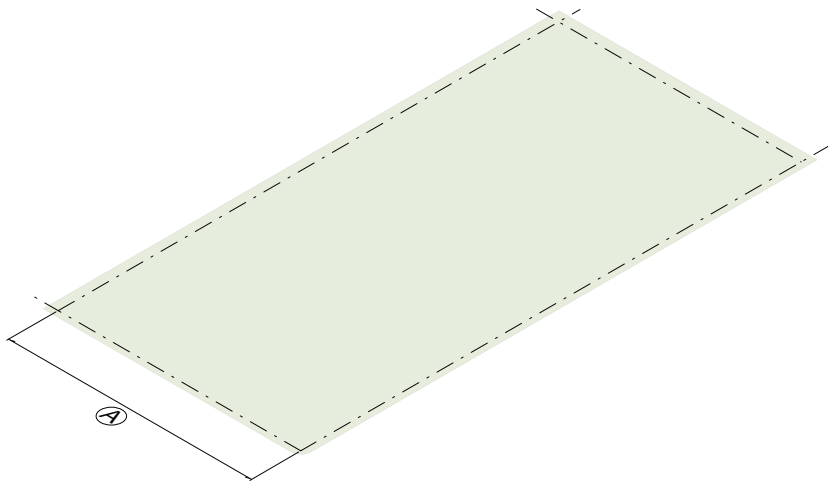
Special Purpose Districts

Conservation (N-CON)	■							□		■
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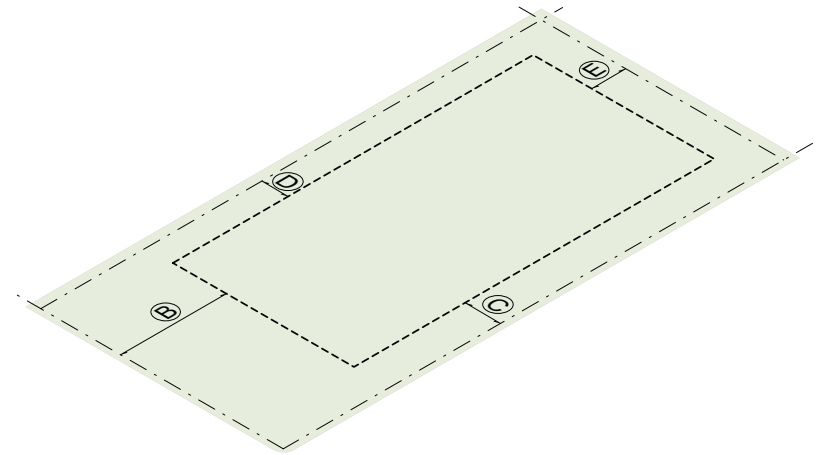
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3.2.1 Farm Lot

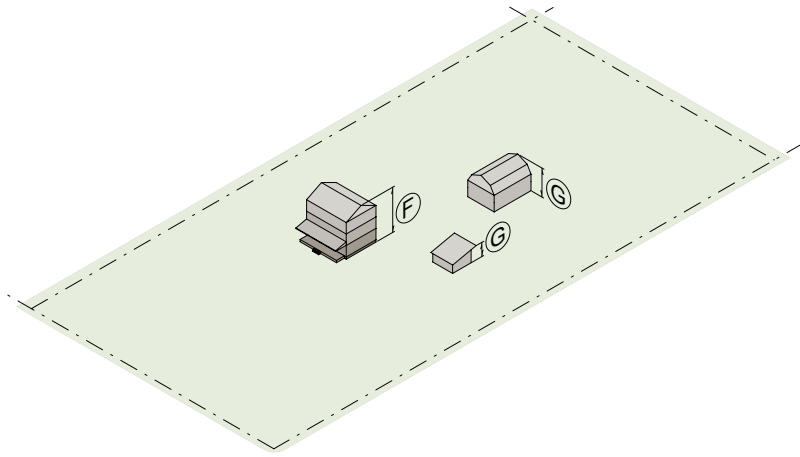
A large lot designed to accommodate agricultural and residential uses. A farm lot may have multiple structures including a farm house, barn, workshop, or other accessory structures, provided the lot maintains low building coverage. A farm lot may also be used to accommodate other uses with large areas of open space.



N-AG-40	
Lot	
Area (min acres)	40
Building coverage (max)	1%
Ⓐ Width (min)	300'



N-AG-40	
Structure Setbacks	
Ⓑ Front (min)	100'
Ⓒ Side, street (min)	50'
Ⓓ Side, interior (min)	30'
Ⓔ Rear (min)	50'

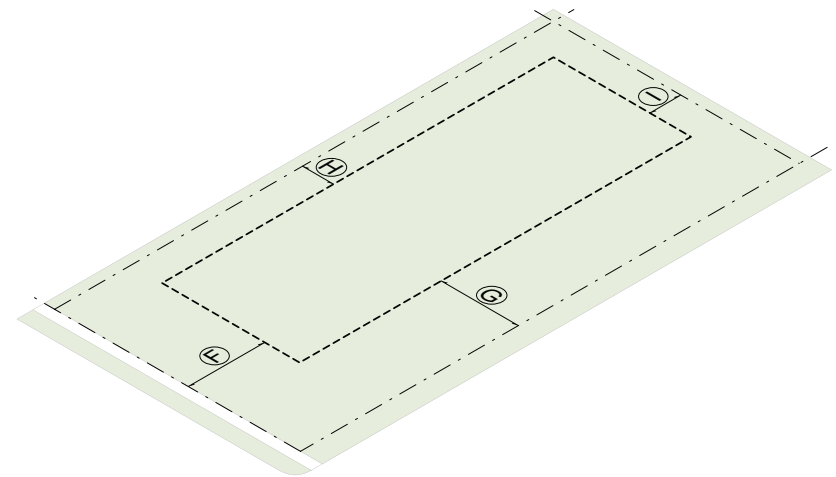
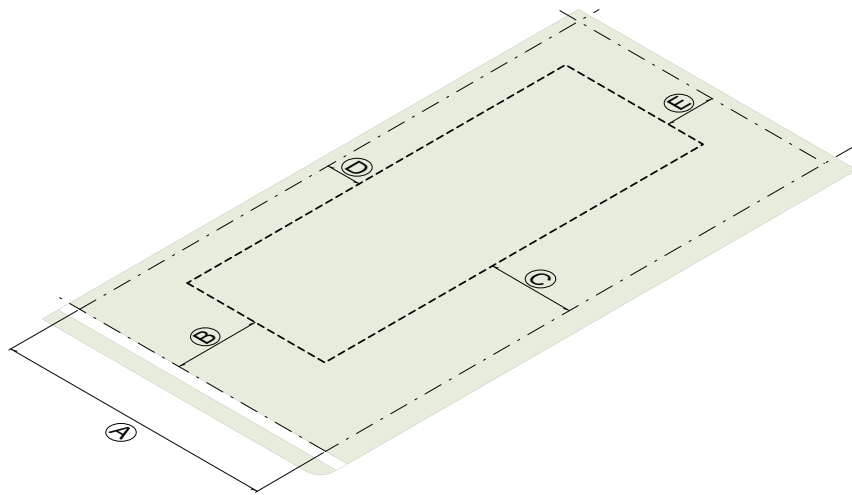


N-AG-40

Principal Structure Height	
Ⓕ Stories (max)	3
Ⓕ Feet (max)	50'
Accessory Structure Height	
Ⓖ Stories (max)	n/a
Ⓖ Feet (max)	n/a

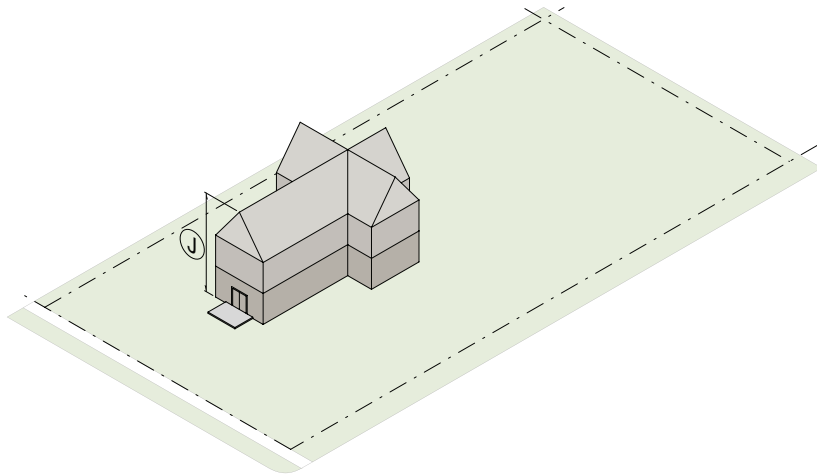
3.2.2 Civic

A building type containing community or public uses that serve the surrounding community. Civic buildings are usually sited adjoining or surrounded by civic spaces or they provide a visual landmark by being placed at the axial termination of a street.



	All Districts
Lot	
Area (min acres)	1
Building coverage (max)	15%
(A) Width (min)	200'
Structure Setbacks	
(B) Front (min)	50'
(C) Side, street (min)	50'
(D) Side, interior (min)	30'
(E) Rear (min)	50'

	All Districts
Parking Setbacks	
(F) Front (min)	50'
(G) Side, street (min)	50'
(H) Side, interior (min)	30'
(I) Rear (min)	20'

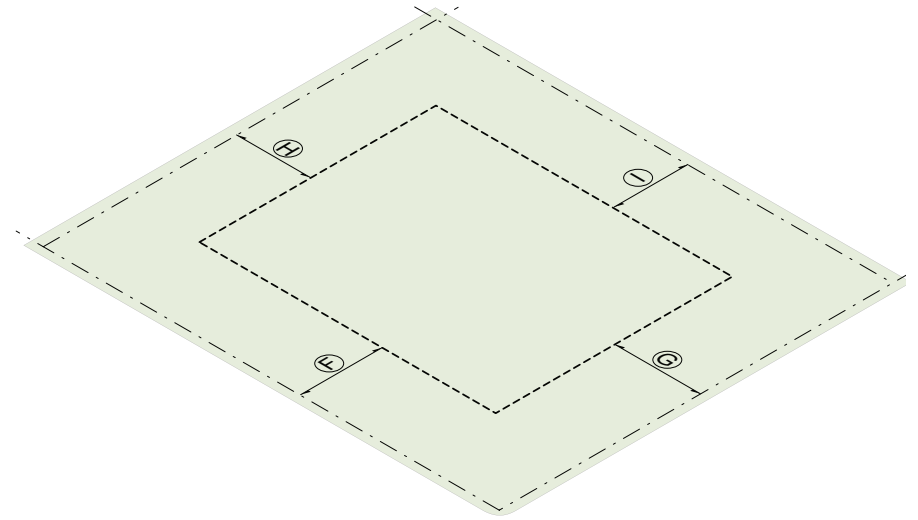
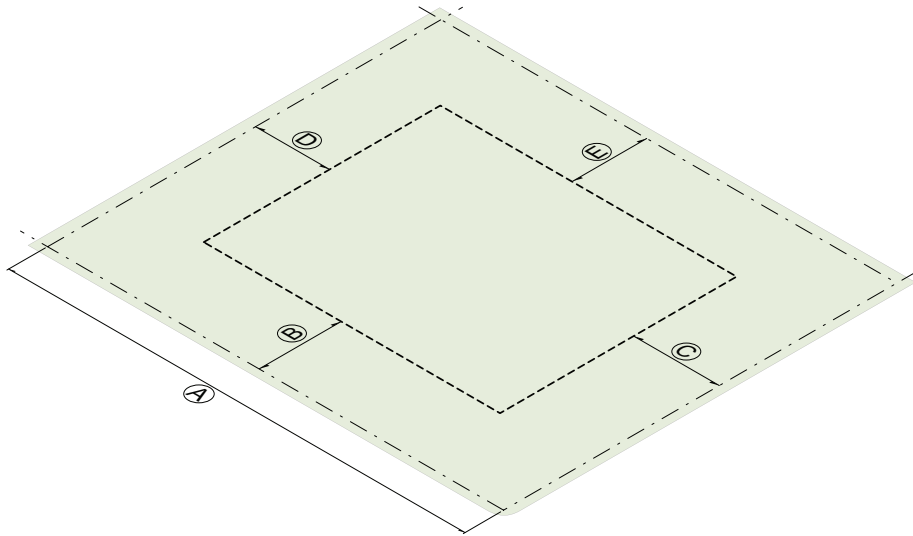


All Districts	
Structure Height	
Ⓜ Stories (max)	3
Ⓜ Feet (max)	50'
Bulk Plane	
Bulk Plane abutting RS- district (1:1 above 40')	yes
Building Elements Allowed*	
Gallery, awning	■
Double gallery	■
Porch, stoop	■
Balcony	■

*See [Sec. 9.4, Building Elements](#), for specific building element requirements

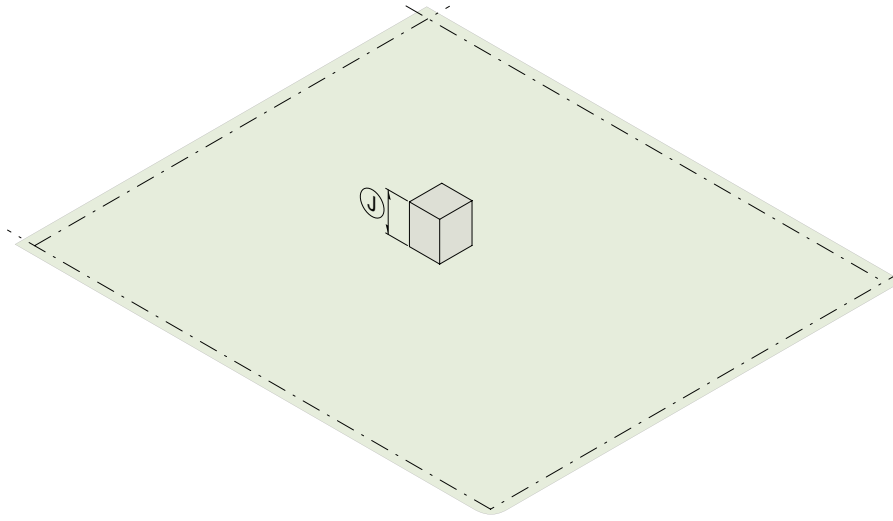
3.2.3 Open Lot

An open lot is designed to accommodate open space or natural areas worthy of preservation. An open lot is intended primarily to provide for public or private open space. Open lots may also be used to accommodate uses with large areas of open space and low building coverage.



	All Districts
Lot	
Area (min square feet)	2,000
Building coverage (max)	1%
(A) Width (min)	75'
Structure Setbacks	
(B) Front (min)	50'
(C) Side, street (min)	25'
(D) Side, interior (min)	25'
(E) Rear (min)	50'

	All Districts
Parking Setbacks	
(F) Front (min)	50'
(G) Side, street (min)	25'
(H) Side, interior (min)	25'
(I) Rear (min)	50'



All Districts	
Structure Height	
Ⓧ Feet (max)	35'

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ARTICLE 4. RURAL

Sec. 4.1 Rural Context 4-2

4.1.1 General Character 4-2

4.1.2 Regional Growth Sector 4-2

4.1.3 Zoning Districts 4-2

4.1.4 Building Types and Dimensions 4-2

4.1.5 Street, Alley and Block Patterns 4-2

4.1.6 Parking and Mobility Options 4-2

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4.2.1 Farm Lot 4-4

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Sec. 4.3 Special Development Standards . . 4-16

4.3.1 Residential Cluster 4-16

4.3.2 Rural Planned Development (R-PD) 4-19

Mapping Note: *The Rural Context acknowledges the flexibility needed in agricultural and rural environments and responds to this need by allowing a wide variety of uses and tools that provide flexibility in building types, provided that most land is maintained in large undivided lots.*

The majority of the Restricted Growth Sector should be mapped under the Rural Context. If large areas of the Restricted Growth Sector are permitted to be broken into lots of less than 10 acres, two dangerous conditions may occur. First, the community will lose the ability to redevelop the area and respond to future growth demands for a long time; and second, the cherished rural character that so many Louisianans love, may be lost.

Sec. 4.1 Rural Context



4.1.1 General Character

The Rural context consists of sparsely settled lands in open or cultivated states. Lots sizes are typically large. Typical buildings are farmhouses, agricultural structures, and camps. Limited agricultural and rural services may be located in specifically designated rural service centers.

4.1.2 Regional Growth Sector

The Rural context is typically mapped in Restricted Growth Sectors on the Regional Growth Sector Map. Areas within this context are not currently served and are not anticipated to be served by public sewer or other urban services within the planning horizon. Very little growth should occur in this context.

4.1.3 Zoning Districts

The Rural context allows for large lot residential districts (R-AG-40, R-AG-20, R-AG-10, R-AG-5). The context also allows for higher intensity development at designated rural service mixed use centers (R-MX-2). The Rural context permits light industrial uses (R-IL). Special purpose districts include rural planned development (R-PD).

4.1.4 Building Types and Dimensions

Residential and mixed use buildings are one to three stories in height. Residences typically have very deep, landscaped front setbacks. Setbacks may vary considerably. Building coverage is minimal. Mixed use buildings located in designated rural service centers are more pedestrian-oriented. Building coverage may be higher in these centers.

4.1.5 Street, Alley and Block Patterns

Except in specifically designated rural service centers, streets are relatively wide with no sidewalks. Blocks are large and may be irregular, typically without alleys. Access is via driveways that typically feed directly onto main roads.

4.1.6 Parking and Mobility Options

Parking is located only on private lots. Automobiles are the primary mode of transportation. Except for specifically designated rural service centers, there is limited accommodation for pedestrians, bikes or bus service.

Sec. 4.2 Building Types



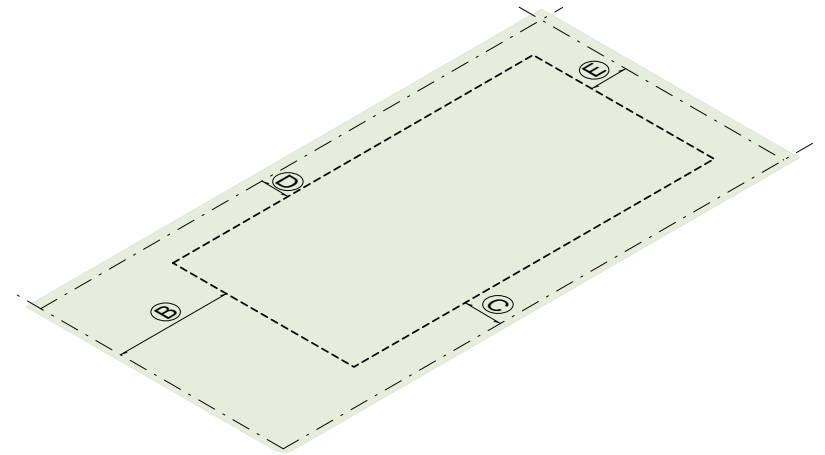
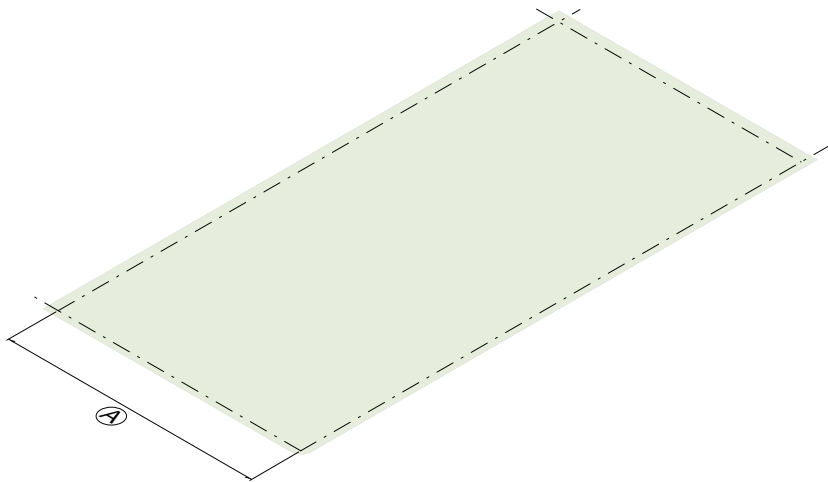
RURAL

	Farm Lot	Single-Family House	Attached House	Row House	Apartment	Single-Story Shopfront	Mixed Use Building	Industrial	Civic	Open Lot
Agricultural Districts										
Agriculture-40 (R-AG-40)	■								■	■
Agriculture-20 (R-AG-20)	■								■	■
Agriculture-10 (R-AG-10)	■								■	■
Agriculture-5 (R-AG-5)		■							■	■
Residential Cluster										
Agriculture-40 (R-AG-40)	■								■	■
Agriculture-20 (R-AG-20)		■							■	■
Agriculture-10 (R-AG-10)		■							■	■
Agriculture-5 (R-AG-5)		■							■	■
Mixed Use Districts										
Rural Services (R-MX-2)							■		■	■
Commercial Districts										
Light Industrial (R-IL)							■	■	■	■
Special Purpose Districts										
Planned Development (R-PD)	*	*	*				*	*	*	*

KEY: ■ Allowed by right * May be allowed by the **[Governing Body]** as part of an approved concept plan Blank cell = Not allowed

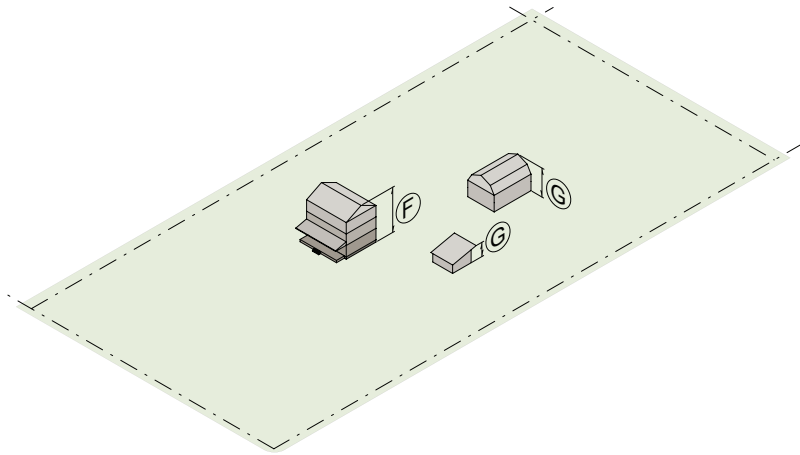
4.2.1 Farm Lot

A large lot designed to accommodate agricultural and residential uses. A farm lot may have multiple structures including a farm house, barn, workshop, or other accessory structures, provided the lot maintains low building coverage. A farm lot may also be used to accommodate other uses with large areas of open space.



	CONVENTIONAL			CLUSTER OPTION
	R-AG-40	R-AG-20	R-AG-10	R-AG-40
Project				
Area (min acres)	n/a	n/a	n/a	200
Common Open Space (min)	n/a	n/a	n/a	60%
Gross Density (max units/acre)	.025	.05	.1	.0375
Lot				
Area (min acres)	40	20	10	8
Building coverage (max)	1%	1.5%	3%	3.5%
Ⓐ Width (min)	300'	300'	300'	300'

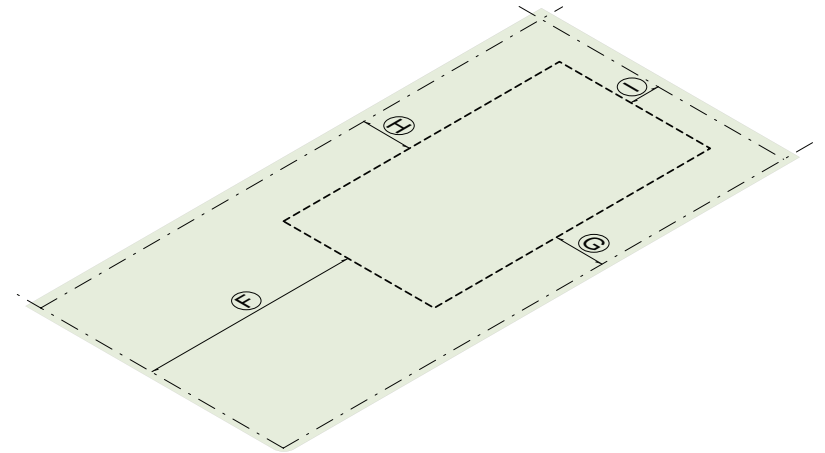
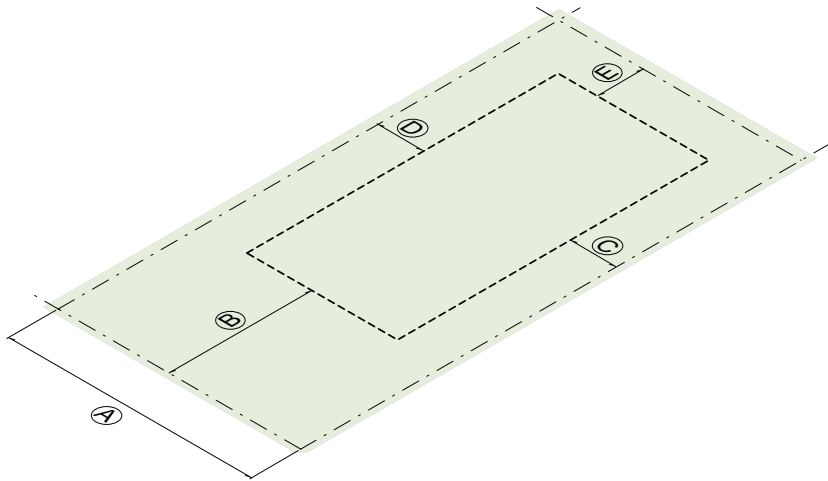
	CONVENTIONAL			CLUSTER OPTION
	R-AG-40	R-AG-20	R-AG-10	R-AG-40
Structure Setbacks				
Ⓑ Front (min)	100'	100'	100'	100'
Ⓒ Side, street (min)	50'	50'	50'	50'
Ⓓ Side, interior (min)	30'	30'	30'	30'
Ⓔ Rear (min)	50'	50'	50'	50'



	CONVENTIONAL			CLUSTER OPTION
	R-AG-40	R-AG-20	R-AG-10	R-AG-40
Principal Structure Height				
Ⓕ Stories (max)	3	3	3	3
Ⓕ Feet (max)	50'	50'	50'	50'
Accessory Structure Height				
Ⓖ Stories (max)	n/a	n/a	n/a	n/a
Ⓖ Feet (max)	n/a	n/a	50'	50'

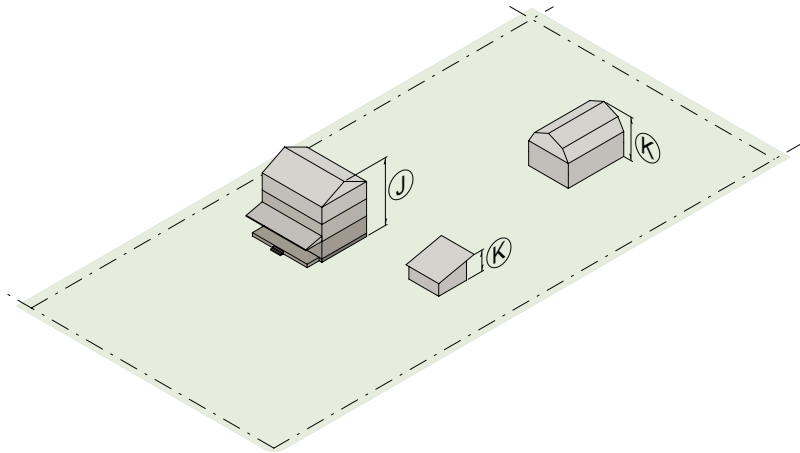
4.2.2 Single-Family House

A building type containing one principal dwelling unit typically located on a single lot with private yards on all four sides. Single-family house also includes modular or manufactured homes.



	CONVENTIONAL	CLUSTER OPTION		
	R-AG-5	R-AG-20	R-AG-10	R-AG-5
Project				
Area (min acres)	n/a	150	100	50
Common Open Space (min)	n/a	60%	60%	60%
Gross Density (max units/acre)	.2	.075	.15	.3
Lot				
Area (min acres)	5	4	2	1
Building coverage (max)	5%	6%	10%	15%
(A) Width (min)	250'	250'	200'	200'
Principal Structure Setbacks				
(B) Front (min)	100'	100'	75'	60'
(C) Side, street (min)	50'	50'	50'	40'
(D) Side, interior (min)	30'	30'	30'	20'
(E) Rear (min)	50'	50'	50'	40'

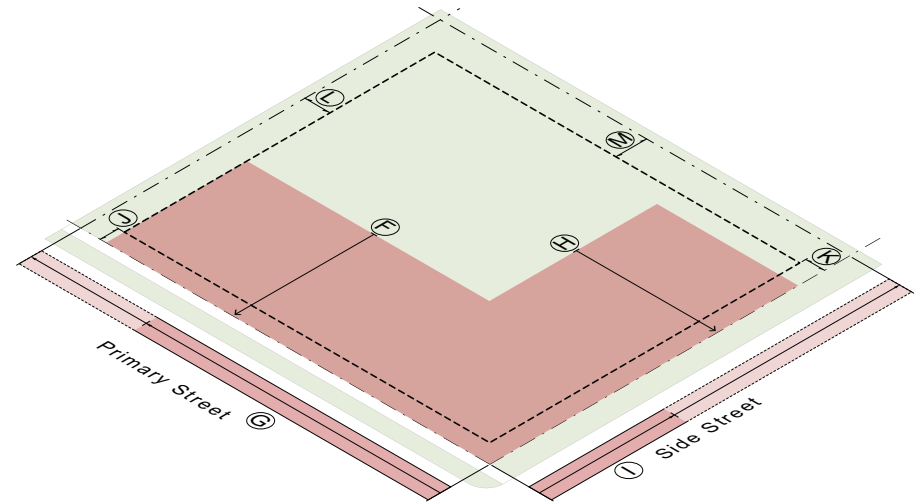
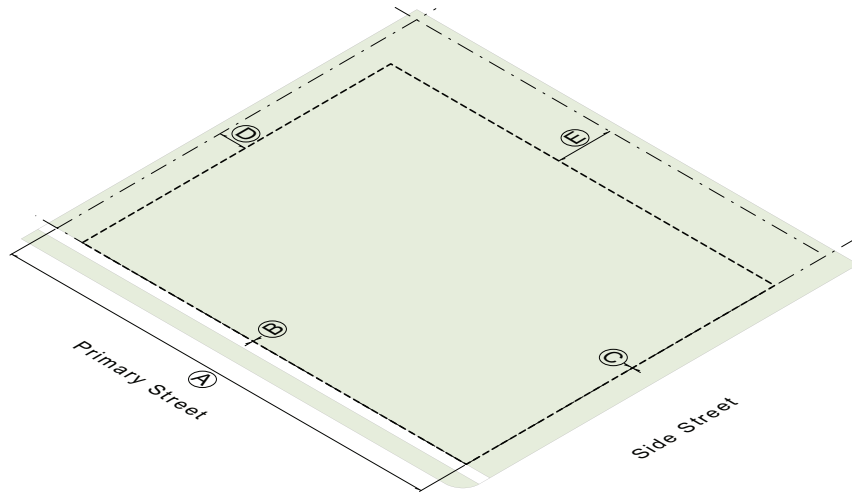
	CONVENTIONAL	CLUSTER OPTION		
	R-AG-5	R-AG-20	R-AG-10	R-AG-5
Accessory Structure Setbacks				
(F) Behind front facade of principal structure (min)	15'	15'	15'	15'
(G) Side, street (min)	50'	50'	50'	40'
(H) Side, interior (min)	30'	30'	30'	20'
(I) Rear, common lot line (min)	30'	30'	25'	20'



	CONVENTIONAL	CLUSTER OPTION		
	R-AG-5	R-AG-20	R-AG-10	R-AG-5
Principal Structure Height				
Ⓧ Stories (max)	3	3	3	3
Ⓧ Feet (max)	50'	45'	45'	45'
Accessory Structure Height				
Ⓧ Stories (max)	2	2	2	2
Ⓧ Feet (max)	35'	30'	30'	30'

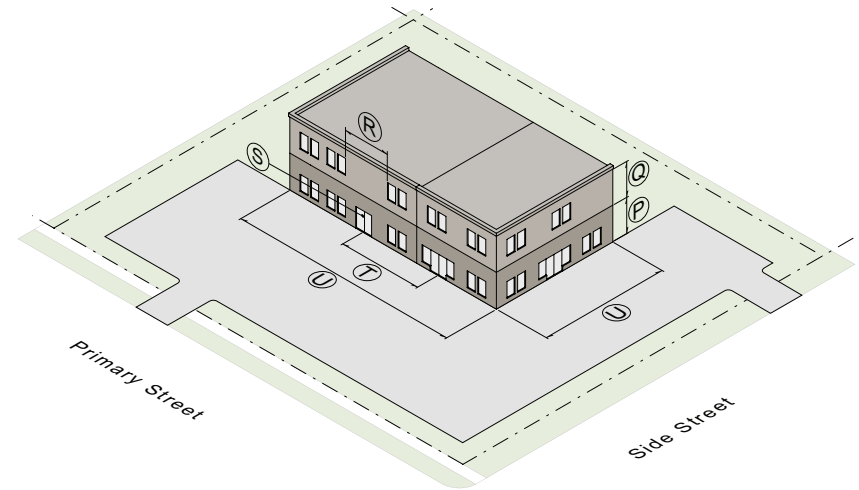
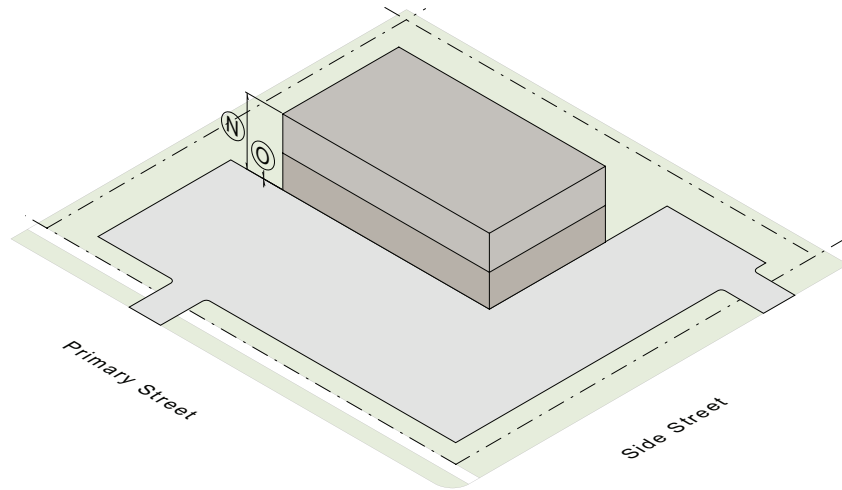
4.2.3 Mixed Use Building

A building type intended for ground floor commercial uses with upper-story residential or offices uses. Windows are provided on the ground floor to encourage interaction between the pedestrian and the ground story space. Primary entrances are prominent and street facing and are spaced at regular intervals along the street edge.



	R-MX-2	R-IL
Lot		
Area (min square feet)	22,500	22,500
Building coverage (max)	50%	50%
(A) Width (min)	150'	150'
Structure Setbacks		
(B) Primary street (min)	15'	15'
(C) Side street (min)	10'	10'
(D) Side setback abutting MX-, MS-, CC, or IL district (min)	0' or 10'	0' or 10'
(E) Side setback abutting any other district (min)	30'	50'
(F) Rear setback (min)	30'	50'

	R-MX-2	R-IL
Build-to Area		
(F) Primary street build-to area (min/max)	15' / 80'	15' / 120'
(G) Building facade in primary street build-to area (min % of lot width)	60%	60%
(H) Side street build-to area (min/max)	10' / 80'	10' / 120'
(I) Building facade in side street build-to area (min % of lot depth)	30%	30%
Parking Setback		
(J) Primary street setback (min)	5'	5'
(K) Side street setback (min)	5'	5'
(L) Side setback abutting MX-, MS-, CC, or IL district (min)	0' or 10'	0' or 10'
(M) Side setback abutting any other district (min)	30'	50'
(N) Rear setback (min)	20'	30'



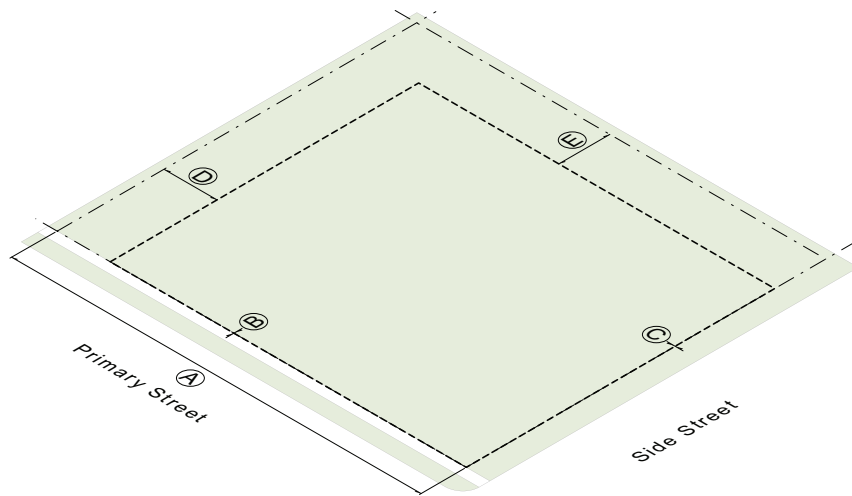
	R-MX-2	R-IL
Height		
N Stories (max)	2	2
N Feet (max)	30'	30'
O Ground story height (min)	13'	n/a

	R-MX-2	R-IL
Transparency		
P Ground story (min)	50%	30%
Q Upper story (min)	20%	20%
R Blank wall area (max)	30'	50'
Building Entrance		
S Street facing entrance required	yes	yes
T Entrance spacing (max)	100'	n/a
Building Mass		
U Building length (max)	150'	n/a
Building Elements Allowed*		
Gallery, awning	■	■
Double gallery	■	■
Porch, stoop		
Balcony	■	■

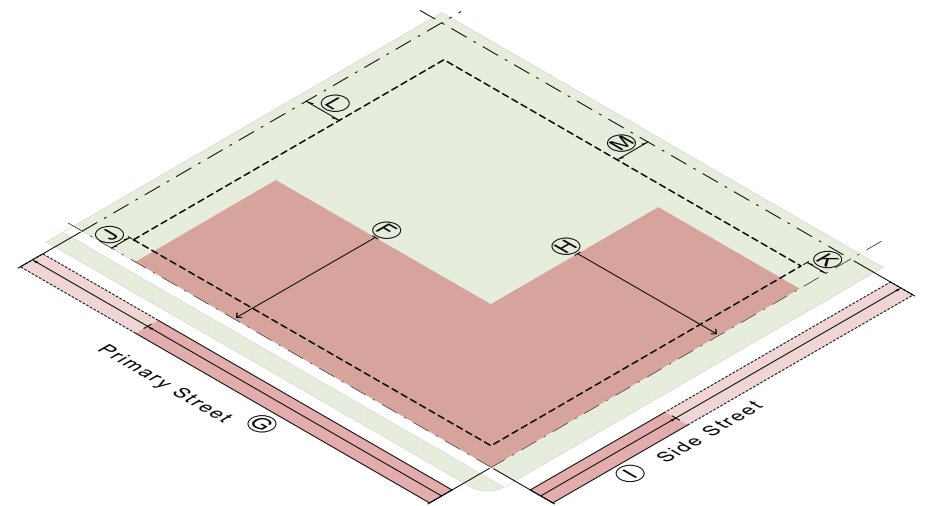
*See [Sec. 9.4, Building Elements](#), for specific building element requirements

4.2.4 Industrial

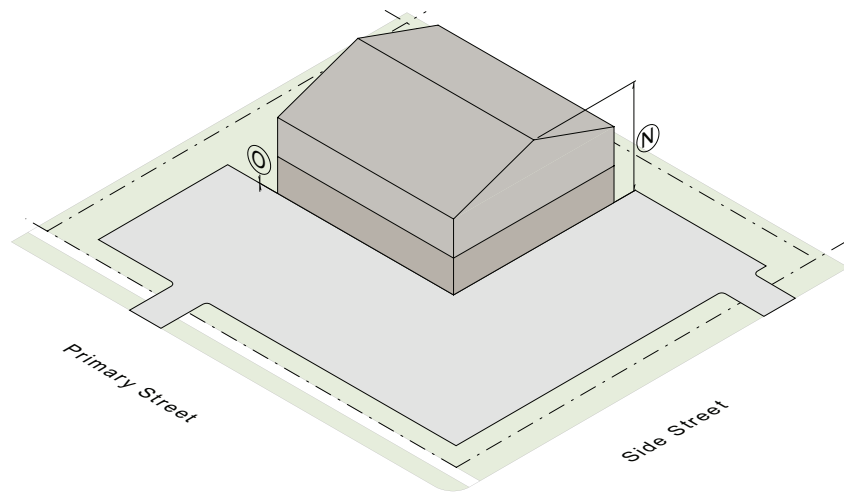
A building type intended primarily for industrial, manufacturing and employment uses. To the extent possible, building entrances should face the street. Ground floor transparency is limited due to the intensive nature of the work inside. May include bay doors for vehicles.



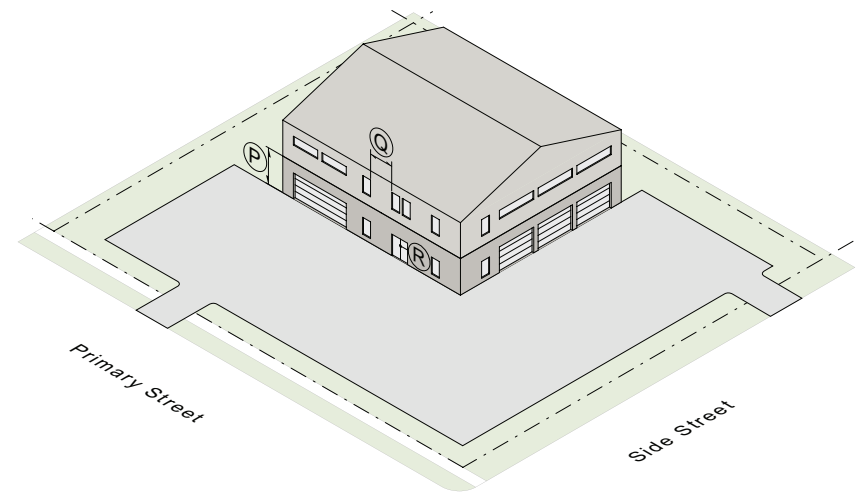
	R-IL
Lot	
Area (min square feet)	22,500
Building coverage (max)	50%
A Width (min)	150'
Structure Setbacks	
B Primary street (min)	15'
C Side street (min)	10'
D Side setback abutting MX-, MS-, CC, or IL district (min)	30'
D Side setback abutting any other district (min)	50'
E Rear setback (min)	50'



	R-IL
Build-to Area	
F Primary street build-to area (min/max)	15' / 120'
G Building facade in primary street build-to area (min % of lot width)	60%
H Side street build-to area (min/max)	10' / 120'
I Building facade in side street build-to area (min % of lot depth)	30%
Parking Setback	
J Primary street (min)	5'
K Side street (min)	5'
L Side setback abutting MX-, MS-, CC, or IL district (min)	30'
L Side setback abutting any other district (min)	50'
M Rear setback (min)	30'



R-IL	
Height	
N Stories (max)	2
N Feet (max)	40'
Q Ground story height (min)	12'

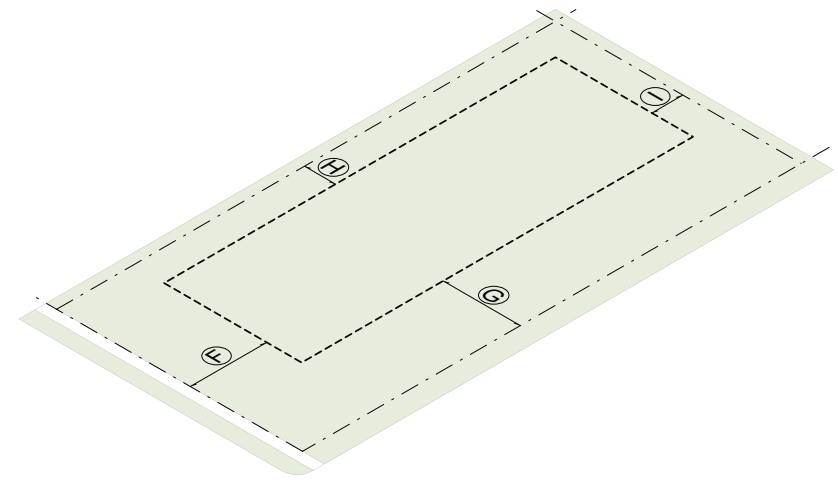
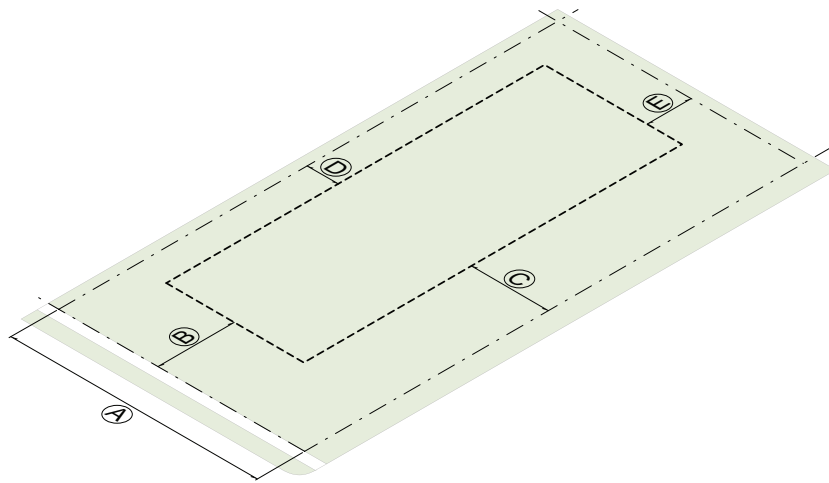


R-IL	
Transparency	
P Ground story (min)	30%
Q Blank wall area (max)	75'
Building Entrance	
R Street facing entrance required	yes
Building Elements Allowed*	
Gallery, awning	▪
Double gallery	▪
Porch, stoop	▪
Balcony	▪

*See [Sec. 9.4, Building Elements](#), for specific building element requirements

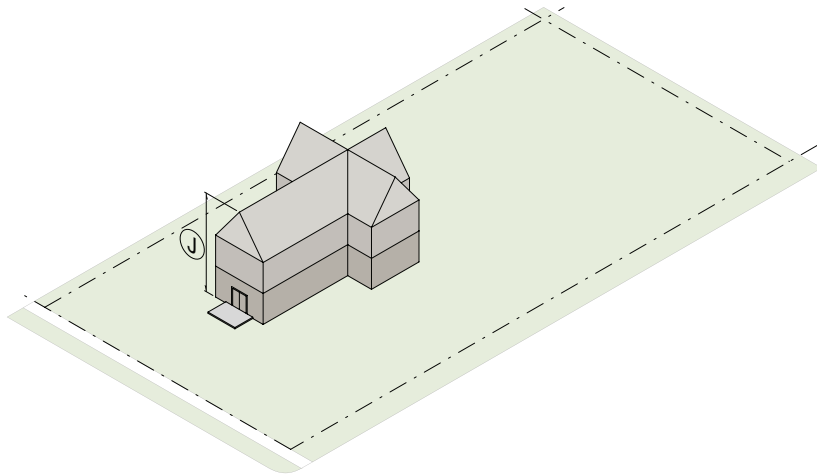
4.2.5 Civic

A building type containing community or public uses that serve the surrounding community. Civic buildings are usually sited adjoining or surrounded by civic spaces or they provide a visual landmark by being placed at the axial termination of a street.



	All Districts
Lot	
Area (min square feet)	22,500
Building coverage (max)	30%
(A) Width (min)	150'
Structure Setbacks	
(B) Front (min)	50'
(C) Side, street (min)	50'
(D) Side, interior (min)	30'
(E) Rear (min)	50'

	All Districts
Parking Setback	
(F) Front (min)	50'
(G) Side, street (min)	50'
(H) Side, interior (min)	30'
(I) Rear (min)	20'

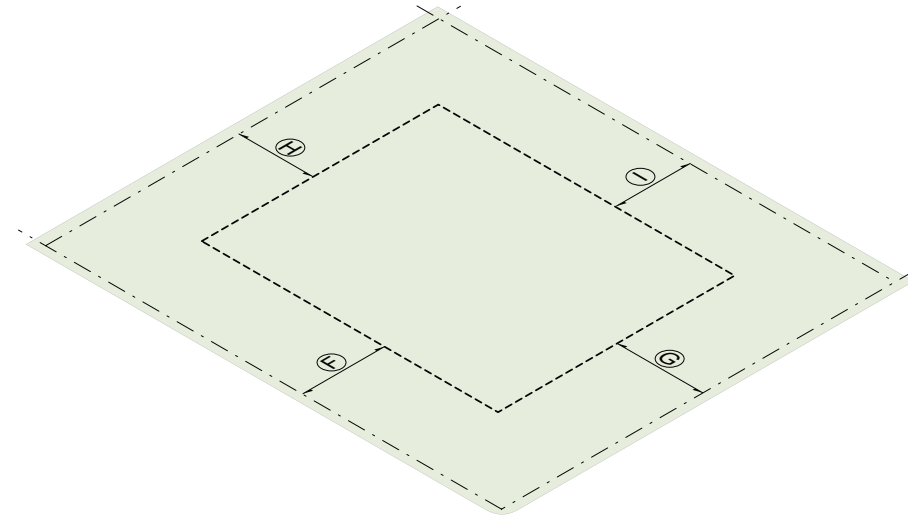
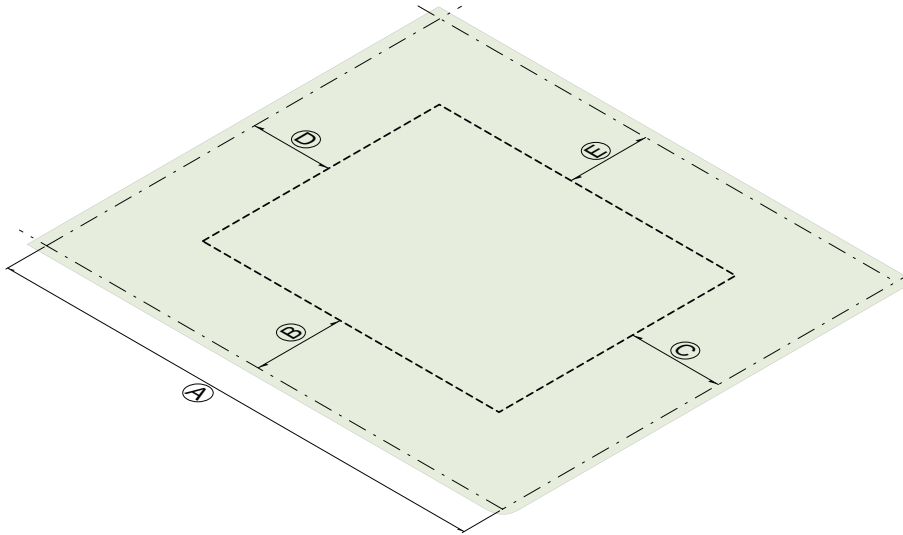


All Districts	
Height	
Ⓣ Stories (max)	3
Ⓣ Feet (max)	50'
Bulk Plane	
Bulk Plane abutting RS- district (1:1 above 40')	yes
Building Elements Allowed*	
Gallery, awning	■
Double gallery	■
Porch, stoop	■
Balcony	■

*See [Sec. 9.4, Building Elements](#), for specific building element requirements

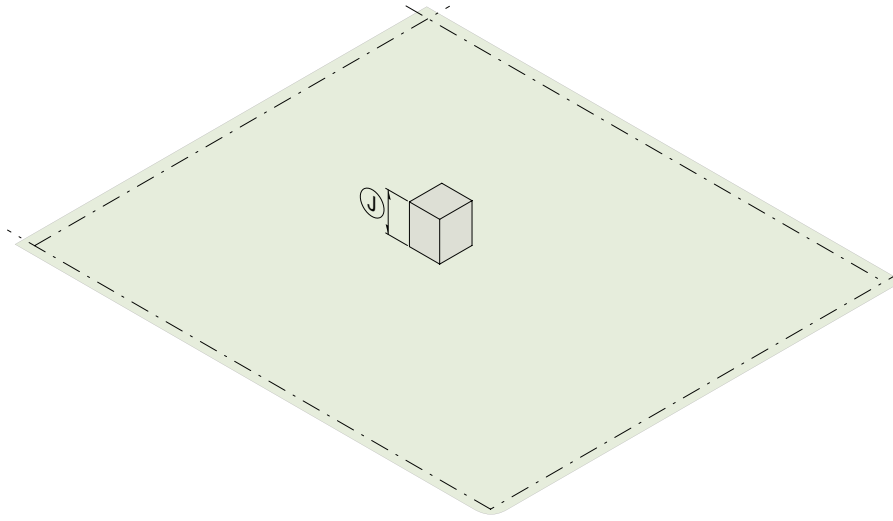
4.2.6 Open Lot

An open lot is designed to accommodate open space or natural areas worthy of preservation. An open lot is intended primarily to provide for public or private open space. Open lots may also be used to accommodate uses with large areas of open space and low building coverage.



	All Districts
Lot	
Area (min square feet)	2,000
Building coverage (max)	2%
(A) Width (min)	75'
Structure Setbacks	
(B) Front (min)	50'
(C) Side, street (min)	25'
(D) Side, interior (min)	25'
(E) Rear (min)	50'

	All Districts
Parking Setback	
(F) Front (min)	50'
(G) Side, street (min)	25'
(H) Side, interior (min)	25'
(I) Rear (min)	50'



All Districts	
Height	
⌵ Feet (max)	35'

Sec. 4.3 Special Development Standards

4.3.1 Residential Cluster

A. Intent

1. To encourage design innovation in the Rural context by allowing residential cluster developments in the Rural Agriculture Districts.
2. The residential cluster allows smaller lot sizes and provides an increase in gross area density, in exchange for meaningful common open space. This allows more efficient layout of lots, streets and utilities, and preserves the rural character of the area through the preservation of open space, agricultural, and recreation areas, and the protection of unique site features and scenic vistas.

B. Development Patterns

The Rural Agriculture Districts allow for two development patterns.

1. Conventional Option

Under the conventional option, no designated common open space is required and the minimum residential lot size is either 40 acres, 20 acres, or 10 acres, depending on the district. See [Sec. 4.2, Building Types](#).

2. Residential Cluster Option

Under the residential cluster option, the applicant is required to designate a percentage of the residential cluster project as common open space. In exchange the applicant is permitted additional density, and smaller lot sizes. See [Sec. 4.2, Building Types](#).

C. Open Space Requirements

1. Amount of Open Space

The amount of required open space for residential clusters is calculated as a percentage of the gross residential cluster project area. The required percentage is identified in the building type standards of [Sec. 4.2, Building Types](#).

2. Open Space Allocation

In allocating land for required open space, the following hierarchy of primary and secondary open space shall be used.

a. Primary Open Space

The following are considered primary open space areas and shall be the first areas reserved as required open space.

- i. The 100-year floodplain;
- ii. Stream buffer areas;
- iii. Slopes above 25 percent of at least 5,000 square feet contiguous area;
- iv. Jurisdictional wetlands under federal law (Sec. 404) that meet the definition applied by the Army Corps of Engineers;
- v. Habitat for federally-listed endangered or threatened species;
- vi. Historic, archaeological and cultural sites, cemeteries and burial grounds;
- vii. Agricultural lands of at least 20 contiguous acres containing at least 25 percent prime farmland soils or other soils of statewide importance; and
- viii. Significant natural features and scenic viewsheds such as ridge lines, hedge rows, field borders, meadows, fields, river and bayou views, natural woodlands that can be seen from public roadways and screen the view of the residential cluster.

b. Secondary Open Space

The following are considered secondary open space areas and shall be included as required open space once the primary open space areas are exhausted.

- i. Individual existing healthy trees greater than 12 inches DBH;
- ii. Areas that connect the site to neighboring open space, trails or greenways; and

- iii. Soils with severe limitations for development due to drainage problems.

3. Configuration of Open Space

- a. The minimum width for any required open space is 50 feet. Exceptions may be granted for items such as trail easements, mid-block crossings, and linear parks, when their purpose meets the intent of this section.
- b. At least 60 percent of the required open space must be in a contiguous lot or site or series of lots and sites. For the purposes of this section, contiguous includes any open space bisected by a collector or local street, provided that:
 - i. A pedestrian crosswalk provides access to the open space on both sides of the street; and
 - ii. The right-of-way area is not included in the calculation of minimum open space required.
- c. Where feasible, the open space should adjoin any neighboring areas of open space, other protected areas, and non-protected natural areas that would be candidates for inclusion as part of a future area of protected open space.
- d. The required open space must be directly accessible to the largest practicable number of lots within the development. Non-adjointing lots must be provided with safe, convenient access to the open space such as mid-block connections in logical locations.
- e. No lot within the development can be further than a ¼-mile radius from the open space. This radius is measured in a straight line, without regard for street, sidewalk or trail connections to the open space.
- f. Access to the open space must be provided either by an abutting street or easement. Such easement shall not be less than 20 feet wide.

4. Allowed Uses of Open Space

Open space may be used for the following purposes.

- a. Agriculture, horticulture, silviculture or pasture uses, provided that all applicable best management practices are used to minimize environmental impacts;
- b. Conservation areas for natural, archeological or historical resources;
- c. Meadows, woodlands, wetlands, wildlife corridors, game preserves, or similar conservation-oriented areas;
- d. Pedestrian or multipurpose trails;
- e. Passive recreation areas;
- f. Active recreation areas, provided that impervious area is limited to no more than 25 percent of the total open space;
- g. Golf courses (excluding clubhouse areas and maintenance facilities), provided that impervious area is limited to no more than 10 percent of the total open space;
- h. Above-ground utility rights-of-way;
- i. Water bodies, such as lakes and ponds, and floodways;
- j. Landscaped stormwater management facilities;
- k. Easements for drainage, access and underground utility lines; and
- l. Other conservation-oriented uses compatible with the purposes of this zoning code.

5. Prohibited Uses of Open Space

Required open space cannot be used for the following:

- a. Individual wastewater disposal systems (drain fields for community systems may be permitted);
- b. Streets (except for street crossings as expressly provided above) and impervious parking areas;
- c. Other activities as determined by the applicant and recorded on the legal instrument providing for permanent protection.

D. Ownership and Management of Open Space

1. Ownership

Required open space may be accepted and owned by one of the following entities:

a. **[Jurisdiction]**

The responsibility for maintaining the open space, and any facilities may be borne by the **[Jurisdiction]**.

b. **Land Conservancy or Land Trust**

The responsibility for maintaining the open space and any facilities may be borne by a land conservancy or land trust.

c. **Property Owners' Association**

A property owners' association representing residents of the subdivision may own the open space. Membership in the association shall be mandatory and automatic for all property owners of the subdivision and their successors. The property owners' association shall have lien authority to ensure the collection of dues from all members. The responsibility for maintaining the open space, and any facilities shall be borne by the property owners' association.

d. **Private Landowner**

A private landowner may retain ownership of open space. The responsibility for maintaining the open space, and any facilities shall be borne by the private landowner.

2. Management Plan

Applicants must submit a plan for the management of open space and other common facilities that:

- a. Allocates responsibility and provides guidelines for the maintenance and operation of the open space and any facilities located thereon, including provisions for ongoing maintenance and for long-term capital improvements;
- b. Estimates the costs and staffing requirements needed for maintenance and operation of, and insurance for, the open space and outlines the means by which such funding will be obtained or provided;

- c. Provides that any changes to the plan be approved by the Administrator; and
- d. Provides for enforcement of the plan.

E. Maintenance of Open Space

1. Passive open space maintenance shall include removal of litter and debris. Natural water courses are to be maintained as free-flowing. Stream channels must be maintained so as not to alter floodplain levels.
2. Active open space areas must be accessible to all residents of the development. Maintenance is limited to ensuring that there exist no hazards, nuisances or unhealthy conditions.
3. Formal open space maintenance is limited to include weeding and mowing of any landscaped areas and the removal of litter and debris.

F. Failure to Maintain Open Space

1. In the event the party responsible for maintenance of the open space fails to maintain all or any portion in reasonable order and condition, the **[Jurisdiction]** may assume responsibility for its maintenance and may enter the premises and take corrective action, including the provision of extended maintenance.
2. The costs of such maintenance may be charged to the owner of the property; or in the event that the owner is a property owners' association, to the individual property owners that make up the property owner's association. Costs for maintenance may include administrative costs and penalties. Such costs may become a lien on all development properties.

G. Permanent Protection

1. Open space shall be protected in perpetuity by a binding legal instrument that is recorded with the deed. The instrument must be one of the following:
 - a. A permanent conservation easement in favor of either:
 - i. A land trust or similar conservation-oriented non-profit organization with legal authority to accept such easements. The orga-

nization must be bona fide and in perpetual existence and the conveyance instruments must contain an appropriate provision for re-transfer in the event the organization becomes unable to carry out its functions; or

- ii. A governmental entity with an interest in pursuing goals compatible with the purposes of this zoning code. If the entity accepting the easement is not the **[Jurisdiction]** then a right of enforcement favoring the **[Jurisdiction]** must be included in the easement.
- b. A permanent restrictive covenant for conservation purposes in favor of a governmental entity.
- c. An equivalent legal tool that provides permanent protection, if approved by the **[Jurisdiction]**.
2. The instrument for permanent protection must include clear restrictions on the use of the open space. These restrictions must include all restrictions contained in this section, as well as any further restrictions the applicant chooses to place on the use of the open space.

H. Residential Cluster Approval

1. Residential cluster projects are required to go through the **[Jurisdiction]** subdivision process.

4.3.2 Rural Planned Development (R-PD)

A. General Provisions

1. The **[Governing Body]** may approve a rural planned development subject to the following standards and the process in 12.2.9, Planned Development (PD).
2. Each application for approval of a rural planned development shall include a statement by the applicant describing:
 - a. All requested deviations from the standards of this zoning code; and
 - b. How the proposed rural planned development is an improvement over what would be required under otherwise applicable development regulations.

B. Maximum Permitted Residential Density

No rural planned development may exceed a gross residential density of 0.2 dwelling units per acre.

C. Size

No rural planned development less than five acres or more than 40 acres is allowed.

D. Streets

Required street cross-sections shall be established as part of the approved concept plan.

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

*No rural planned development may be allowed to deviate from the applicable street types allowed in the Rural context under **[insert citation to Sec. 3.3, Street and Alley Standards]**.*

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ARTICLE 5. SUBURBAN

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- 5.1.2 Regional Growth Sector 5-2
- 5.1.3 Zoning Districts 5-2
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Mapping Note: *The Suburban Context is characterized primarily by single-family residential lots and nodes and corridors with commercial and retail activities. It is difficult to manage growth efficiently when large areas of Suburban are mapped, therefore, this context should be used sparingly. Consider mapping this context in areas where the current pattern is suburban in nature and is anticipated to remain that way or where urban intensities are not possible due to lack of infrastructure or other constraints.*

Sec. 5.1 Suburban Context



5.1.1 General Character

The Suburban context consists of low-density, primarily residential areas, typically located at the fringes of a city or within commuting distance of the city center. Single-family detached housing is predominant with some opportunities for multifamily attached housing. Commercial activity may be concentrated in nodes or along major roadways. Large lot sizes allow most buildings to have prominent front and back yards. Pedestrians and bicycles are accommodated but many people continue to rely on automobiles for transportation.

5.1.2 Regional Growth Sector

The Suburban context is typically mapped in Anticipated Growth and Infill Sectors. Areas within this context are either already served by public sewer and other urban services or are anticipated to receive such service in the near future. It is intended that growth occur in this context.

5.1.3 Zoning Districts

The Suburban context allows for a wide variety of residential, mixed use, commercial and special purpose districts at both urban and suburban intensities. Special purpose districts include the suburban planned development (S-PD).

5.1.4 Building Types and Dimensions

Residential buildings are between one and two stories in height. Residences typically have landscaped front setbacks and building coverage of the lot is relatively low. Depending on the district, commercial structures may be up to three stories in height. Mixed Use and Main Street districts are build-to environ-

ments in which buildings are pulled up to the street. The Commercial Corridor district may be built to the street or setback far enough to allow for a mix of landscaping and parking.

5.1.5 Streets, Alley and Block Patterns

Streets and rights-of-way are relatively wide. Irregular block shapes are framed by curvilinear streets within a modified or non-existent grid, with cul-de-sacs and frontage roads. Alleys are atypical but are encouraged in new development. Block shapes and sizes vary significantly within this context, often unrelated to form or use. The typical block pattern includes attached sidewalks, street and surface parking, and generous landscaping between the street and building faces. Residential access is typically a direct connection to a street facing garage or carport. Commercial access is typically a shared drive to a surface parking lot.

5.1.6 Parking and Mobility Options

Parking is provided on-street and on surface lots. Limited surface parking is allowed between the building and the street but parking is primarily located to the side and rear of buildings. In street design, priority may be given to automobiles but adequate accommodations are provided for the pedestrian and bicyclist.

Sec. 5.2 Building Types



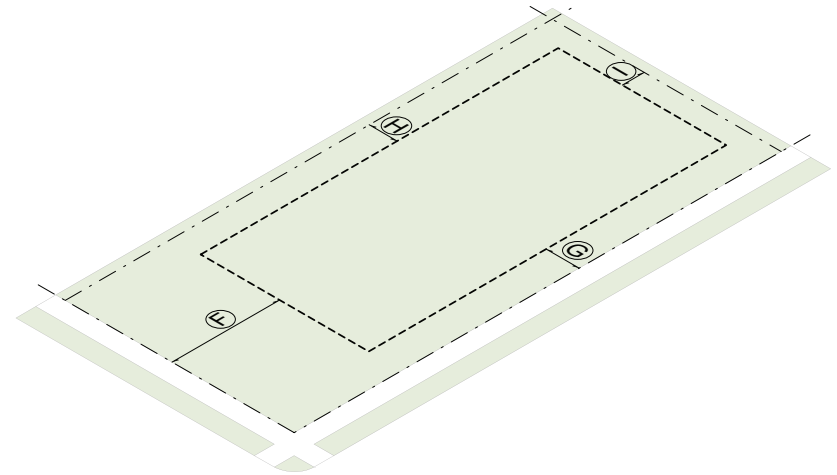
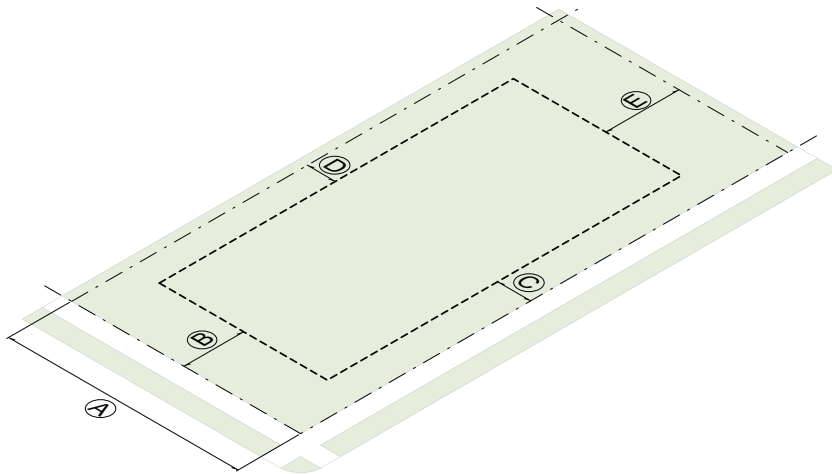
SUBURBAN

	Farm Lot	Single-Family House	Attached House	Row House	Apartment	Single-Story Shopfront	Mixed Use Building	Industrial	Civic	Open Lot
Residential Districts										
Single-Family-15 (S-RS-15)		■							■	■
Single-Family -6 (S-RS-6)		■	■						■	■
Multifamily-3 (S-RM-3)		■	■	■	■				■	■
Residential Cluster										
Single-Family-15 (S-RS-15)		■	■						■	■
Single-Family -6 (S-RS-6)		■	■	■					■	■
Mixed Use Districts										
Mixed Use-3 (S-MX-3)				■	■		■		■	■
Main Street-3 (S-MS-3)							■		■	■
Commercial Districts										
Commercial Corridor-3 (S-CC-3)				■	■	■	■	■	■	■
Light Industrial (S-IL)							■	■	■	■
Special Purpose Districts										
Planned Development (S-PD)	*	*	*	*	*	*	*	*	*	*

KEY: ■ Allowed by right * May be allowed by the *[Governing Body]* as part of an approved concept plan Blank cell = Not allowed

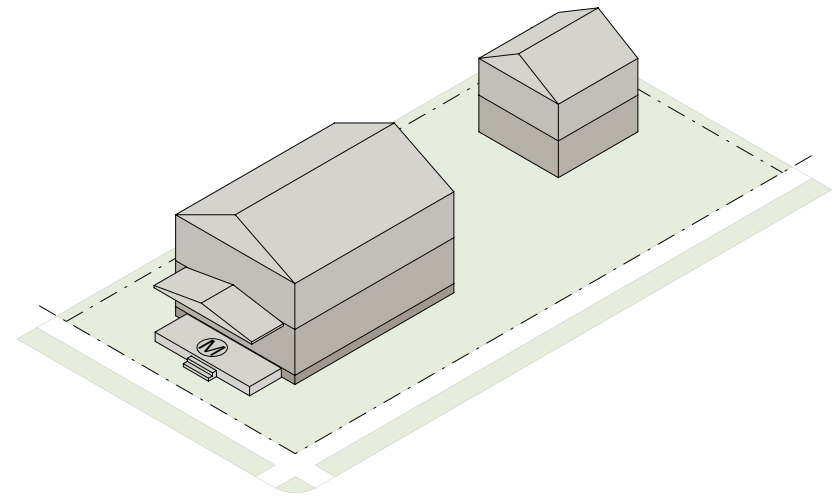
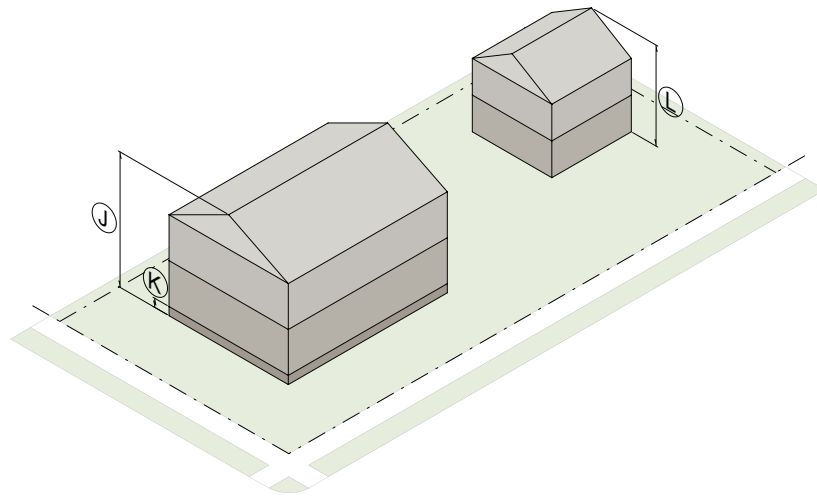
5.2.1 Single-Family House

A building type containing one principal dwelling unit typically located on a single lot with private yards on all four sides. Single-family house also includes modular or manufactured homes.



	CONVENTIONAL			CLUSTER OPTION	
	S-RS-15	S-RS-6	S-RM-3	S-RS-15	S-RS-6
Project					
Area (min. acres)	n/a	n/a	n/a	10	10
Common Open Space (min)	n/a	n/a	n/a	40%	30%
Gross Density (max units/acre)	3	7.25	15	4.5	10.75
Lot					
Area (min square feet)	15,000	6,000	4,000	10,000	4,000
Building coverage (max)	40%	45%	65%	40%	65%
(A) Width (min)	75'	45'	35'	55'	35'
Principal Structure Setbacks					
(B) Front (min)	30'	20'	15'	25'	15'
(C) Side, street (min)	15'	10'	10'	10'	10'
(D) Side, interior (min)	10'	5'	3'	5'	3'
(E) Rear (min)	30'	20'	20'	25'	20'

	CONVENTIONAL			CLUSTER OPTION	
	S-RS-15	S-RS-6	S-RM-3	S-RS-15	S-RS-6
Accessory Structure Setbacks					
(F) Behind front facade of principal structure (min)	10'	10'	15'	10'	15'
(G) Side, street (min)	15'	10'	10'	10'	10'
(H) Side, interior (min)	10'	5'	3'	5'	3'
(I) Rear, common lot line (min)	10'	5'	5'	10'	5'
(I) Rear, alley (min)	3' or 20'	3' or 20'	3' or 20'	3' or 20'	3' or 20'



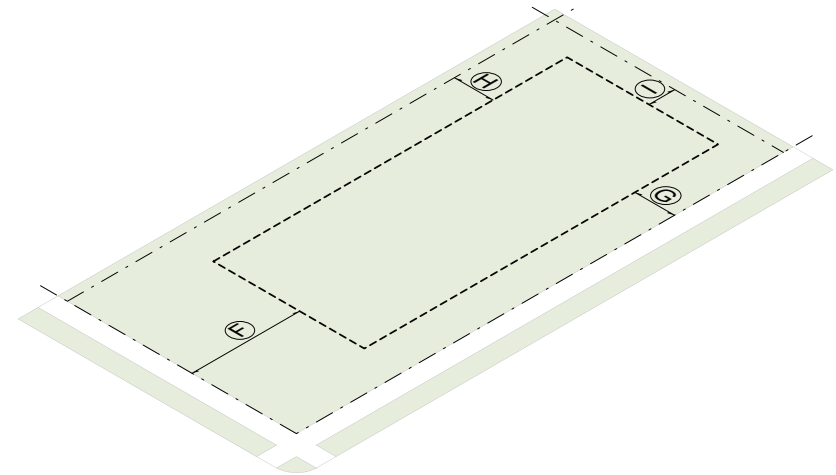
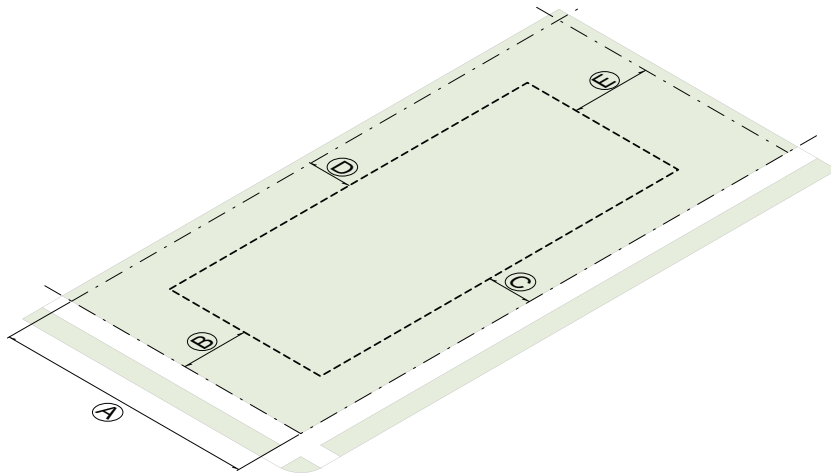
	CONVENTIONAL			CLUSTER OPTION	
	S-RS-15	S-RS-6	S-RM-3	S-RS-15	S-RS-6
Principal Structure Height					
Ⓝ Stories (max)	2	2	3	2	2
Ⓝ Feet (max)	35'	35'	45'	35'	35'
Ⓚ Ground story elevation (min)	n/a	18"	18"	18"	18"
Bulk Plane					
Bulk Plane abutting RS- district (1:1 above 40')	n/a	n/a	yes	n/a	n/a
Accessory Structure Height					
Ⓛ Stories (max)	2	2	2	2	2
Ⓛ Feet (max)	30'	30'	30'	30'	30'

	CONVENTIONAL			CLUSTER OPTION	
	S-RS-15	S-RS-6	S-RM-3	S-RS-15	S-RS-6
Building Entrance					
Ⓜ Street facing entrance required	yes	yes	yes	yes	yes
Building Elements Allowed*					
Gallery, awning					
Double gallery					
Porch, stoop	■	■	■	■	■
Balcony	■	■	■	■	■

*See Sec. 9.4, Building Elements, for specific building element requirements

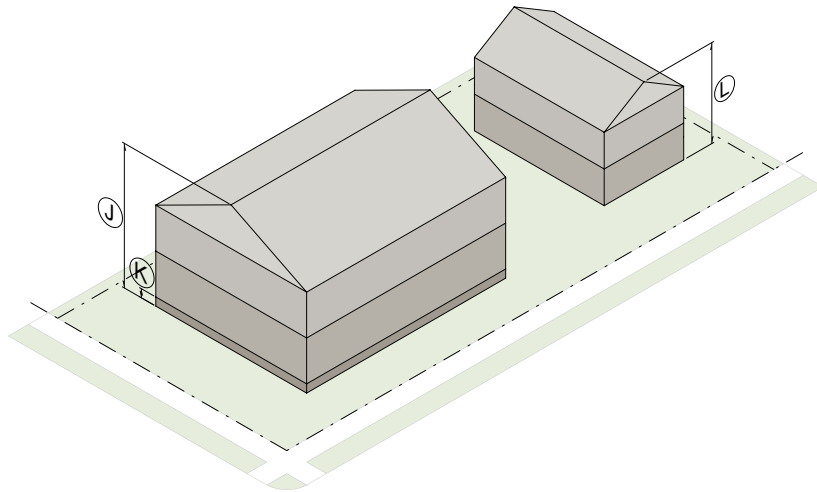
5.2.2 Attached House

A building type containing two principal dwelling units on a single lot with private yards on all four sides. Each unit has its own external entrance. Units can be located on separate floors, side by side, or back-to-back. Often called a duplex.

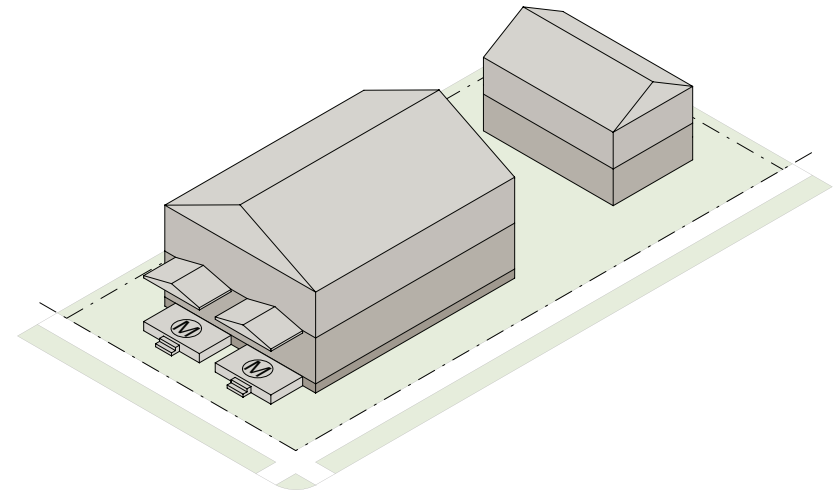


	CONVENTIONAL		CLUSTER OPTION	
	S-RS-6	S-RM-3	S-RS-15	S-RS-6
Project				
Area (min acres)	n/a	n/a	10	10
Common Open Space (min)	n/a	n/a	40%	30%
Gross Density (max units/acre)	7.25	15	4.5	10.75
Lot				
Area (min square feet)	10,000	8,000	12,000	8,000
Building coverage (max)	55%	55%	50%	55%
(A) Width (min)	55'	45'	60'	45'
Principal Structure Setbacks				
(B) Front (min)	25'	20'	30'	20'
(C) Side, street (min)	10'	10'	10'	10'
(D) Side, interior (min)	5'	5'	5'	5'
(E) Rear (min)	25'	20'	25'	20'

	CONVENTIONAL		CLUSTER OPTION	
	S-RS-6	S-RM-3	S-RS-15	S-RS-6
Accessory Structure Setbacks				
(F) Behind front facade of principal structure (min)	10'	10'	10'	10'
(G) Side, street (min)	10'	10'	10'	10'
(H) Side, interior (min)	5'	3'	5'	3'
(I) Rear, common lot line (min)	10'	5'	10'	5'
(J) Rear, alley (min)	3' or 20'	3' or 20'	3' or 20'	3' or 20'



	CONVENTIONAL		CLUSTER OPTION	
	S-RS-6	S-RM-3	S-RS-15	S-RS-6
Principal Structure Height				
Ⓝ Stories (max)	2	3	2	2
Ⓝ Feet (max)	35'	45'	35'	45'
Ⓚ Ground story elevation (min)	18"	18"	18"	18"
Bulk Plane				
Bulk Plane abutting RS- district (1:1 above 40')	n/a	yes	n/a	yes
Accessory Structure Height				
Ⓛ Stories (max)	2	2	2	2
Ⓛ Feet (max)	30'	30'	30'	30'

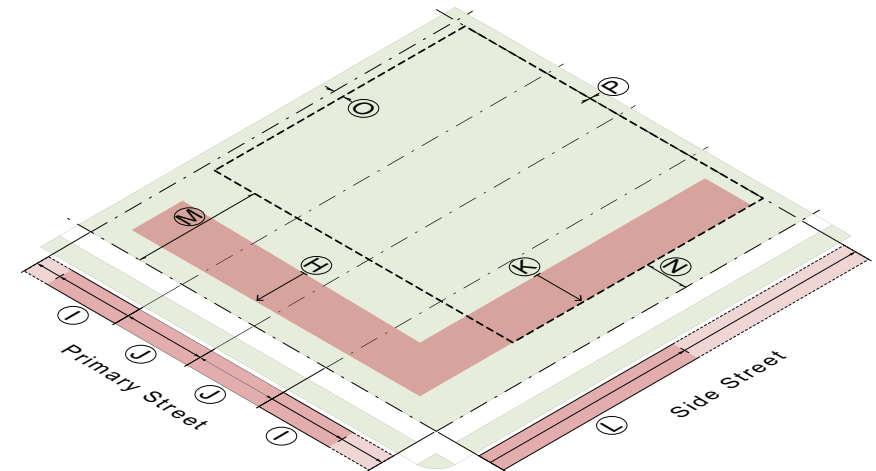
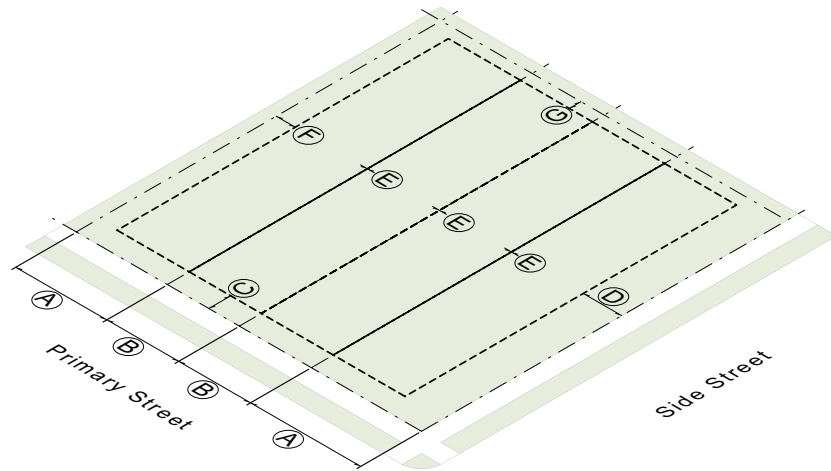


	CONVENTIONAL		CLUSTER OPTION	
	S-RS-6	S-RM-3	S-RS-15	S-RS-6
Building Entrance				
Ⓜ Street facing entrance required	yes	yes	yes	yes
Building Elements Allowed*				
Gallery, awning				
Double gallery				
Porch, stoop	■	■	■	■
Balcony	■	■	■	■

*See Sec. 9.4, Building Elements, for specific building element requirements

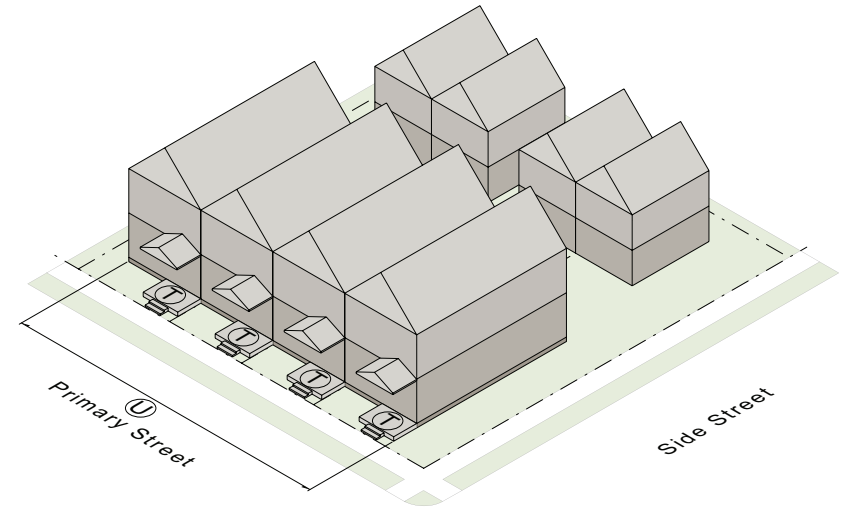
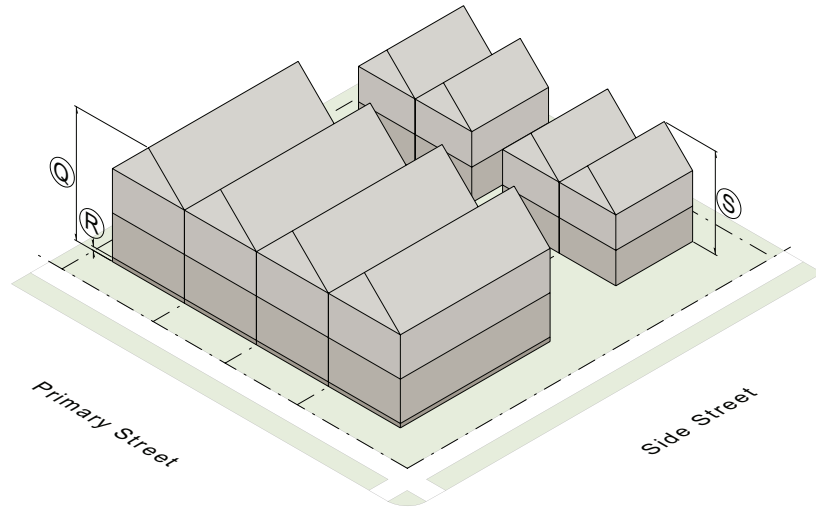
5.2.3 Row House

A building type consisting of three or more attached structures. Each structure shares a common side wall. Each structure may contain up to two principal dwelling units which may be stacked vertically. Each unit has its own external street facing entrance.



	CONVENTIONAL			CLUSTER OPTION
	S-RM-3	S-MX-3	S-CC-3	S-RS-6
Project				
Area (min acres)	n/a	n/a	n/a	10
Common Open Space (min)	n/a	n/a	n/a	30%
Gross Density (max units/acre)	15	n/a	n/a	10.75
Lot				
Area (min square feet)	1,800	1,500	1,500	1,800
Building coverage (max)	70%	75%	75%	70%
(A) Width, end lot (min)	26'	26'	26'	26'
(B) Width, interior lot (min)	20'	20'	20'	20'
Structure Setbacks				
(C) Primary street (min)	5'	5'	5'	5'
(D) Side street (min)	10'	10'	10'	10'
(E) Side interior, interior lot (min)	0'	0'	0'	0'
(F) Side interior, end lot (min)	0' or 10'	0' or 10'	0' or 10'	0' or 10'
(G) Rear, common lot line (min)	20'	20'	20'	20'
(G) Rear, alley (min)	3' or 20'	3' or 20'	3' or 20'	3' or 20'

	CONVENTIONAL			CLUSTER OPTION
	S-RM-3	S-MX-3	S-CC-3	S-RS-6
Build-to Area				
(H) Primary street build-to area (min/max)	5' / 15'	5' / 15'	5' / 15'	5' / 15'
(I) Building facade in primary street build-to area (min % of lot width)	65%	70%	70%	65%
(J) Building facade in primary street build-to area, interior lot (min % of lot width)	100%	100%	100%	100%
(K) Side street build-to area (min/max)	10' / 20'	10' / 20'	10' / 20'	10' / 20'
(L) Building facade in side street build-to area (min % of lot depth)	30%	30%	30%	30%
Parking Setbacks				
(M) Primary street setback (min)	30'	30'	30'	30'
(N) Side street setback (min)	10'	10'	10'	10'
(O) Setback abutting RS- district (min)	5'	5'	5'	5'
(O) Setback abutting any other district (min)	0' or 5'	0' or 5'	0' or 5'	0' or 5'
(P) Setback abutting alley (min)	0'	0'	0'	0'



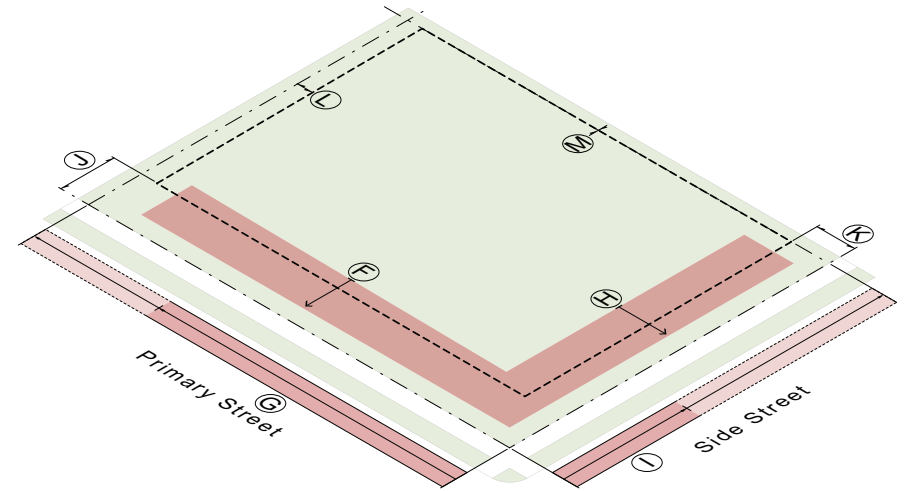
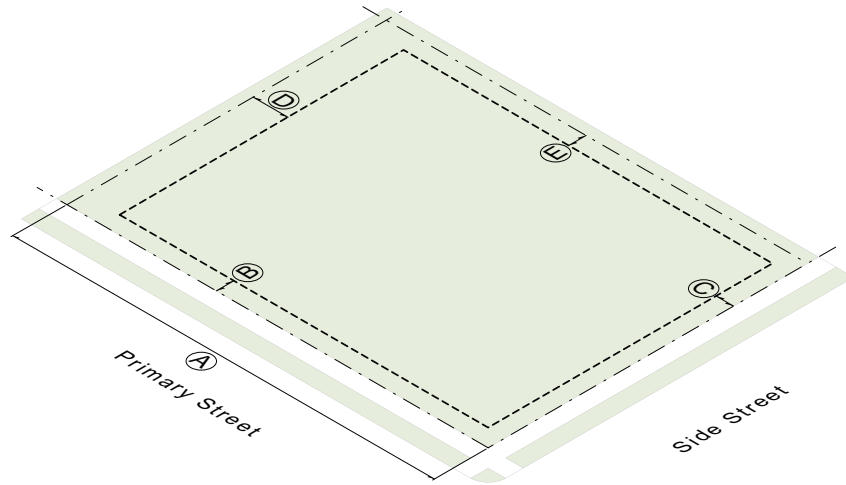
	CONVENTIONAL			CLUSTER OPTION
	S-RM-3	S-MX-3	S-CC-3	S-RS-6
Principal Structure Height				
(Q) Stories (max)	3	3	3	2
(Q) Feet (max)	45'	45'	45'	35'
(R) Ground story elevation (min)	18"	18"	18"	18"
Bulk Plane				
Bulk Plane abutting	yes	yes	yes	n/a
RS- district (1:1 above 40')				
Accessory Structure Height				
(S) Stories (max)	2	2	2	2
(S) Feet (max)	30'	30'	30'	30'

	CONVENTIONAL			CLUSTER OPTION
	S-RM-3	S-MX-3	S-CC-3	S-RS-6
Building Entrance				
(T) Street facing entrance required	yes	yes	yes	yes
Building Mass				
(U) Attached building length (max)	200'	250'	250'	200'
Building Elements Allowed*				
Gallery, awning				
Double gallery				
Porch, stoop	■	■	■	■
Balcony	■	■	■	■

*See Sec. 9.4, Building Elements, for specific building element requirements

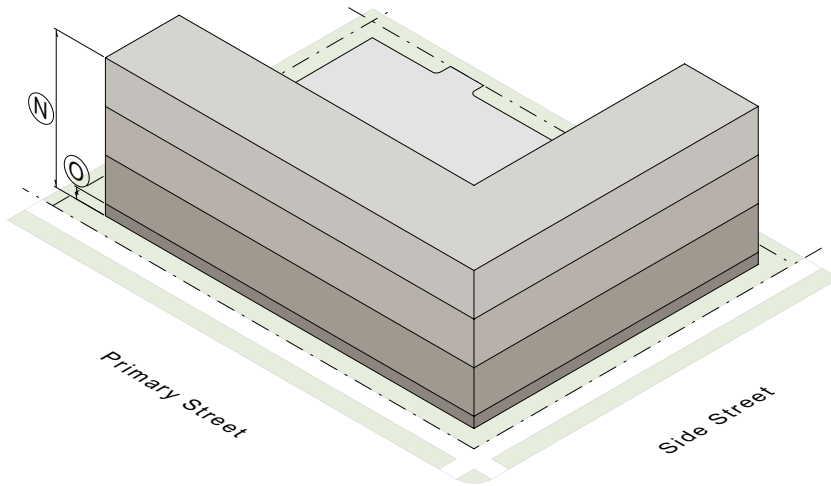
5.2.4 Apartment

A building type containing three or more dwelling units consolidated into a single structure. An apartment contains internal common walls. Dwelling units within a building may be situated either wholly or partially over or under other dwelling units. The building often shares a common entrance. Primary entrances are prominent and street facing.



	S-RM-3	S-MX-3	S-CC-3
Project			
Gross Density (max units/acre)	15	n/a	n/a
Lot			
Area (min square feet)	22,500	20,000	20,000
Building coverage (max)	60%	65%	60%
(A) Width (min)	125'	100'	100'
Structure Setbacks			
(B) Primary street (min)	15'	5'	15'
(C) Side street (min)	5'	5'	5'
(D) Setback abutting RS- district (min)	15'	15'	30'
(E) Setback abutting any other district (min)	0' or 10'	0' or 10'	0' or 10'
(F) Setback abutting alley (min)	20'	20'	20'

	S-RM-3	S-MX-3	S-CC-3
Build-to Area			
(F) Primary street build-to area (min/max)	15' / 35'	5' / 25'	15' / 80'
(G) Building facade in primary street build-to area (min % of lot width)	65%	65%	60%
(H) Side street build-to area (min/max)	15' / 35'	5' / 25'	5' / 40'
(I) Building facade in side street build-to area (min % of lot depth)	30%	40%	50%
Parking Setbacks			
(J) Primary street setback (min)	25'	15'	15'
(K) Side street setback (min)	10'	10'	10'
(L) Setback abutting RS- district (min)	15'	15'	30'
(M) Setback abutting any other district (min)	0' or 10'	0' or 5'	0' or 5'
(N) Setback abutting alley (min)	0'	0'	0'



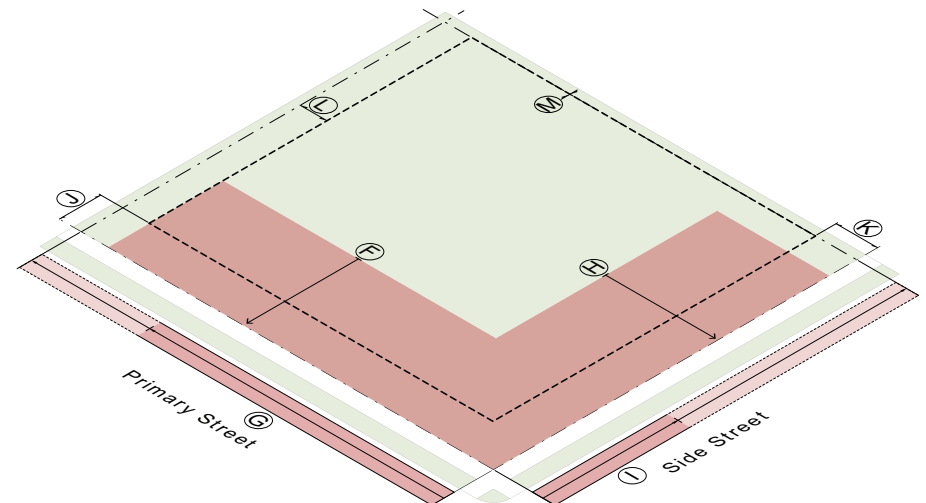
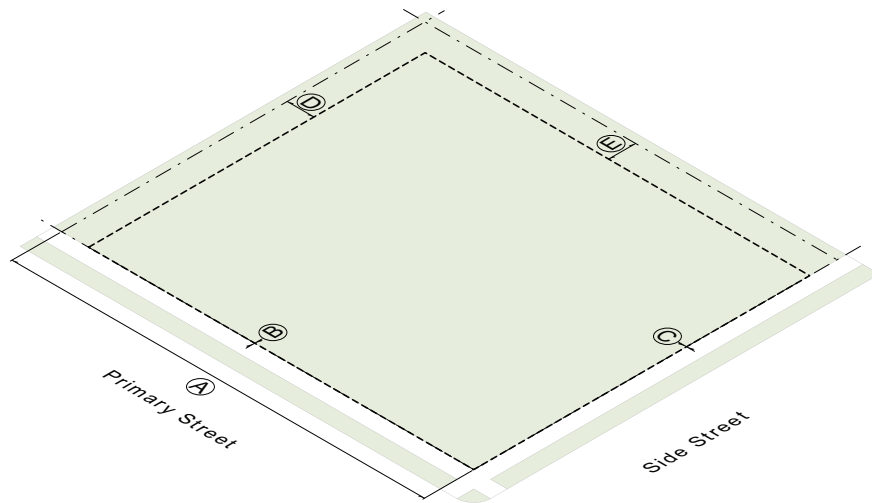
	S-RM-3	S-MX-3	S-CC-3
Height			
Ⓝ Stories (max)	3	3	3
Ⓝ Feet (max)	45'	45'	45'
Ⓞ Ground story elevation (min)	18"	18"	18"
Bulk Plane			
Bulk Plane abutting	yes	yes	yes
RS- district (1:1 above 40')			

	S-RM-3	S-MX-3	S-CC-3
Transparency			
Ⓟ Ground story (min)	40%	40%	40%
Ⓠ Upper story (min)	30%	30%	30%
Ⓡ Blank wall area (max)	30'	30'	30'
Building Entrance			
Ⓢ Street facing entrance required	yes	yes	yes
Ⓣ Entrance spacing (max)	100'	100'	100'
Building Mass			
Ⓤ Building length (max)	150'	200'	225'
Building Elements Allowed*			
Gallery, awning	■	■	■
Double gallery	■	■	■
Porch, stoop	■	■	■
Balcony	■	■	■

*See Sec. 9.4, Building Elements, for specific building element requirements

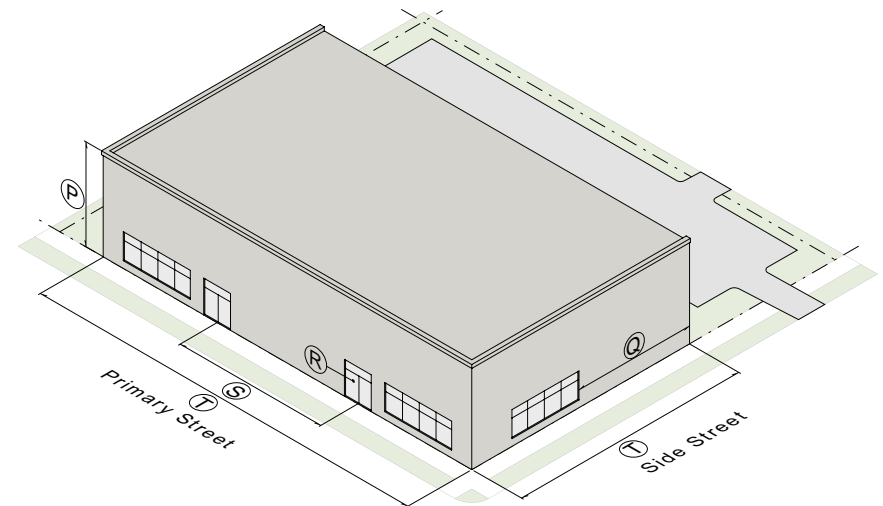
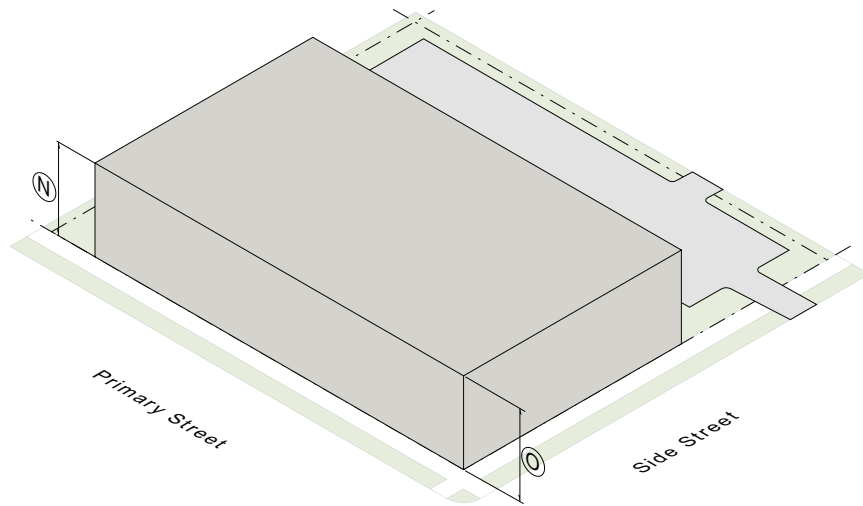
5.2.5 Single Story Shopfront

A building type intended primarily for large format single-story retail. Storefront windows are provided to encourage interaction between the pedestrian and the ground story space. Primary entrances are prominent and street facing.



S-CC-3	
Lot	
Area (min square feet)	22,500
Building coverage (max)	60%
(A) Width (min)	125'
Structure Setbacks	
(B) Primary street (min)	0'
(C) Side street (min)	0'
(D) Setback abutting RS- district (min)	30'
(D) Setback abutting any other district (min)	0' or 5'
(E) Setback abutting alley (min)	5'

S-CC-3	
Build-to Area	
(F) Primary street build-to area (min/max)	0' / 80'
(G) Building facade in primary street build-to area (min % of lot width)	45%
(H) Side street build-to area (min/max)	0' / 80'
(I) Building facade in side street build-to area (min % of lot depth)	20%
Parking Setbacks	
(J) Primary street setback (min)	10'
(K) Side street setback (min)	10'
(L) Setback abutting RS- district (min)	30'
(L) Setback abutting any other district (min)	0' or 5'
(M) Setback abutting alley (min)	5'



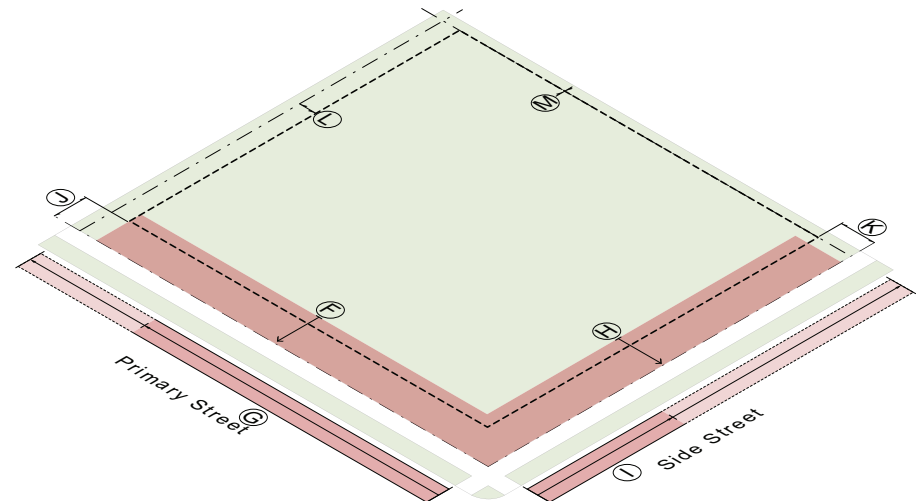
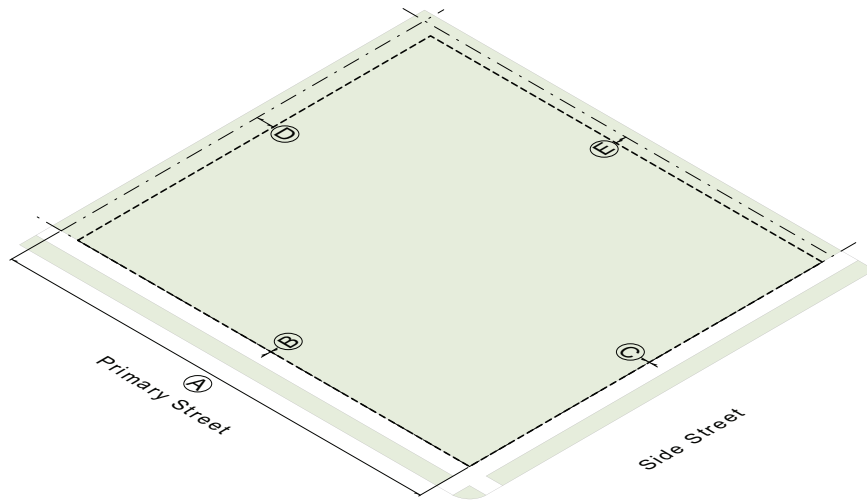
S-CC-3	
Height	
N Stories (max)	1
N Feet (max)	35'
O Ground story floor height (min)	15'

S-CC-3	
Transparency	
P Ground story (min)	35%
Q Blank wall area (max)	50'
Building Entrance	
R Street facing entrance required	yes
S Entrance spacing (max)	n/a
Building Mass	
T Building length (max)	350'
Building Elements Allowed*	
Gallery, awning	■
Double gallery	
Porch, stoop	
Balcony	

*See [Sec. 9.4, Building Elements](#), for specific building element requirements

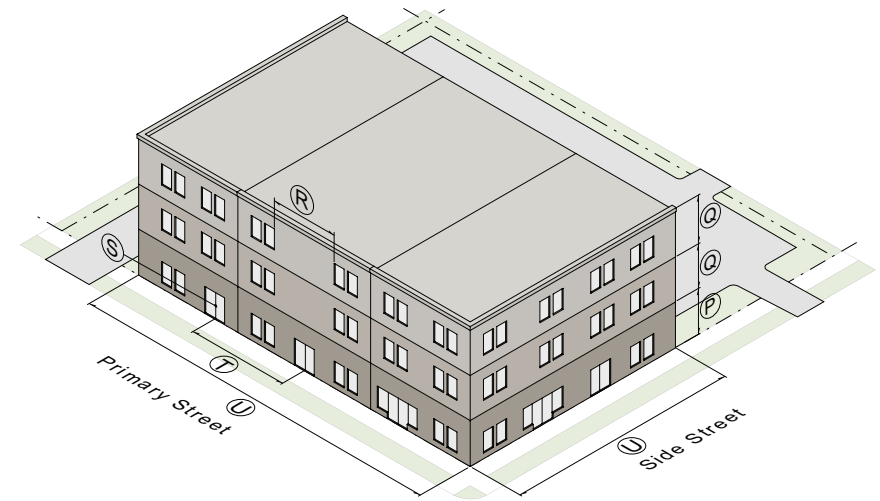
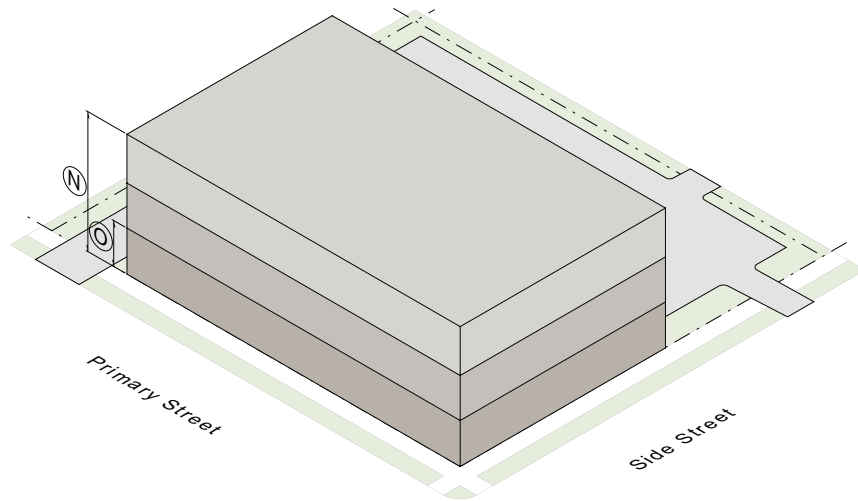
5.2.6 Mixed Use Building

A building type intended for ground floor commercial uses with upper-story residential or offices uses. Windows are provided on the ground floor to encourage interaction between the pedestrian and the ground story space. Primary entrances are prominent and street facing and are spaced at regular intervals along the street edge.



	S-MX-3	S-MS-3	S-CC-3	S-IL
Lot				
Area (min square feet)	7,500	3,500	7,500	7,500
Building coverage (max)	65%	80%	60%	50%
(A) Width (min)	75'	35'	75'	75'
Structure Setbacks				
(B) Primary street (min)	0'	0'	0'	0'
(C) Side street (min)	0'	0'	0'	0'
(D) Setback abutting RS- district (min)	15'	15'	20'	35'
(D) Setback abutting any other district (min)	0' or 5'	0' or 5'	0' or 5'	10'
(E) Setback abutting alley (min)	5'	5'	5'	5'

	S-MX-3	S-MS-3	S-CC-3	S-IL
Build-to Area				
(F) Primary street build-to area (min/max)	0' / 15'	0' / 5'	0' / 80'	0' / 80'
(G) Building facade in primary street build-to area (min % of lot width)	65%	85%	60%	60%
(H) Side street build-to area (min/max)	0' / 15'	0' / 5'	0' / 80'	n/a
(I) Building facade in side street build-to area (min % of lot depth)	30%	40%	30%	n/a
Parking Setbacks				
(J) Primary street setback (min)	15'	10'	10'	10'
(K) Side street setback (min)	15'	15'	10'	10'
(L) Setback abutting RS- district (min)	10'	10'	10'	10'
(L) Setback abutting any other district (min)	0' or 5'	0' or 5'	0' or 5'	10'
(M) Setback abutting alley (min)	0'	0'	0'	0'



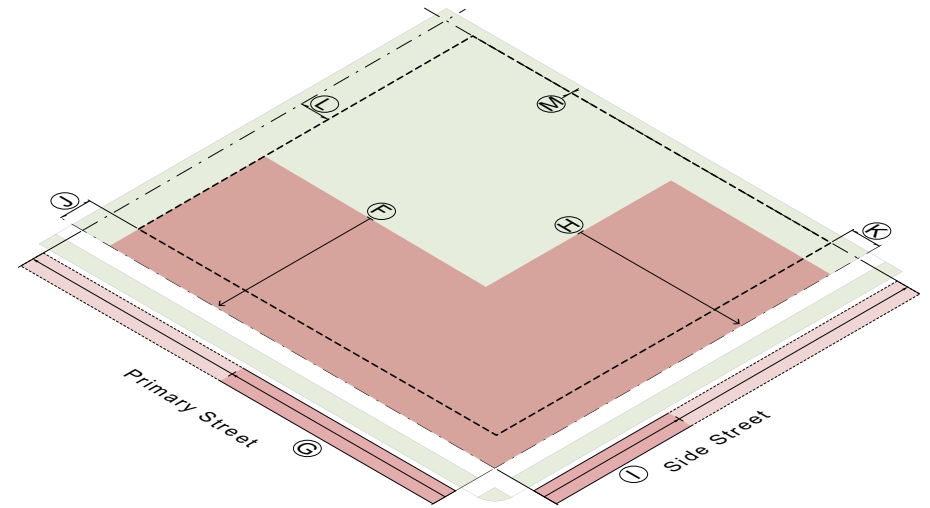
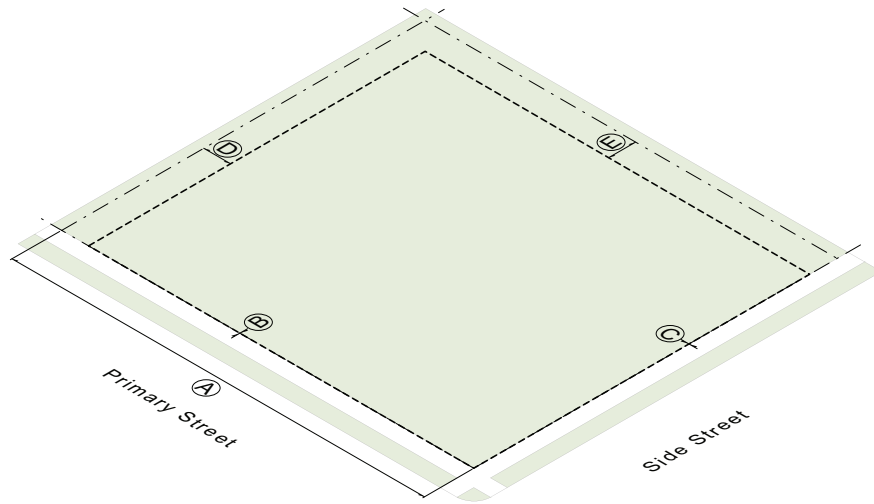
	S-MX-3	S-MS-3	S-CC-3	S-IL
Height				
Ⓝ Stories (max)	3	3	3	3
Ⓝ Feet (max)	45'	45'	45'	45'
Ⓞ Ground story height (min)	12'	12'	12'	12'
Bulk Plane				
Bulk Plane abutting	yes	yes	yes	yes
RS- district (1:1 above 40')				

	S-MX-3	S-MS-3	S-CC-3	S-IL
Transparency				
Ⓟ Ground story (min)	45%	65%	45%	40%
Ⓠ Upper story (min)	20%	30%	20%	20%
Ⓡ Blank wall area (max)	35'	30'	35'	40'
Building Entrance				
Ⓢ Street facing entrance required	yes	yes	yes	yes
Ⓣ Entrance spacing (max)	100'	100'	200'	n/a
Building Mass				
Ⓤ Building length (max)	200'	200'	200'	300'
Building Elements Allowed*				
Gallery, awning	■	■	■	■
Double gallery	■	■	■	■
Porch, stoop				
Balcony	■	■	■	■

*See Sec. 9.4, Building Elements, for specific building element requirements

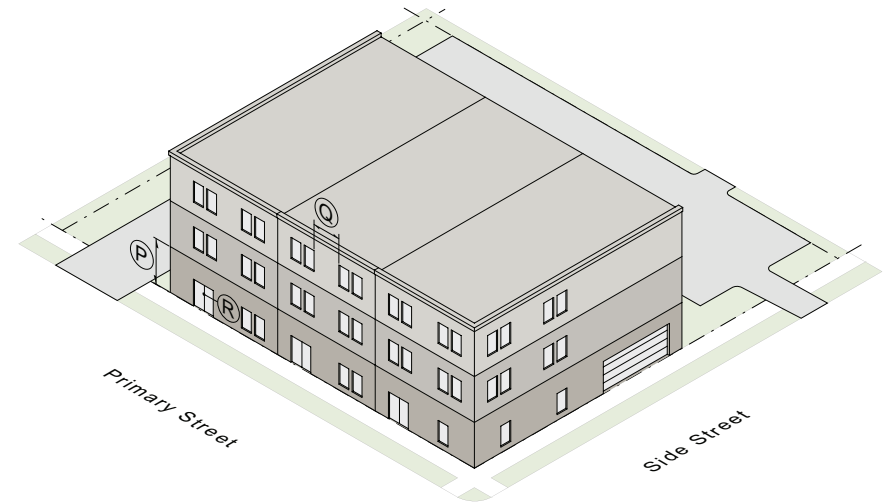
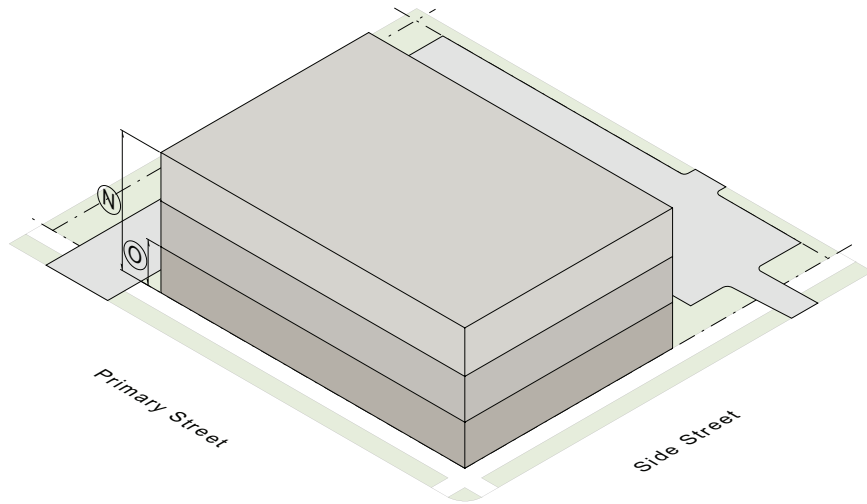
5.2.7 Industrial

A building type intended primarily for industrial, manufacturing and employment uses. To the extent possible, building entrances should face the street. Ground floor transparency is limited due to the intensive nature of the work inside. May include bay doors for vehicles.



	S-IL
Lot	
Area (min square feet)	22,500
Building coverage (max)	65%
(A) Width (min)	125'
Structure Setbacks	
(B) Primary street (min)	0'
(C) Side street (min)	0'
(D) Setback abutting RS- district (min)	35'
(E) Setback abutting any other district (min)	0' or 5'
(F) Setback abutting alley (min)	5'

	S-IL
Build-to Area	
(F) Primary street build-to area (min/max)	0' / 80'
(G) Building facade in primary street build-to area (min % of lot width)	50%
(H) Side street build-to area (min/max)	0' / 80'
(I) Building facade in side street build-to area (min % of lot depth)	30%
Parking Setbacks	
(J) Primary street setback (min)	10'
(K) Side street setback (min)	5'
(L) Setback abutting RS- district (min)	20'
(M) Setback abutting any other district (min)	0' or 5'
(N) Setback abutting alley (min)	0'



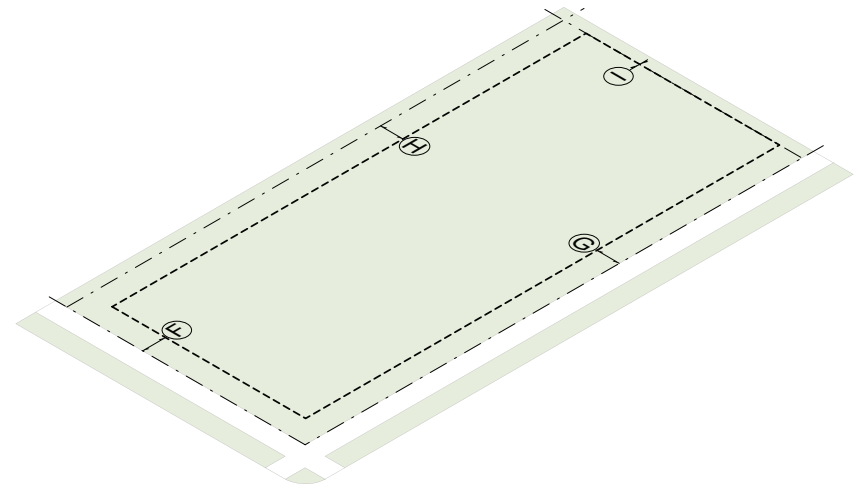
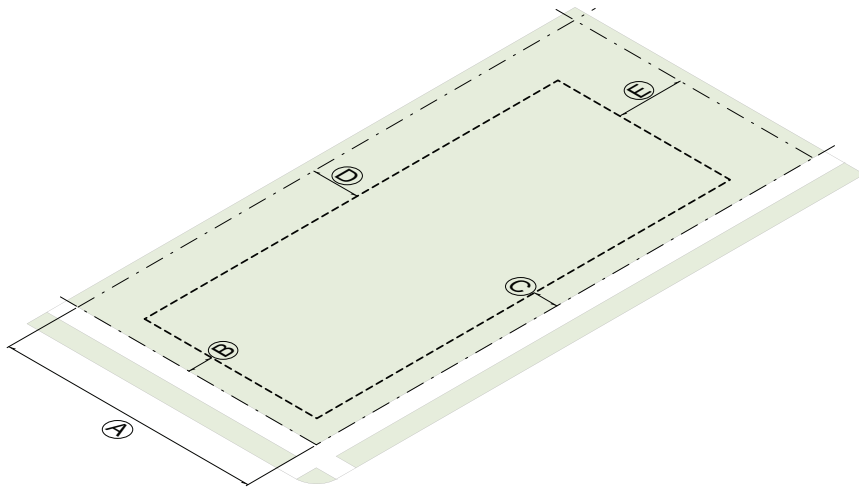
	S-IL
Height	
Ⓝ Stories (max)	3
Ⓝ Feet (max)	50'
Ⓞ Ground story height (min)	12'
Bulk Plane	
Bulk Plane abutting	
RS- district (1:1 above 40')	yes

	S-IL
Transparency	
Ⓟ Ground story (min)	30%
Ⓞ Blank wall area (max)	50'
Building Entrance	
Ⓡ Street facing entrance required	yes
Building Elements Allowed*	
Gallery, awning	▪
Double gallery	▪
Porch, stoop	
Balcony	▪

*See [Sec. 9.4, Building Elements](#), for specific building element requirements

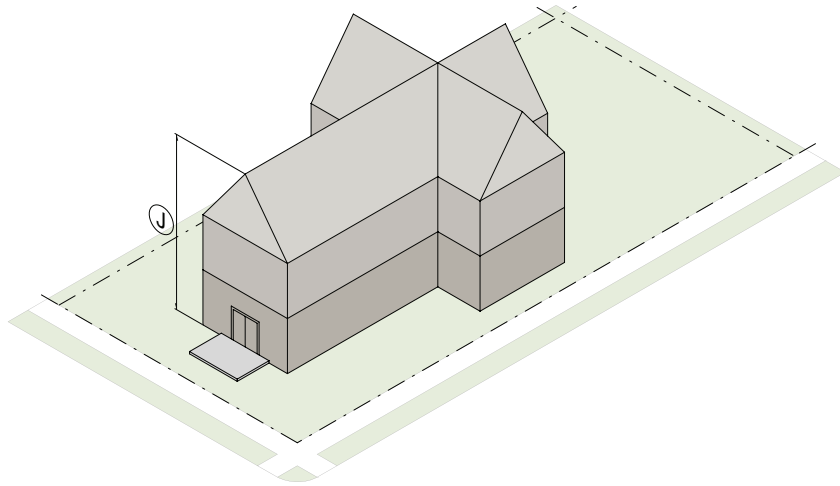
5.2.8 Civic

A building type containing community or public uses that serve the surrounding community. Civic buildings are usually sited adjoining or surrounded by civic spaces or they provide a visual landmark by being placed at the axial termination of a street.



	All Districts
Lot	
Area (min square feet)	7,500
Building coverage (max)	50%
(A) Width (min)	75'
Structure Setbacks	
(B) Front (min)	30'
(C) Side, street (min)	30'
(D) Side, interior (min)	20'
(E) Rear (min)	30'

	All Districts
Parking Setbacks	
(F) Front (min)	30'
(G) Side, street (min)	30'
(H) Side, interior (min)	20'
(I) Rear (min)	10'

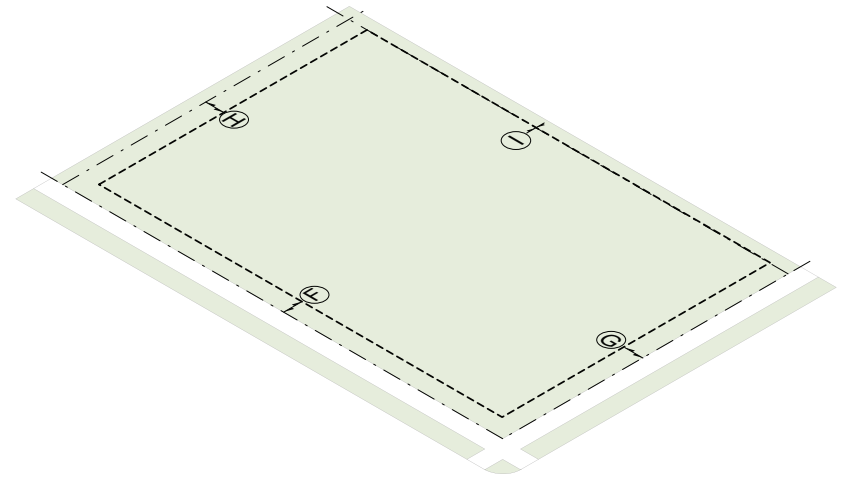
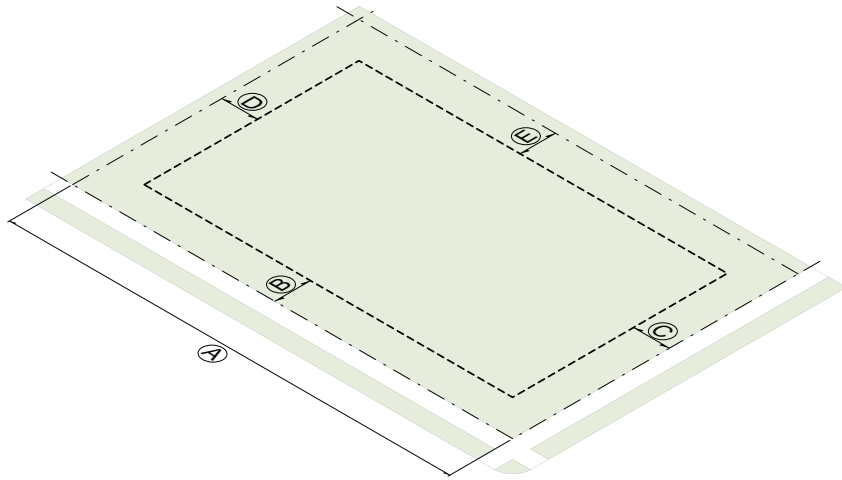


All Districts	
Height	
Ⓜ Stories (max)	3
Ⓜ Feet (max)	50'
Bulk Plane	
Bulk Plane abutting RS- district (1:1 above 40')	yes
Building Elements Allowed*	
Gallery, awning	■
Double gallery	■
Porch, stoop	■
Balcony	■

*See [Sec. 9.4, Building Elements](#), for specific building element requirements

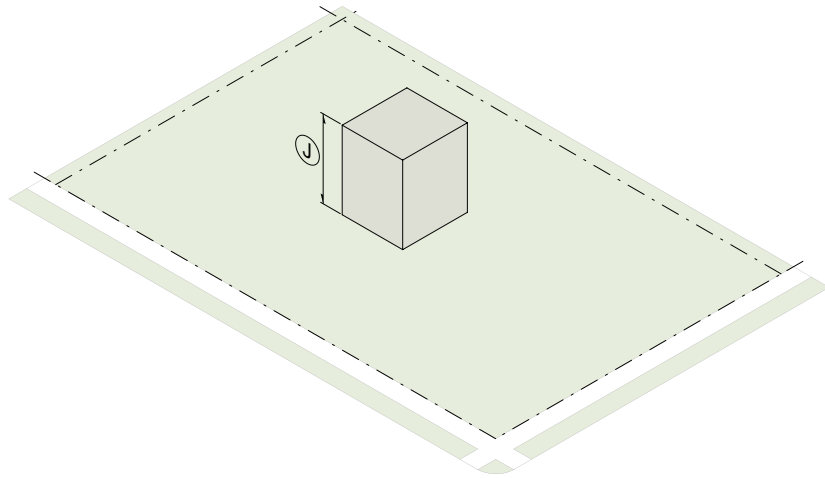
5.2.9 Open Lot

An open lot is designed to accommodate open space or natural areas worthy of preservation. An open lot is intended primarily to provide for public or private open space. Open lots may also be used to accommodate uses with large areas of open space and low building coverage.



All Districts	
Lot	
Area (min square feet)	2,000
Building coverage (max)	5%
(A) Width (min)	20'
Structure Setbacks	
(B) Front (min)	10'
(C) Side, interior (min)	10'
(D) Side, street (min)	10'
(E) Rear (min)	10'

All Districts	
Parking Setbacks	
(F) Front (min)	10'
(G) Side, street (min)	10'
(H) Side, interior (min)	10'
(I) Rear (min)	10'



All Districts	
Height	
Ⓧ Stories (max)	n/a
Ⓧ Feet (max)	35'

Sec. 5.3 Special Development Standards

5.3.1 Residential Cluster

A. Intent

1. To encourage design innovation in the Suburban context by allowing residential cluster developments in the Suburban Residential Single-Family Districts.
2. The residential cluster allows additional building types, smaller lot sizes and provides a significant increase in gross area density, in exchange for meaningful common open space. This allows more efficient layout of lots, streets, and utilities, promotes a mixture of housing types, and protects the rural character of the area through the preservation of open space, agricultural, and recreation areas, and the protection of unique site features and scenic vistas.

B. Development Patterns

The Suburban Residential Single-Family Districts allow for two development patterns.

1. Conventional Option

Under the conventional option no designated common open space is required and the minimum residential lot is limited to the conventional lot size for the respective district and building type. The single-family house and the attached house are the only building types allowed by right. See [Sec. 5.2, Building Types](#).

2. Residential Cluster Option

Under the residential cluster option the applicant is required to designate a percentage of the residential cluster project as common open space. In exchange, the applicant is permitted additional density, additional building types, and smaller lot sizes. See [Sec. 5.2, Building Types](#).

C. Open Space Requirements

1. Amount of Open Space

The amount of required common open space for residential clusters is calculated as a percentage of the gross residential cluster project area. The required percentage is identified in the building type standards of [Sec. 5.2, Building Types](#).

2. Open Space Allocation

In allocating land for required open space, the following hierarchy of primary and secondary open space shall be used.

a. Primary Open Space

The following are considered primary open space areas and shall be the first areas reserved as required open space.

- i. The 100-year floodplain;
- ii. Stream buffer areas;
- iii. Slopes above 25 percent of at least 5,000 square feet contiguous area;
- iv. Jurisdictional wetlands under federal law (Sec. 404) that meet the definition applied by the Army Corps of Engineers;
- v. Habitat for federally-listed endangered or threatened species;
- vi. Historic, archaeological and cultural sites, cemeteries and burial grounds;
- vii. Agricultural lands of at least 20 contiguous acres containing at least 25 percent prime farmland soils or other soils of statewide importance; and
- viii. Significant natural features and scenic viewsheds such as ridge lines, hedge rows, field borders, meadows, fields, river and bayou views, natural woodlands that can be seen from public roadways and screen the view of the residential cluster.

b. Secondary Open Space

The following are considered secondary open space areas and shall be included as required open space once the primary open space areas are exhausted.

- i. Individual existing healthy trees greater than 12 inches DBH;
- ii. Areas that connect the site to neighboring open space, trails or greenways; and
- iii. Soils with severe limitations for development due to drainage problems.

3. Configuration of Open Space

- a. The minimum width for any required open space is 50 feet. Exceptions may be granted for items such as trail easements, mid-block crossings, and linear parks, when their purpose meets the intent of this section.
- b. At least 60 percent of the required open space must be in a contiguous lot or site or series of lots and sites. For the purposes of this section, contiguous includes any open space bisected by a collector or local street, provided that:
 - i. A pedestrian crosswalk provides access to the open space on both sides of the street; and
 - ii. The right-of-way area is not included in the calculation of minimum open space required.
- c. Where feasible, the open space should adjoin any neighboring areas of open space, other protected areas, and non-protected natural areas that would be candidates for inclusion as part of a future area of protected open space.
- d. The required open space must be directly accessible to the largest practicable number of lots within the development. Non-adjoining lots must be provided with safe, convenient access to the open space such as mid-block connections in logical locations.
- e. No lot within the development shall be further than a ¼-mile radius from the open space. This radius is measured in a straight line,

without regard for street, sidewalk or trail connections to the open space.

- f. Access to the open space must be provided either by an abutting street or easement. Such easement can not be less than 20 feet wide.

4. Allowed Uses of Open Space

Uses of open space may include the following:

- a. Agriculture, horticulture, silviculture or pasture uses, provided that all applicable best management practices are used to minimize environmental impacts;
- b. Conservation areas for natural, archeological or historical resources;
- c. Meadows, woodlands, wetlands, wildlife corridors, game preserves, or similar conservation-oriented areas;
- d. Pedestrian or multipurpose trails;
- e. Passive recreation areas;
- f. Active recreation areas, provided that impervious area is limited to no more than 25 percent of the total open space (active recreation areas in excess of this impervious area limit must be located outside of the protected open space);
- g. Golf courses (excluding clubhouse areas and maintenance facilities);
- h. Above-ground utility rights-of-way;
- i. Water bodies, such as lakes and ponds, and floodways;
- j. Landscaped stormwater management facilities;
- k. Easements for drainage, access and underground utility lines; and
- l. Other conservation-oriented uses compatible with the purposes of this zoning code.

5. Prohibited Uses of Open Space

Required open space cannot be used for the following:

- a. Individual wastewater disposal systems drain fields for community systems may be permitted);

- b. Streets (except for street crossings as expressly provided above) and impervious parking areas;
- c. Other activities as determined by the applicant and recorded on the legal instrument providing for permanent protection.

D. Ownership and Management of Open Space

1. Ownership

Required open space may be accepted and owned by one of the following entities:

a. *[Jurisdiction]*

The responsibility for maintaining the open space, and any facilities may be borne by the *[Jurisdiction]*.

b. Land Conservancy or Land Trust

The responsibility for maintaining the open space and any facilities may be borne by a land conservancy or land trust.

c. Property Owners' Association

A property owners' association representing residents of the subdivision may own the open space. Membership in the association shall be mandatory and automatic for all property owners of the subdivision and their successors. The property owners' association shall have lien authority to ensure the collection of dues from all members. The responsibility for maintaining the open space, and any facilities shall be borne by the property owners' association.

d. Private Landowner

A private landowner may retain ownership of open space. The responsibility for maintaining the open space, and any facilities shall be borne by the private landowner.

2. Management Plan

Applicants must submit a plan for the management of open space and other common facilities that:

- a. Allocates responsibility and guidelines for the maintenance and operation of the open space and any facilities located thereon,

including provisions for ongoing maintenance and for long-term capital improvements;

- b. Estimates the costs and staffing requirements needed for maintenance and operation of, and insurance for, the open space and outlines the means by which such funding will be obtained or provided;
- c. Provides that any changes to the plan be approved by the Administrator; and
- d. Provides for enforcement of the plan.

E. Maintenance of Open Space

1. Passive open space maintenance will include removal of litter and debris. Natural water courses are to be maintained as free-flowing. Stream channels must be maintained so as not to alter floodplain levels.
2. Active open space areas must be accessible to all residents of the development. Maintenance is limited to ensuring that there exist no hazards, nuisances or unhealthy conditions.
3. Formal open space maintenance is limited to include weeding and mowing of any landscaped areas and the removal of litter and debris.

F. Failure to Maintain Open Space

1. In the event the party responsible for maintenance of the open space fails to maintain all or any portion in reasonable order and condition, the *[Jurisdiction]* may assume responsibility for its maintenance and may enter the premises and take corrective action, including the provision of extended maintenance.
2. The costs of such maintenance may be charged to the owner of the property; or in the event that the owner is a property owners' association, to the individual property owners that make up the property owner's association. Costs for maintenance may include administrative costs and penalties. Such costs may become a lien on all development properties.

G. Permanent Protection

1. Open space shall be protected in perpetuity by a binding legal instrument that is recorded with the deed. The instrument must be one of the following:
 - a. A permanent conservation easement in favor of either:
 - i. A land trust or similar conservation-oriented non-profit organization with legal authority to accept such easements. The organization must be bona fide and in perpetual existence and the conveyance instruments must contain an appropriate provision for re-transfer in the event the organization becomes unable to carry out its functions; or
 - ii. A governmental entity with an interest in pursuing goals compatible with the purposes of this development code. If the entity accepting the easement is not the **[Jurisdiction]** then a third right of enforcement favoring the **[Jurisdiction]** must be included in the easement.
 - b. A permanent restrictive covenant for conservation purposes in favor of a governmental entity.
 - c. An equivalent legal tool that provides permanent protection, if approved by the **[Jurisdiction]**.
2. The instrument for permanent protection must include clear restrictions on the use of the open space. These restrictions must include all restrictions contained in this code, as well as any further restrictions the applicant chooses to place on the use of the open space. Where appropriate, the instrument may allow for stream or habitat restoration within the easement area.

H. Approval

1. Residential cluster projects are required to go through the **[Jurisdiction]** subdivision process.

5.3.2 Suburban Planned Development (S-PD)

A. General Provisions

1. The **[Governing Body]** may approve a suburban planned development subject to the following standards and the process in **12.2.9, Planned Development (PD)**.
2. Each application for approval of a suburban planned development shall include a statement by the applicant describing:
 - a. All requested deviations from the standards of this zoning code; and
 - b. How the proposed planned development is an improvement over what would be required under otherwise applicable development regulations.

B. Maximum Permitted Residential Density

No suburban planned development may exceed a gross residential density of 15 dwelling units per acre.

C. Size

No suburban planned development greater than 20 acres in size is allowed.

D. Block and Cul-de-sacs

Block perimeter and any cul-de-sac lengths shall be established as part of the approved concept plan.

E. Streets

Required street cross-sections shall be established as part of the approved concept plan.

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

*No suburban planned development may be allowed to deviate from the applicable street types allowed in the Suburban context under **[insert citation to Sec. 3.3, Street and Alley Standards]**.*

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ARTICLE 6. URBAN

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Mapping Note: The Urban Context contains the tools for building compact and walkable, mixed use neighborhoods. Consider the following guidelines for mapping the Urban Context.

1. Identify current areas meeting the description of the Urban Context and map them Urban or consider mapping them as Center.
2. Identify key intersections that are either existing or proposed, and any existing or proposed major employment centers and classify these areas as Urban Context nodes with approximately a ¼- to ½-mile radius.
3. Consider extending this Urban Context node along adjacent corridors an additional ¼ mile.

Sec. 6.1 Urban Context



6.1.1 General Character

The Urban context consists of medium-density development with both residential and commercial uses typically located within a city or town. Residential buildings may include both single-family detached and multifamily attached types such as row houses and apartments. Commercial activity is concentrated along major roadways and at neighborhood nodes and is encouraged to be mixed use. There is moderate pedestrian, bike and transit activity.

6.1.2 Regional Growth Sectors

The Urban context is typically mapped in areas designated as Anticipated Growth and Infill Sectors on the Regional Growth Sector Map. Areas within this context have an urban level of services. It is intended that growth occur in this context area.

6.1.3 Zoning Districts

The Urban context allows for a wide variety of residential, mixed use, and commercial districts at urban intensities. Special purpose districts include the urban planned development (U-PD).

6.1.4 Building Types and Dimensions

Residential and commercial buildings are between one to three stories in height. Residential buildings are close to the street with small-scale yards. Mixed use buildings typically have build-to requirements with parking at the rear and side of the building. Building coverage of the lot is relatively high for both residential and commercial uses.

6.1.5 Streets, Alley, and Block Patterns

Streets and rights-of-way are narrower in width. A regular pattern of mid-sized, walkable blocks are framed by a rectilinear grid of streets. Alleys and service drives are consistently present. Blocks include sidewalks, street trees, street and surface parking, and limited landscaping in the minimal front setbacks. Residential and commercial access is typically via an alley or shared service drive to a surface parking lot.

6.1.6 Parking and Mobility Options

Parking is provided on-street and on surface lots. Limited surface parking is allowed between the building and the street but primarily located to the side and rear of buildings. In street design, equal priority is given to pedestrians, bicyclists and automobiles. There is access to multiple modes of transportation and frequent pedestrian activity.

Sec. 6.2 Building Types



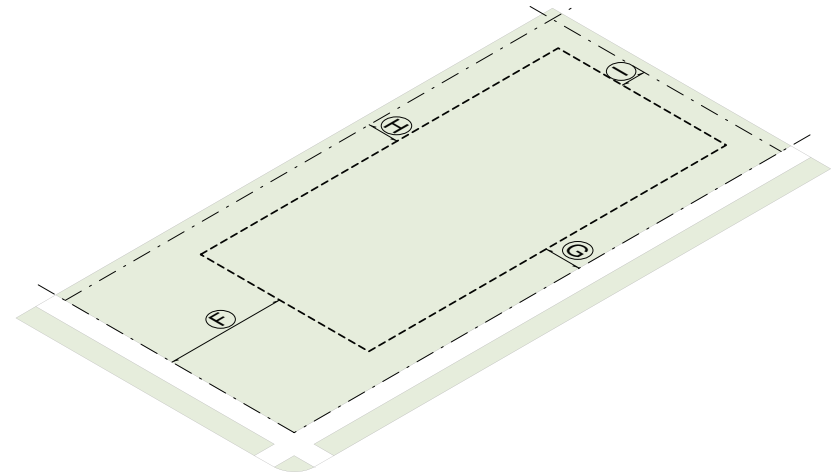
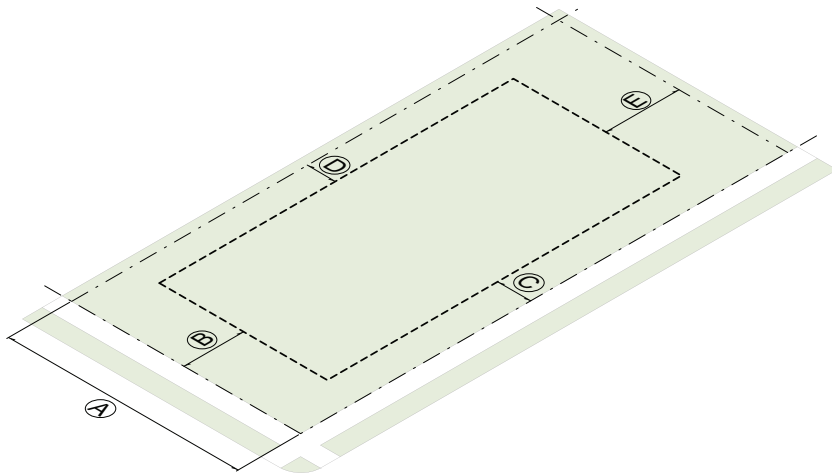
URBAN

	Farm Lot	Single-Family House	Attached House	Row House	Apartment	Single-Story Shopfront	Mixed Use Building	Industrial	Civic	Open Lot
Residential Districts										
Single-Family -6 (U-RS-6)		■	■						■	■
Single-Family-3 (U-RS-3)		■	■						■	■
Multifamily-3 (S-RM-3)		■	■	■	■				■	■
Mixed Use Districts										
Mixed Use-3 (U-MX-3)				■	■		■		■	■
Mixed Use-5 (U-MX-5)				■	■		■		■	■
Main Street-3 (U-MS-3)							■		■	■
Main Street-5 (U-MS-5)							■		■	■
Commercial Districts										
Light Industrial (S-IL)							■	■	■	■
Special Purpose Districts										
Planned Development (U-PD)	*	*	*	*	*	*	*	*	*	*

KEY: ■ Allowed by right * May be allowed by the *[Governing Body]* as part of an approved concept plan Blank cell = Not allowed

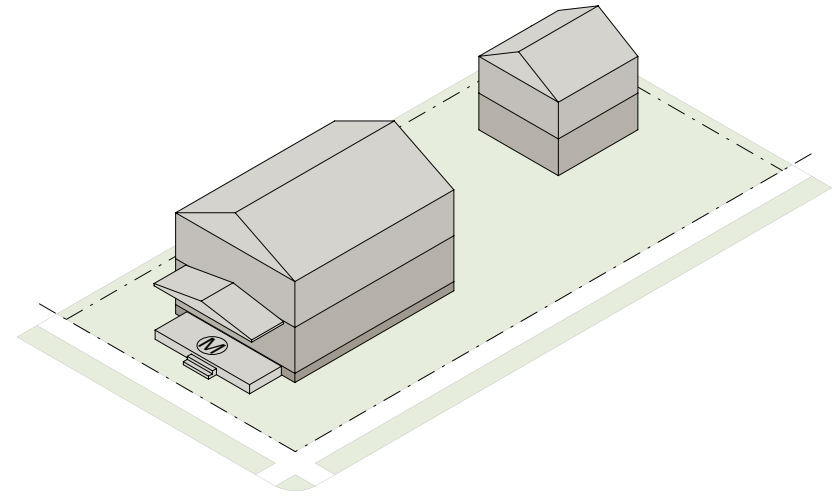
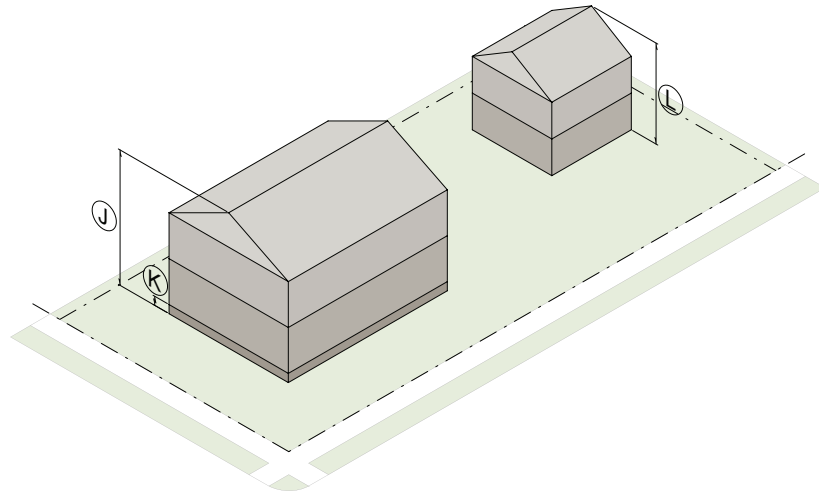
6.2.1 Single-Family House

A building type containing one principal dwelling unit typically located on a single lot with private yards on all four sides. Single-family house also includes modular or manufactured homes.



	U-RS-6	U-RS-3	U-RM-3
Lot			
Area (min square feet)	6,000	3,000	2,500
Building coverage (max)	45%	70%	75%
(A) Width (min)	45'	30'	25'
Principal Structure Setbacks			
(B) Front (min)	20'	10'	10'
(C) Side, street (min)	10'	8'	6'
(D) Side, interior (min)	5'	3'	3'
(D) Rear, common lot line (min)	20'	15'	15'
(E) Rear, alley (min)	3' or 20'	3' or 15'	3' or 15'

	U-RS-6	U-RS-3	U-RM-3
Accessory Structure Setbacks			
(F) Behind front facade of principal structure (min)	10'	15'	15'
(G) Side, street (min)	10'	8'	6'
(H) Side, interior (min)	5'	3'	3'
(I) Rear, common lot line (min)	5'	5'	5'
(J) Rear, alley (min)	3' or 20'	3' or 15'	3' or 15'



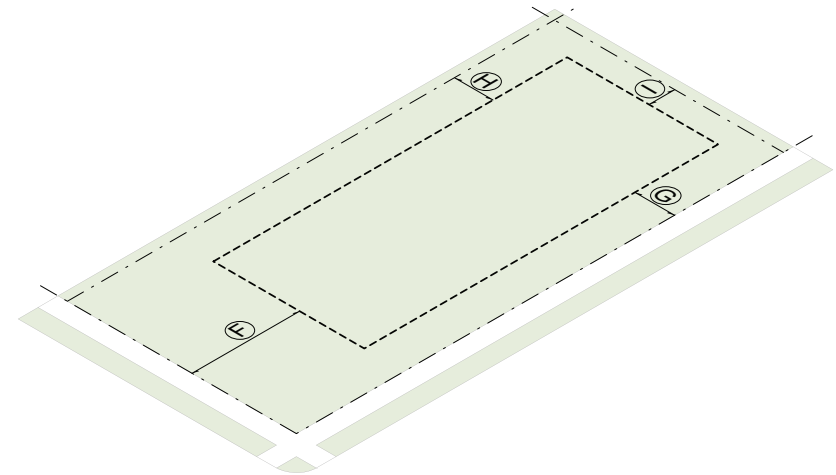
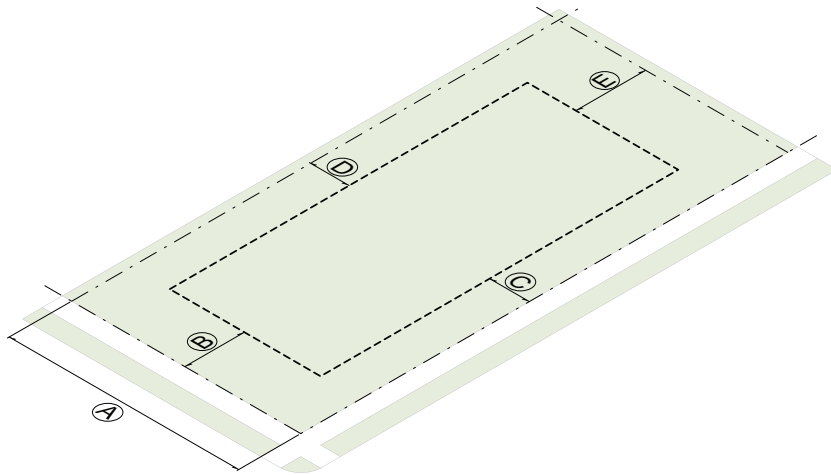
	U-RS-6	U-RS-3	U-RM-3
Principal Structure Height			
Ⓝ Stories (max)	2	2	3
Ⓝ Feet (max)	35'	35'	45'
Ⓚ Ground story elevation (min)	18"	18"	18"
Bulk Plane			
Bulk Plane abutting			
RS- district (1:1 above 40')	n/a	n/a	yes
Accessory Structure Height			
Ⓛ Stories (max)	2	2	2
Ⓛ Feet (max)	30'	30'	30'

	U-RS-6	U-RS-3	U-RM-3
Building Entrance			
Ⓜ Street facing entrance required	yes	yes	yes
Building Elements Allowed*			
Gallery, awning			
Double gallery			
Porch, stoop	■	■	■
Balcony	■	■	■

*See [Sec. 9.4, Building Elements](#), for specific building element requirements

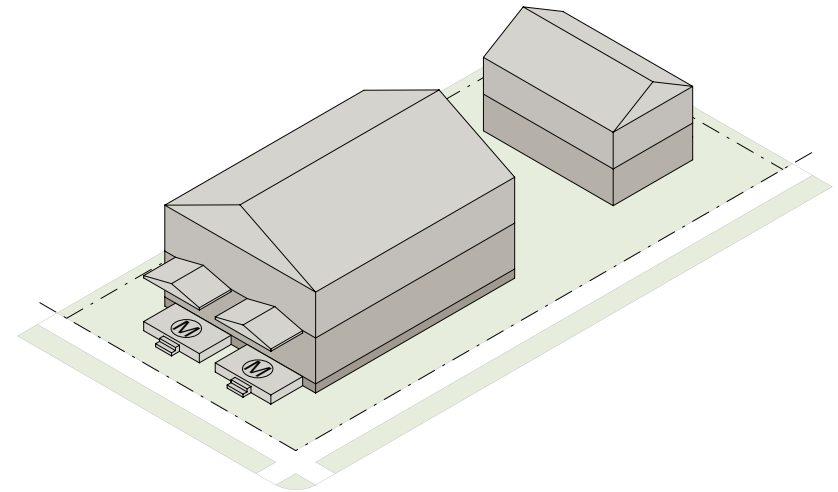
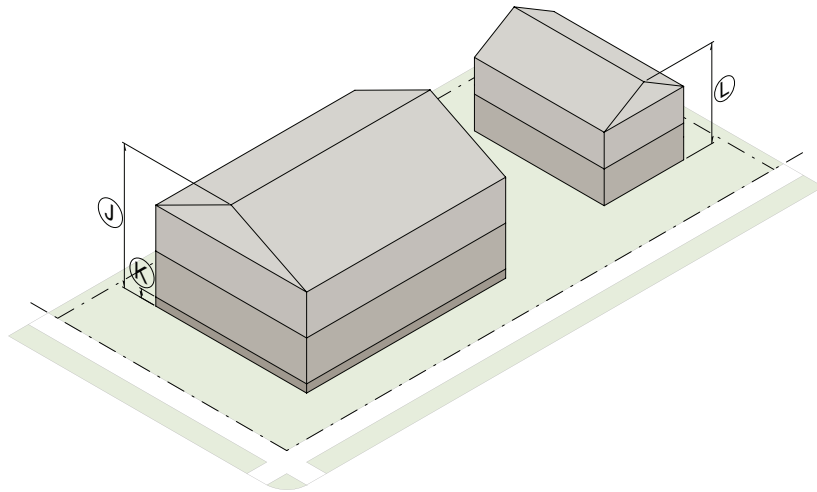
6.2.2 Attached House

A building type containing two principal dwelling units on a single lot with private yards on all four sides. Each unit has its own external entrance. Units can be located on separate floors, side by side, or back-to-back. Often called a duplex.



	U-RS-6	U-RS-3	U-RM-3
Lot			
Area (min square feet)	8,000	5,000	5,000
Building coverage (max)	55%	60%	60%
(A) Width (min)	45'	40'	40'
Principal Structure Setbacks			
(B) Front (min)	20'	15'	15'
(C) Side, street (min)	10'	10'	10'
(D) Side, interior (min)	5'	5'	5'
(E) Rear (min)	20'	15'	15'

	U-RS-6	U-RS-3	U-RM-3
Accessory Structure Setbacks			
(F) Behind front facade of principal structure (min)	10'	15'	15'
(G) Side, street (min)	10'	8'	6'
(H) Side, interior (min)	5'	3'	3'
(I) Rear, common lot line (min)	5'	5'	5'
(J) Rear, alley (min)	3' or 20'	3' or 20'	3' or 20'



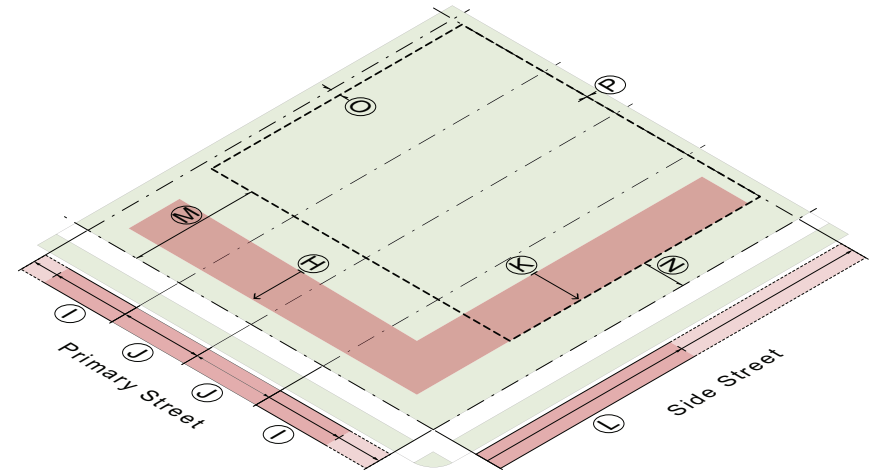
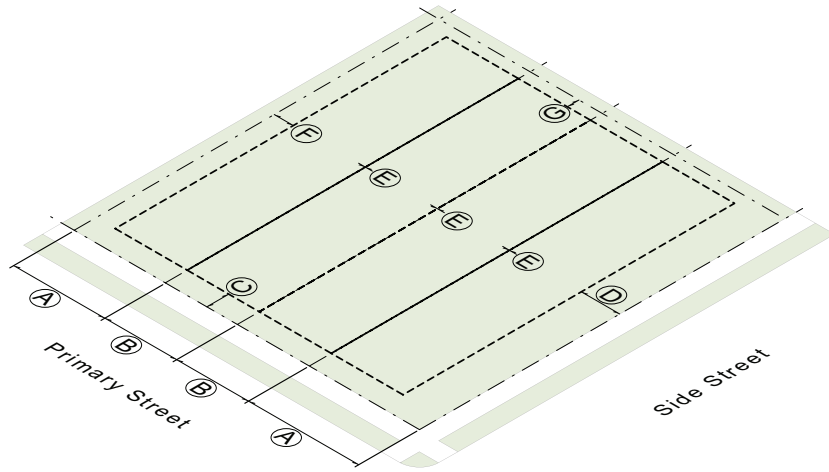
	U-RS-6	U-RS-3	U-RM-3
Principal Structure			
Ⓝ Stories (max)	2	2	3
Ⓝ Feet (max)	35'	35'	45'
Ⓚ Ground story elevation (min)	18"	18"	18"
Bulk Plane			
Bulk Plane abutting RS- district (1:1 above 40')	n/a	n/a	yes
Accessory Structures			
Ⓛ Stories (max)	2	2	2
Ⓛ Feet (max)	30'	30'	30'

	U-RS-6	U-RS-3	U-RM-3
Building Entrance			
Ⓜ Street facing entrance required	yes	yes	yes
Building Elements Allowed*			
Gallery, awning			
Double gallery			
Porch, stoop	■	■	■
Balcony	■	■	■

*See [Sec. 9.4, Building Elements](#), for specific building element requirements

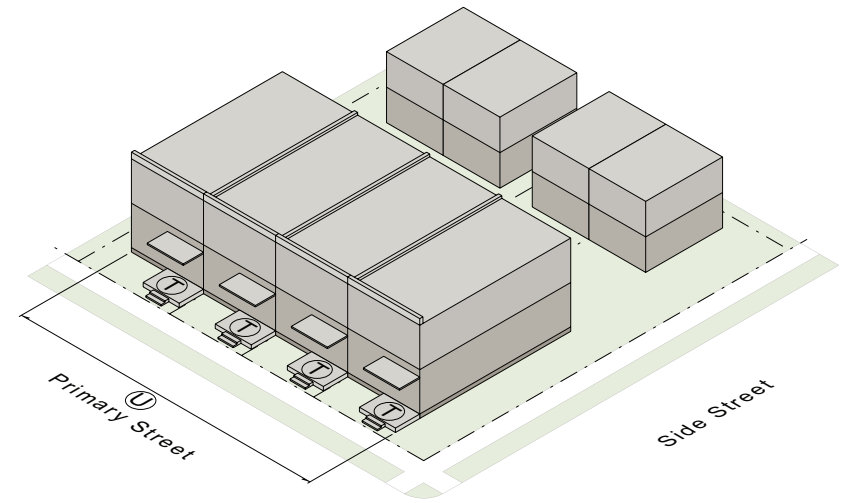
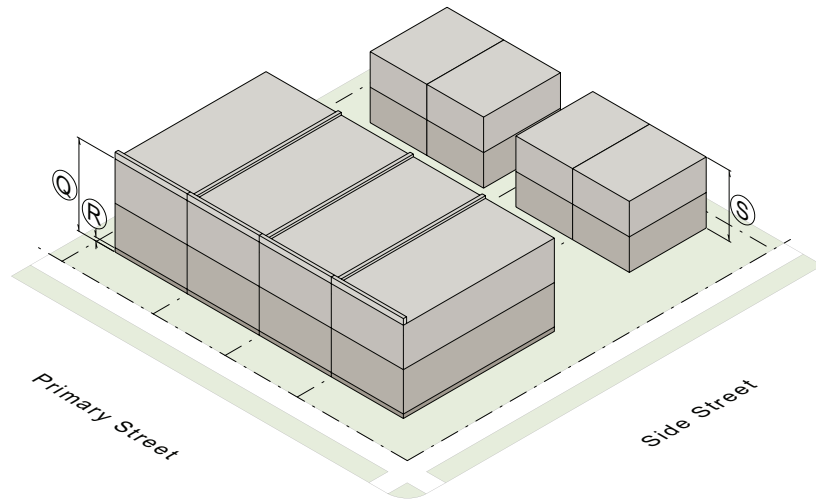
6.2.3 Row House

A building type consisting of three or more attached structures. Each structure shares a common side wall. Each structure may contain up to two principal dwelling units which may be stacked vertically. Each unit has its own external street facing entrance.



	U-RM-3 U-MX-3	U-MX-5
Lot		
Area (min square feet)	1,400	1,400
Building coverage (max)	80%	85%
(A) Width, end lot (min)	24'	24'
(B) Width, interior lot (min)	18'	18'
Structure Setbacks		
(C) Primary street (min)	5'	5'
(D) Side street (min)	10'	10'
(E) Side interior, interior lot (min)	0'	0'
(F) Side interior, end lot (min)	0' or 10'	0' or 10'
(G) Rear, alley (min)	3' or 15'	3' or 15'

	U-RM-3 U-MX-3	U-MX-5
Build-to Area		
(H) Primary street build-to area (min/max)	5' / 15'	5' / 15'
(I) Building facade in primary street build-to area (min % of lot width)	75%	75%
(J) Building facade in primary street build-to area, interior lot (min % of lot width)	100%	100%
(K) Side street build-to area (min/max)	10' / 20'	10' / 20'
(L) Building facade in side street build-to area (min % of lot depth)	50%	50%
Parking Setbacks		
(M) Primary street setback (min)	40'	40'
(N) Side street setback (min)	10'	10'
(O) Setback abutting a RS- district (min)	5'	5'
(P) Setback abutting any other district (min)	0' or 5'	0' or 5'
(Q) Setback abutting alley (min)	0'	0'



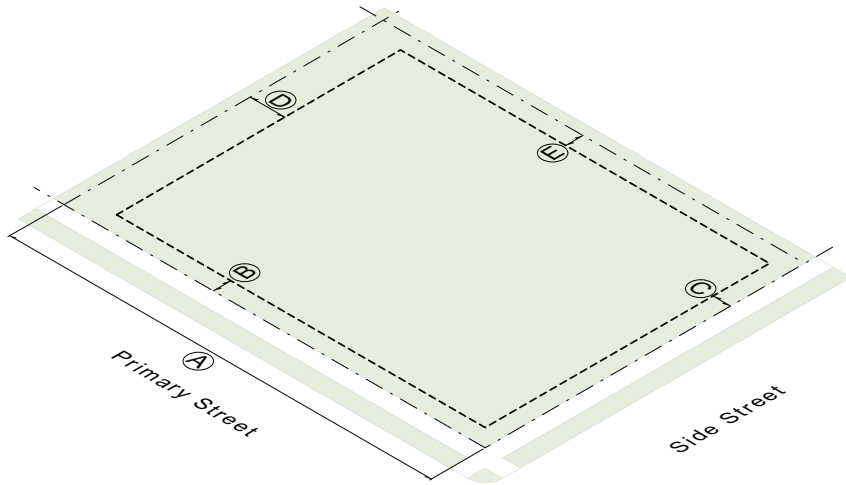
	U-RM-3 U-MX-3	U-MX-5
Principal Structure Height		
(Q) Stories (max)	3	4
(Q) Feet (max)	45'	60'
(R) Ground story elevation (min)	24"	24"
Bulk Plane		
Bulk Plane abutting	yes	yes
RS- district (1:1 above 40')		
Accessory Structure Height		
(S) Stories (max)	2	2
(S) Feet (max)	30'	30'

	U-RM-3 U-MX-3	U-MX-5
Building Entrance		
(T) Street facing entrance required	yes	yes
Building Mass		
(U) Attached building length (max)	200'	250'
Building Elements Allowed*		
Gallery, awning		
Double gallery		
Porch, stoop	■	■
Balcony	■	■

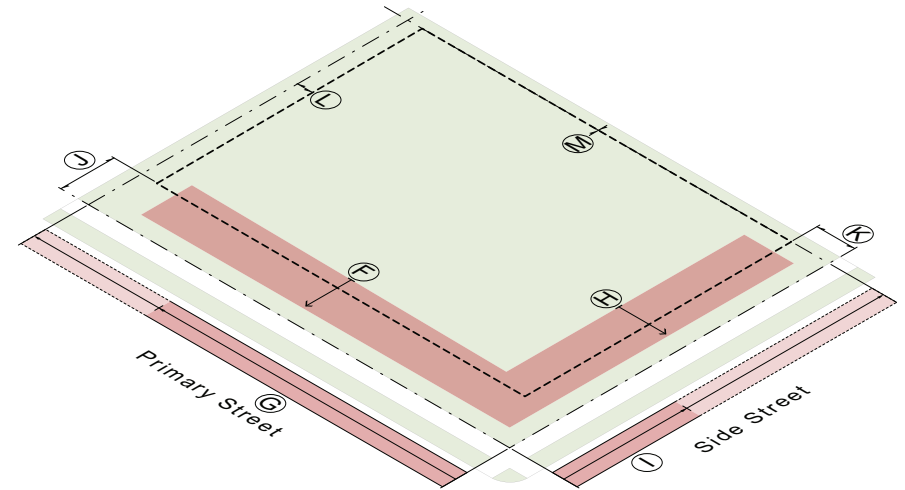
*See [Sec. 9.4, Building Elements](#), for specific building element requirements

6.2.4 Apartment

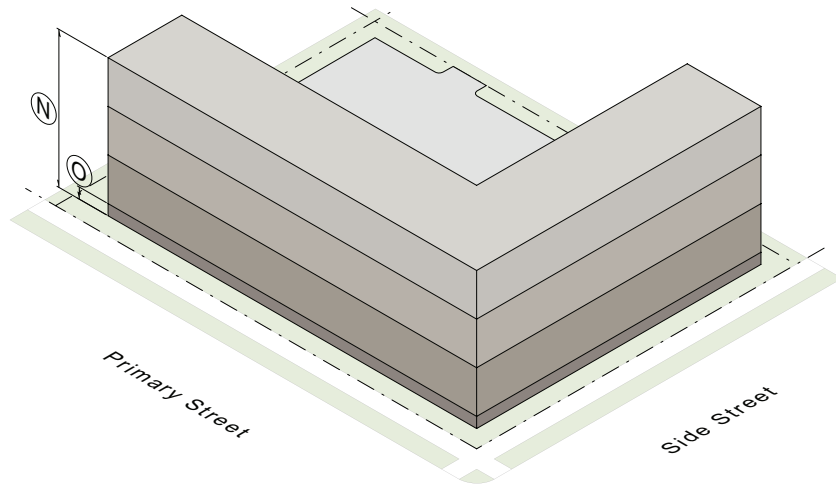
A building type containing three or more dwelling units consolidated into a single structure. An apartment contains internal common walls. Dwelling units within a building may be situated either wholly or partially over or under other dwelling units. The building often shares a common entrance. Primary entrances are prominent and street facing.



	U-RM-3	U-MX-3	U-MX-5
Lot			
Area (min square feet)	15,000	10,000	8,000
Building coverage (max)	65%	70%	75%
(A) Width (min)	75'	55'	50'
Structure Setbacks			
(B) Primary street (min)	5'	5'	5'
(C) Side street (min)	5'	5'	5'
(D) Setback abutting a RS- district (min)	20'	30'	50'
(D) Setback abutting any other district (min)	15'	0' or 10'	0' or 10'
(E) Setback abutting alley (min)	5'	5'	5'



	U-RM-3	U-MX-3	U-MX-5
Build-to Area			
(F) Primary street build-to area (min/max)	15' / 25'	5' / 15'	5' / 15'
(G) Building facade in primary street build-to area (min % of lot width)	65%	75%	75%
(H) Side street build-to area (min/max)	15' / 25'	5' / 15'	5' / 15'
(I) Building facade in side street build-to area (min % of lot depth)	50%	50%	50%
Parking Setbacks			
(J) Primary street setback (min)	25'	15'	15'
(K) Side street setback (min)	10'	10'	10'
(L) Setback abutting a RS- district (min)	20'	20'	20'
(L) Setback abutting any other district (min)	0' or 5'	0' or 5'	0' or 5'
(M) Setback abutting alley (min)	0'	0'	0'



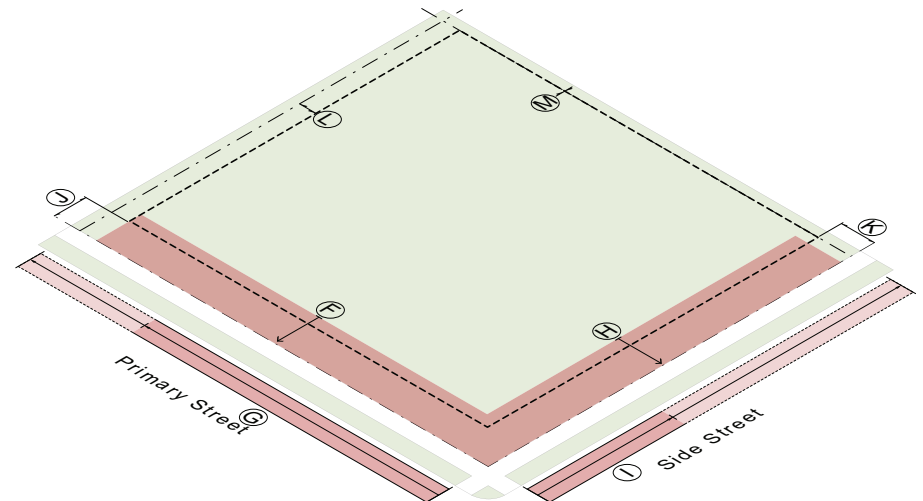
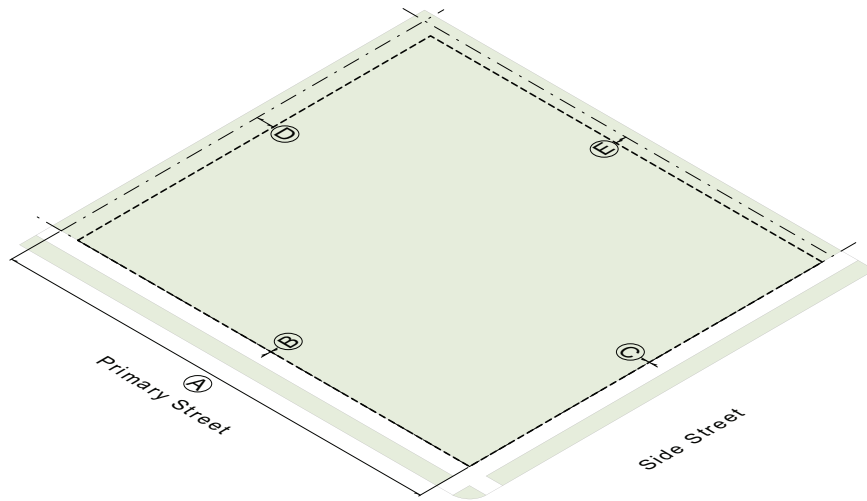
	U-RM-3	U-MX-3	U-MX-5
Height			
Ⓝ Stories (min/max)	1/3	2/3	2/5
Ⓝ Feet (max)	45'	45'	70'
Ⓞ Ground story elevation (min)	18"	18"	18"
Bulk Plane			
Bulk Plane abutting	yes	yes	yes
RS- district (1:1 above 40')	yes	yes	yes

	U-RM-3	U-MX-3	U-MX-5
Transparency			
Ⓟ Ground story (min)	40%	40%	40%
Ⓠ Upper story (min)	20%	30%	30%
Ⓡ Blank wall area (max)	30'	30'	30'
Building Entrance			
Ⓢ Street facing entrance required	yes	yes	yes
Ⓣ Entrance spacing (max)	100'	100'	100'
Building Mass			
Ⓤ Building length (max)	150'	200'	225'
Building Elements Allowed*			
Gallery, awning	■	■	■
Double gallery	■	■	■
Porch, stoop	■	■	■
Balcony	■	■	■

*See Sec. 9.4, Building Elements, for specific building element requirements

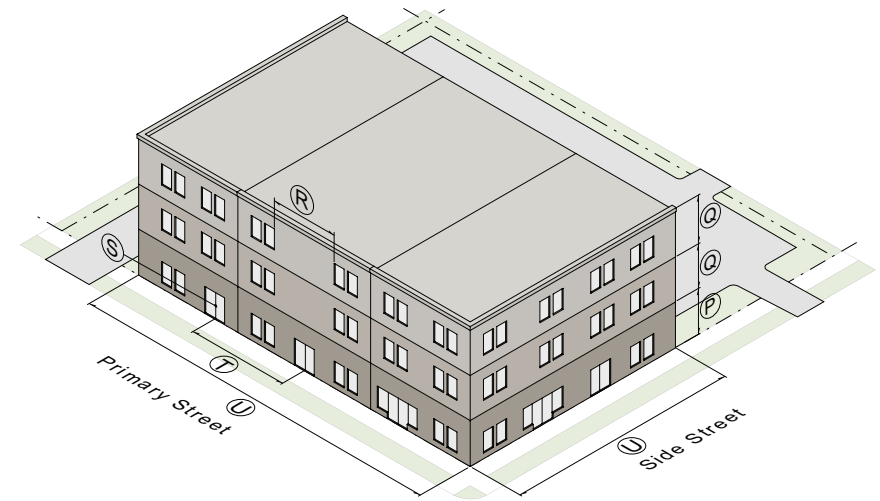
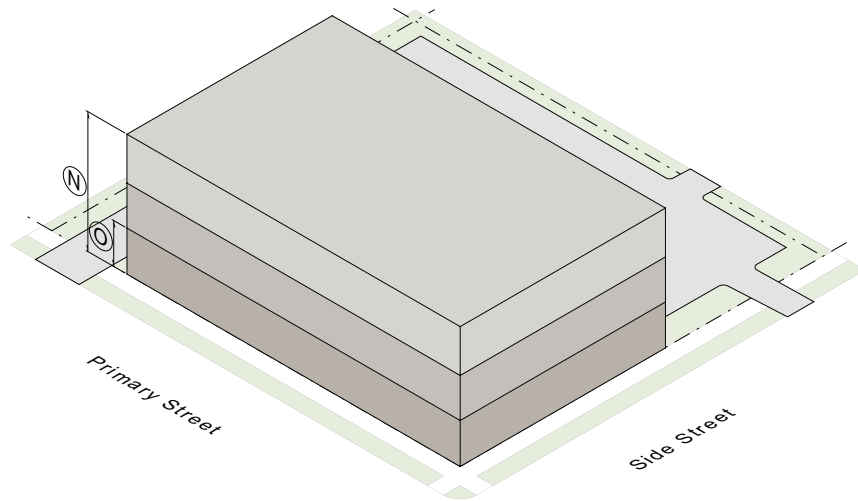
6.2.5 Mixed Use Building

A building type intended for ground floor commercial uses with upper-story residential or offices uses. Windows are provided on the ground floor to encourage interaction between the pedestrian and the ground story space. Primary entrances are prominent and street facing and are spaced at regular intervals along the street edge.



	U-MX-3	U-MX-5	U-MS-3	U-MS-5	U-IL
Lot					
Area (min square feet)	6,500	6,500	2,500	2,500	6,500
Building coverage (max)	70%	70%	85%	85%	70%
B Width (min)	65'	65'	25'	25'	65'
Structure Setbacks					
C Primary street (min)	0'	0'	0'	0'	0'
D Side street (min)	0'	0'	0'	0'	0'
E Setback abutting a RS- district (min)	15'	15'	15'	15'	20'
E Setback abutting any other district (min)	0' or 5'	0' or 5'	0' or 5'	0' or 5'	10'
E Setback abutting alley (min)	5'	5'	5'	5'	5'

	U-MX-3	U-MX-5	U-MS-3	U-MS-5	U-IL
Build-to Area					
F Primary street build-to area (min/max)	0' / 15'	0' / 15'	0' / 5'	0' / 5'	0' / 80'
G Building facade in primary street build-to area (min % of lot width)	65%	65%	85%	85%	60%
H Side street build-to area (min/max)	0' / 15'	0' / 15'	0' / 5'	0' / 5'	0' / 80'
I Building facade in side street build-to area (min % of lot depth)	30%	30%	40%	40%	n/a
Parking Setbacks					
J Primary street setback (min)	10'	10'	5'	5'	15'
K Side street setback (min)	10'	10'	5'	5'	15'
L Setback abutting a RS- district (min)	10'	10'	10'	10'	10'
L Setback abutting any other district (min)	0' or 5'	0' or 5'	0' or 5'	0' or 5'	10'
M Setback abutting alley (min)	0'	0'	0'	0'	0'



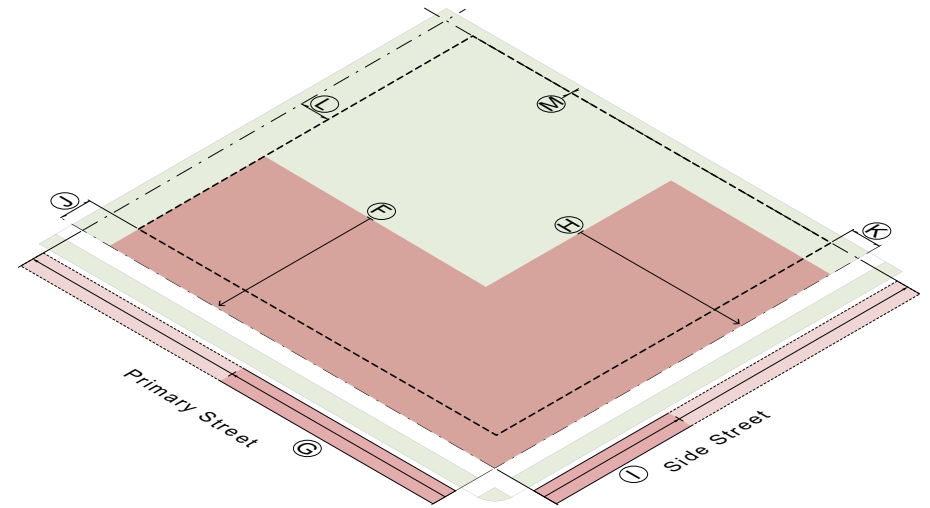
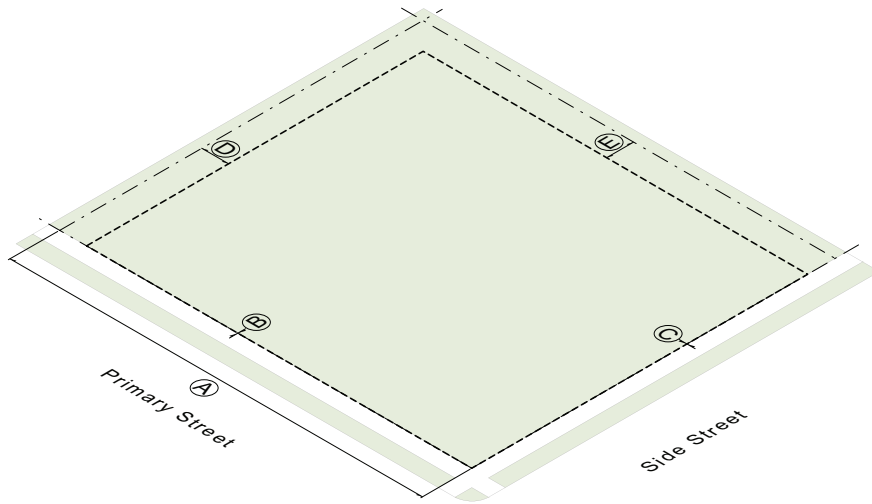
	U-MX-3	U-MX-5	U-MS-3	U-MS-5	U-IL
Height					
N Stories (max)	3	5	3	5	5
N Feet (max)	45'	70'	45'	70'	70'
C Ground story height (min)	12'	12'	12'	12'	12'
Bulk Plane					
Bulk Plane abutting	yes	yes	yes	yes	yes
RS- district (1:1 above 40')	yes	yes	yes	yes	yes

	U-MX-3	U-MX-5	U-MS-3	U-MS-5	U-IL
Transparency					
P Ground story (min)	55%	55%	65%	65%	40%
Q Upper story (min)	20%	20%	30%	30%	20%
R Blank wall area (max)	30'	30'	25'	25'	30'
Building Entrance					
S Street facing entrance required	yes	yes	yes	yes	yes
T Entrance spacing (max)	100'	100'	75'	75'	150'
Building Mass					
U Building length (max)	200'	200'	225'	225'	300'
Building Elements Allowed*					
Gallery, awning	■	■	■	■	■
Double gallery	■	■	■	■	■
Porch, stoop					
Balcony	■	■	■	■	■

*See Sec. 9.4, Building Elements, for specific building element requirements

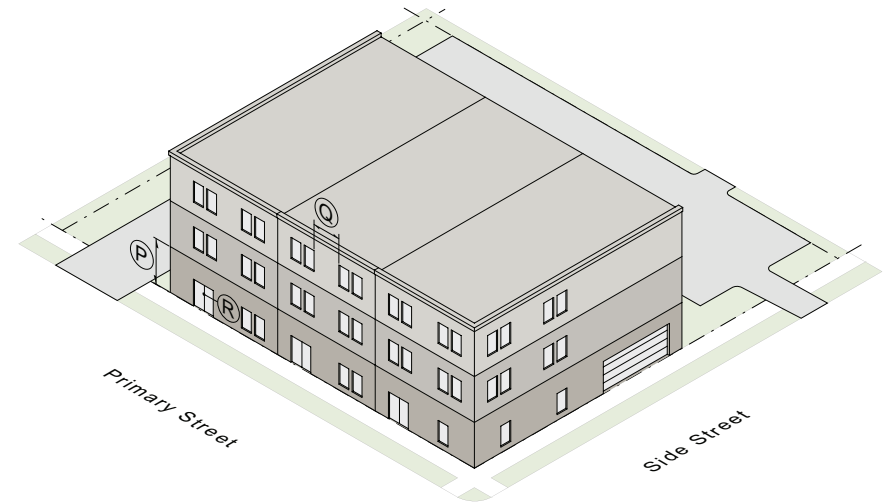
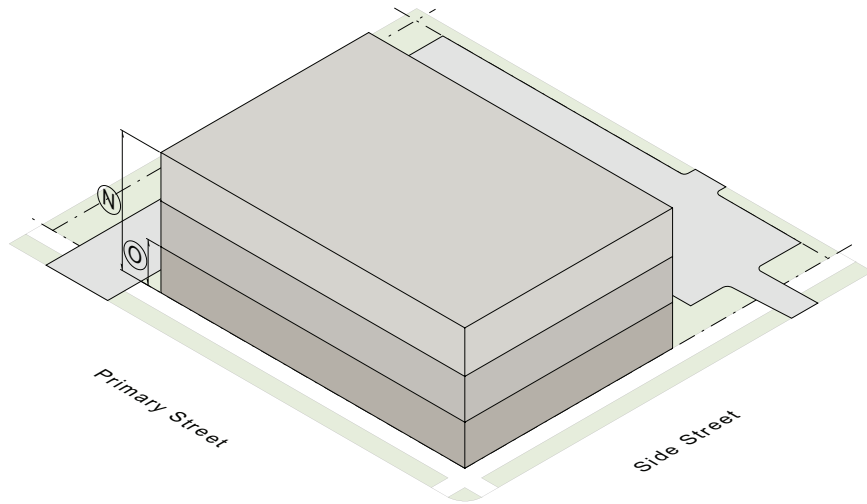
6.2.6 Industrial

A building type intended primarily for industrial, manufacturing and employment uses. To the extent possible, building entrances should face the street. Ground floor transparency is limited due to the intensive nature of the work inside. May include bay doors for vehicles.



	U-IL
Lot	
Area (min square feet)	15,000
Building coverage (max)	70%
(A) Width (min)	75'
Structure Setbacks	
(B) Primary street (min)	0'
(C) Side street (min)	0'
(D) Setback abutting a RS- district (min)	35'
(D) Setback abutting any other district (min)	0' or 5'
(E) Setback abutting alley (min)	5'

	U-IL
Build-to Area	
(F) Primary street build-to area (min/max)	0' / 80'
(G) Building facade in primary street build-to area (min % of lot width)	50%
(H) Side street build-to area (min/max)	0' / 80'
(I) Building facade in side street build-to area (min % of lot depth)	30%
Parking Setbacks	
(J) Primary street setback (min)	5'
(K) Side street setback (min)	5'
(L) Setback abutting a RS- district (min)	20'
(L) Setback abutting any other district (min)	0' or 5'
(M) Setback abutting alley (min)	0'



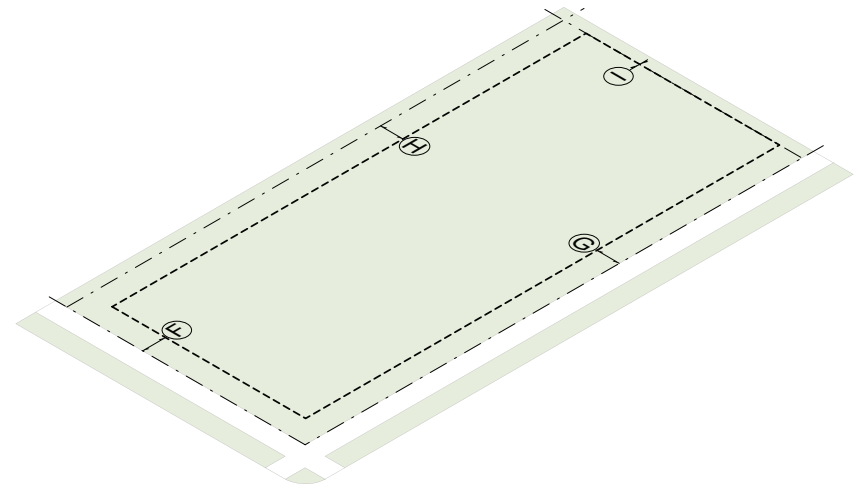
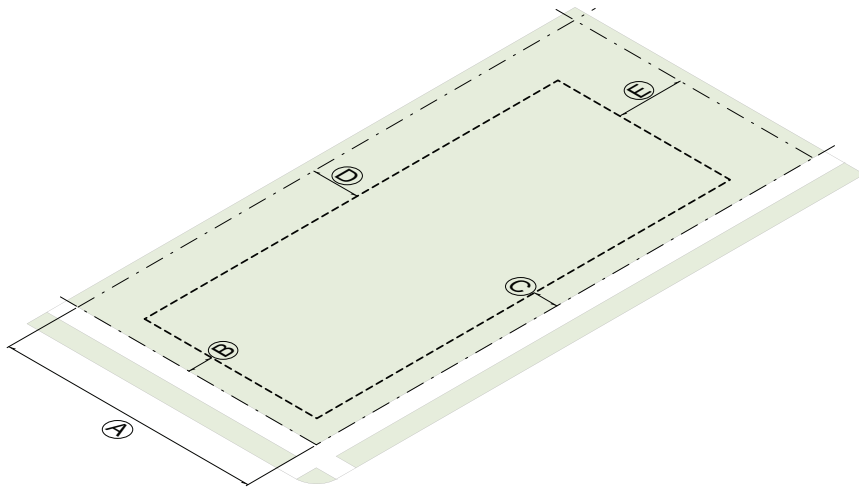
	U-IL
Height	
Ⓝ Stories (max)	5
Ⓝ Feet (max)	70'
Ⓞ Ground story height (min)	12'
Bulk Plane	
Bulk Plane abutting	
RS- district (1:1 above 40')	yes

	U-IL
Transparency	
Ⓟ Ground story (min)	30%
Ⓞ Blank wall area (max)	50'
Building Entrance	
Ⓡ Street facing entrance required	yes
Building Elements Allowed*	
Gallery, awning	▪
Double gallery	▪
Porch, stoop	
Balcony	▪

*See [Sec. 9.4, Building Elements](#), for specific building element requirements

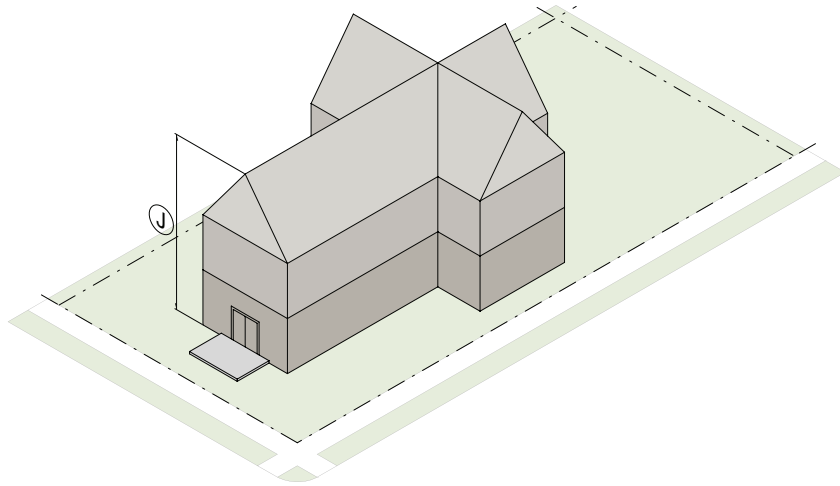
6.2.7 Civic

A building type containing community or public uses that serve the surrounding community. Civic buildings are usually sited adjoining or surrounded by civic spaces or they provide a visual landmark by being placed at the axial termination of a street.



All Districts	
Lot	
Area (min square feet)	6,000
Building coverage (max)	60%
(A) Width (min)	45'
Structure Setbacks	
(B) Front (min)	15'
(C) Side, street (min)	15'
(D) Side, interior (min)	10'
(E) Rear (min)	15'

All Districts	
Parking Setbacks	
(F) Front (min)	15'
(G) Side, street (min)	15'
(H) Side, interior (min)	10'
(I) Rear (min)	15'

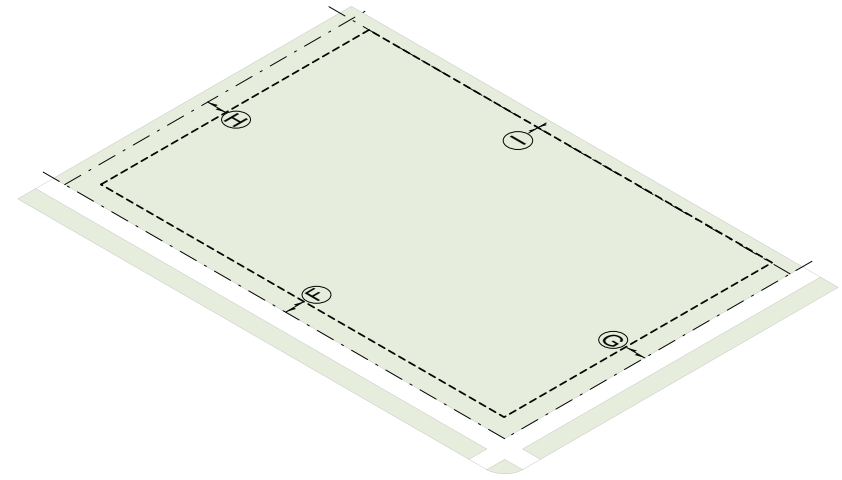
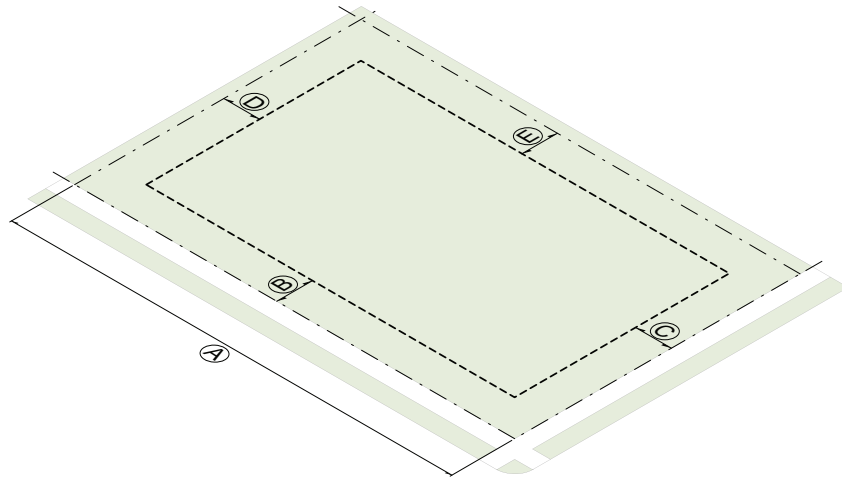


All Districts	
Height	
⌚ Stories (max)	3
⌚ Feet (max)	50'
Bulk Plane	
Bulk Plane abutting RS- district (1:1 above 40')	yes
Building Elements Allowed*	
Gallery, awning	▪
Double gallery	▪
Porch, stoop	
Balcony	▪

*See [Sec. 9.4, Building Elements](#), for specific building element requirements

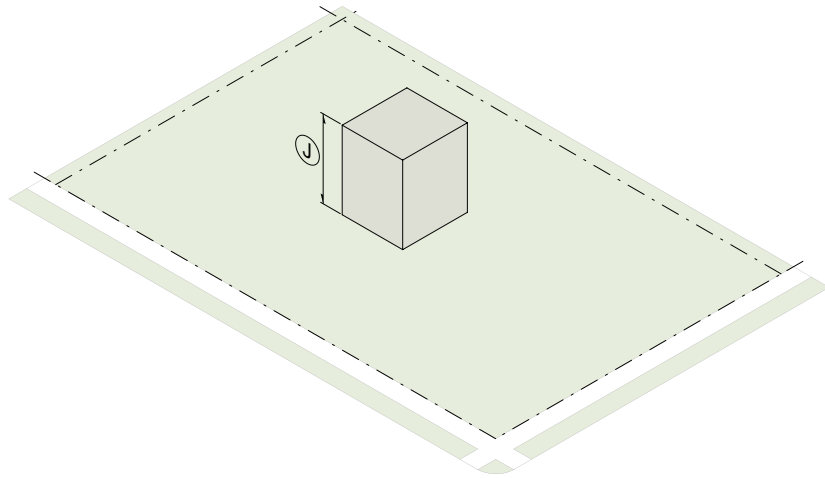
6.2.8 Open Lot

An open lot is designed to accommodate open space or natural areas worthy of preservation. An open lot is intended primarily to provide for public or private open space. Open lots may also be used to accommodate uses with large areas of open space and low building coverage.



All Districts	
Lot	
Area (min square feet)	2,000
Building coverage (max)	5%
(A) Width (min)	20'
Structure Setbacks	
(B) Front (min)	10'
(C) Side, street (min)	10'
(D) Side, interior (min)	10'
(E) Rear (min)	10'

All Districts	
Parking Setbacks	
(F) Front (min)	10'
(G) Side, street (min)	10'
(H) Side, interior (min)	10'
(I) Rear (min)	0'



All Districts	
Height	
Ⓧ Stories (max)	n/a
Ⓧ Feet (max)	35'

Sec. 6.3 Special Development Standards

6.3.1 Urban Planned Development (U-PD)

A. General Provisions

1. The [**Governing Body**] may approve an urban planned development subject to the following standards and the process in 12.2.9, Planned Development (PD).
2. Each application for approval of an urban planned development shall include a statement by the applicant describing:
 - a. All requested deviations from the standards of this zoning code; and
 - b. How the proposed urban planned development is an improvement over what would be required under otherwise applicable development regulations.

B. Size

No urban planned development greater than 20 acres in size is allowed.

C. Blocks

Block perimeter shall be established as part of the approved concept plan.

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

No urban planned development may be allowed to deviate from the applicable block perimeter for the Urban context under [insert citation to Sec. 3.2, Block and Cul-de-sac Standards].

D. Streets

Required street cross-sections shall be established as part of the approved concept plan.

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

No urban planned development may be allowed to deviate from the applicable street types allowed in the Urban context under [insert citation to Sec. 3.3, Street and Alley Standards].

ARTICLE 7. CENTER

Sec. 7.1 Center Context 7-2

- 7.1.1 General Character 7-2
- 7.1.2 Regional Growth Sectors 7-2
- 7.1.3 Zoning Districts 7-2
- 7.1.4 Building Types and Dimensions. 7-2
- 7.1.5 Street, Alley and Block Patterns 7-2
- 7.1.6 Parking and Mobility Options 7-2

Sec. 7.2 Building Types 7-3

- 7.2.1 Row House 7-4
- 7.2.2 Apartment 7-6
- 7.2.3 Mixed Use Building 7-8
- 7.2.4 Industrial 7-10
- 7.2.5 Civic 7-12
- 7.2.6 Open Lot 7-14

Sec. 7.3 Special Development Standards. . . 7-16

- 7.3.1 Center Planned Development (C-PD) 7-16

Mapping Note: Depending on their current intensities, any existing downtowns or town squares or possibly main street areas should either be mapped as Center or Urban. Rural communities may not initially map Center but should consider retaining it for future growth centers.

Sec. 7.1 Center Context



7.1.1 General Character

The Center context area consists of high density areas of a city or town that includes a variety of building types. Buildings are typically mixed use. Residential attached housing types include row houses and apartments. Civic, cultural, commercial, retail and office uses are often present. Attached buildings form a continuous street wall with height up to five stories. There is substantial pedestrian and transit activity.

7.1.2 Regional Growth Sectors

The Center context is typically mapped in areas designated as Infill Sectors on the Regional Growth Sector Map. Areas within this context have an urban level of services. It is intended that growth occur in this context area.

7.1.3 Zoning Districts

The Center context allows for a wide variety of multifamily, mixed use and commercial districts at downtown intensities. Special purpose districts include the center planned development (C-PD).

7.1.4 Building Types and Dimensions

Buildings are one to five stories in height. Setbacks are shallow and buildings are built to the street, although there may be room for outdoor seating, planters or other street furniture between the building and sidewalk. Building coverage on the lot is high.

7.1.5 Street, Alley and Block Patterns

Streets and rights-of-way are relatively narrow. A regular pattern of small-sized blocks are framed by a grid of streets. Alleys or service drives are consistently present. Blocks include sidewalks and street trees are located in tree lawns or grates. Building access is typically via an alley or shared service drive to a rear surface parking lot or parking structure.

7.1.6 Parking and Mobility Options

Parking is provided in structures, on-street and in surface lots. Surface parking is located to the rear of buildings. There is access to multiple transportation modes. Streets accommodate a high level of pedestrian and bicycle usage.

Sec. 7.2 Building Types



CENTER

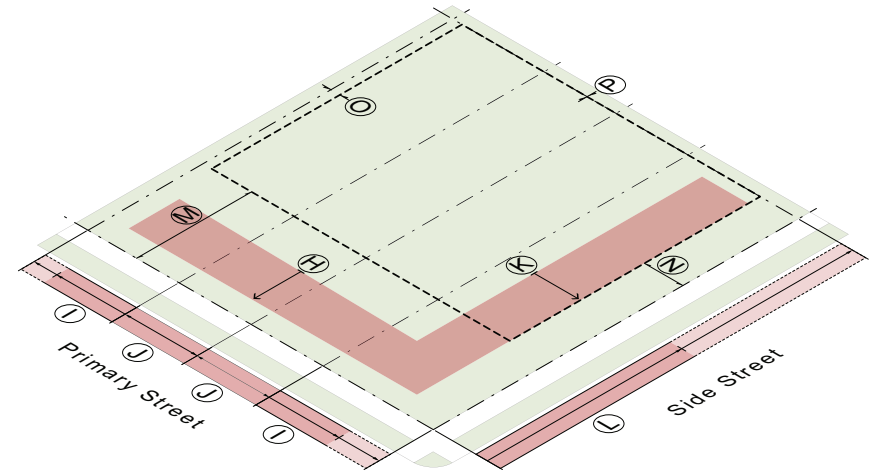
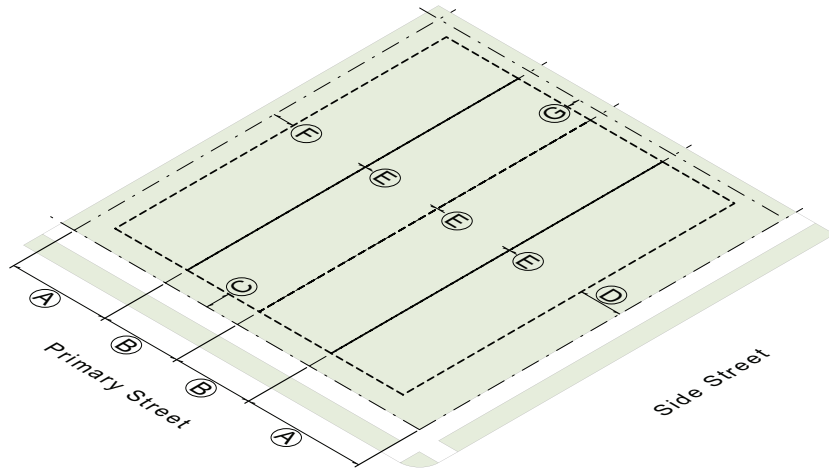
Farm Lot Single-Family House Attached House Row House Apartment Single-Story Shopfront Mixed Use Building Industrial Civic Open Lot

Mixed Use Districts									
Mixed Use-5 (C-MX-5)			■	■			■	■	■
Main Street-5 (C-MS-5)						■		■	■
Commercial Districts									
Light Industrial (C-IL)						■	■	■	■
Special Purpose Districts									
Planned Development (C-PD)			*	*		*	*	*	*

KEY: ■ Allowed by right * May be allowed by the [*Governing Body*] as part of an approved concept plan Blank cell = Not allowed

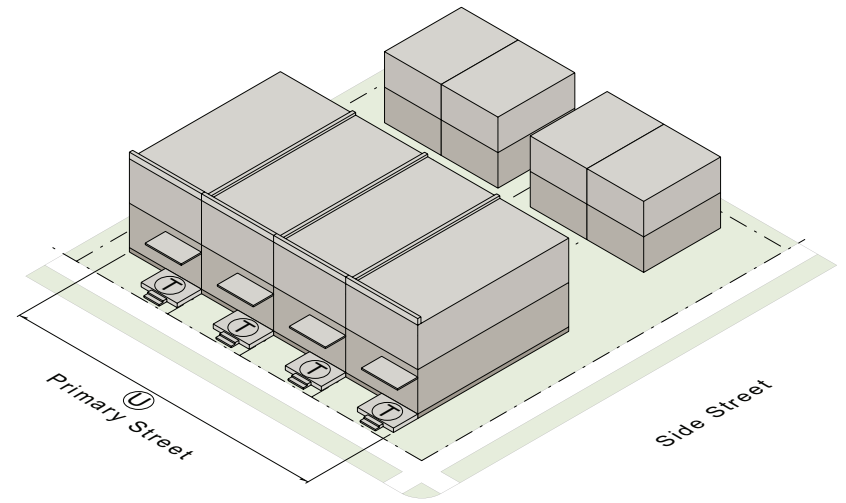
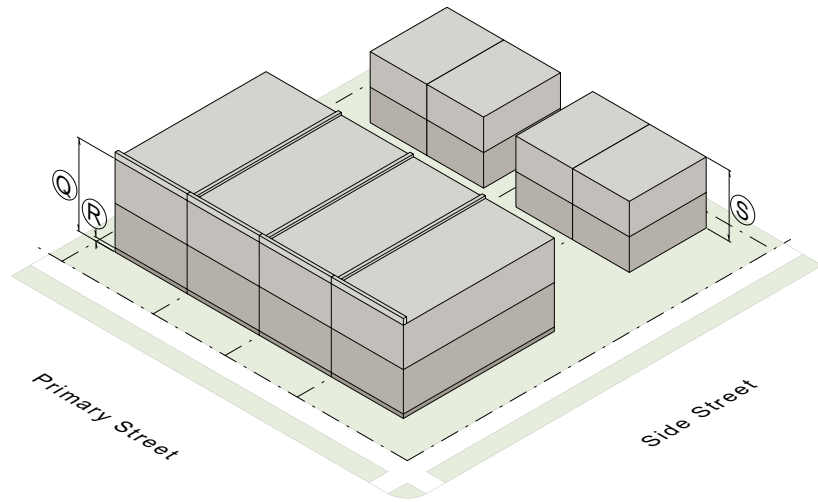
7.2.1 Row House

A building type consisting of three or more attached structures. Each structure shares a common side wall. Each structure may contain up to two principal dwelling units which may be stacked vertically. Each unit has its own external street facing entrance.



	C-MX-5
Lot	
Area (min square feet)	1,200
Building coverage (max)	90%
(A) Width End Lot (min)	20'
(B) Width Interior Lot(min)	16'
Structure Setbacks	
(C) Primary street (min)	5'
(D) Side street (min)	3'
(E) Side interior, interior lot (min)	0'
(F) Side interior, end lot (min)	0' or 10'
(G) Rear, alley (min)	3' or 15'

	C-MX-5
Build-to Area	
(H) Primary street build-to area (min/max)	5' / 15'
(I) Building facade in primary street build-to area (min % of lot width)	80%
(J) Building facade in primary street build-to area, interior lot (min % of lot width)	100%
(K) Side street build-to area (min/max)	3' / 15'
(L) Building facade in side street build-to area (min % of lot depth)	60%
Parking Setbacks	
(M) Primary street setback (min)	30'
(N) Side street setback (min)	10'
(O) Setback abutting a RS- district (min)	5'
(P) Setback abutting any other district (min)	0' or 5'
(Q) Setback abutting alley (min)	0'



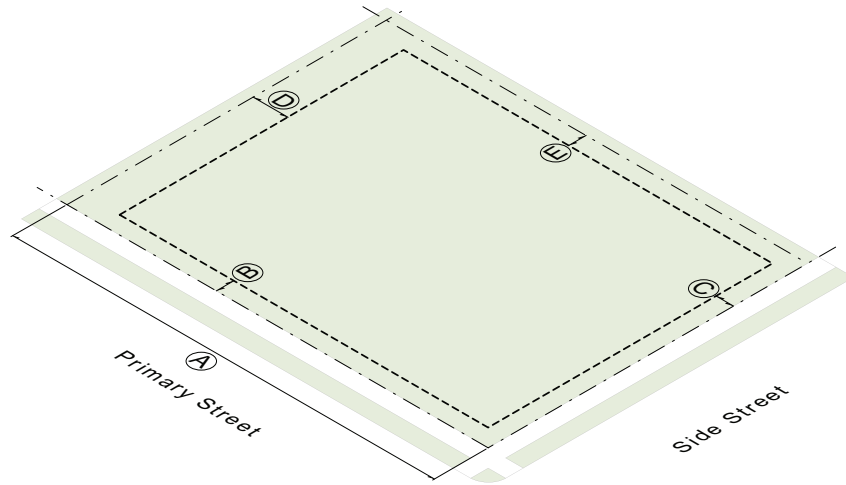
C-MX-5	
Principal Structure Height	
Q Stories (min/max)	2/5
Q Feet (max)	70'
R Ground story elevation (min)	24"
Bulk Plane	
Bulk Plane abutting RS- district (1:1 above 40')	yes
Accessory Structure Height	
S Stories (max)	2
R Feet (max)	30'

C-MX-5	
Building Entrance	
T Street facing entrance required	yes
Building Mass	
U Building cluster length (max)	250'
Building Elements Allowed*	
Gallery, awning	
Double gallery	
Porch, stoop	■
Balcony	■

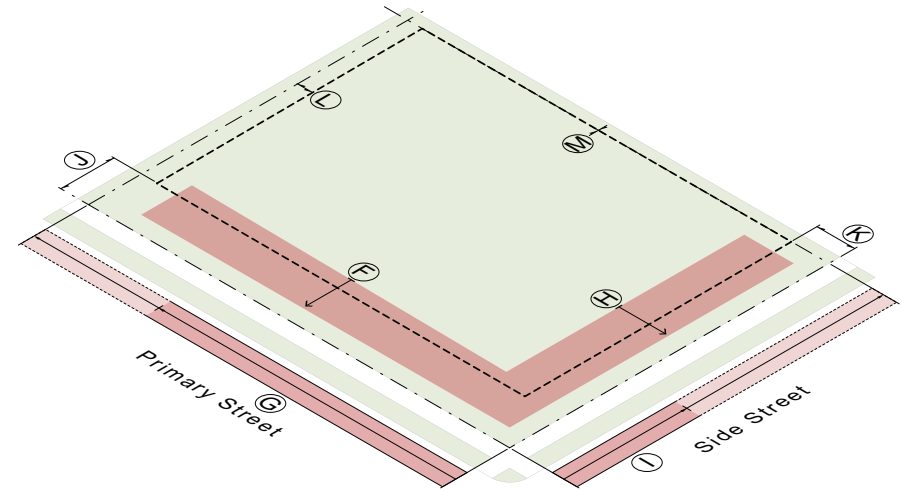
*See Sec. 9.4, **Building Elements**, for specific building element requirements

7.2.2 Apartment

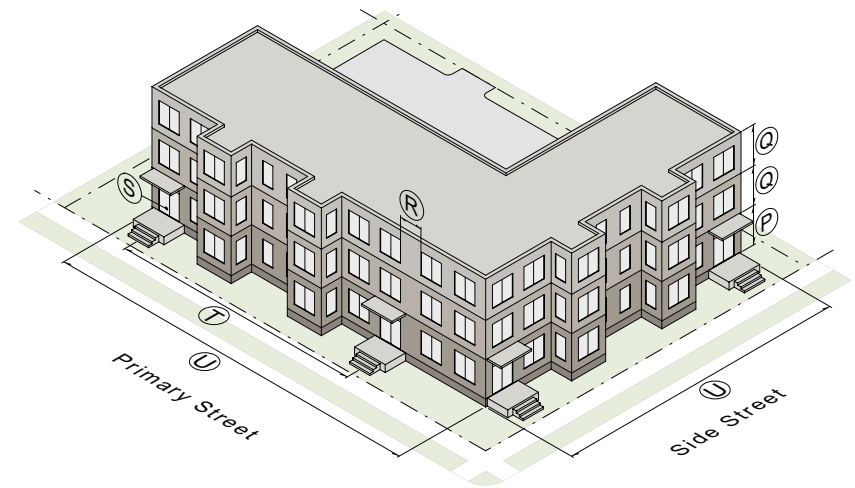
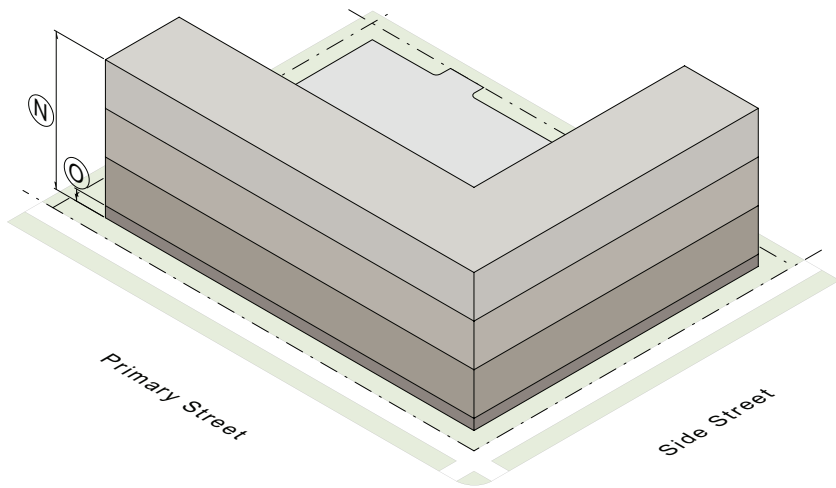
A building type containing three or more dwelling units consolidated into a single structure. An apartment contains internal common walls. Dwelling units within a building may be situated either wholly or partially over or under other dwelling units. The building often shares a common entrance. Primary entrances are prominent and street facing.



C-MX-5	
Lot	
Area (min square feet)	8,000
Building coverage (max)	85%
(A) Width (min)	50'
Structure Setbacks	
(B) Primary street (min)	0'
(C) Side, street (min)	0'
(D) Side, interior (min)	0' or 5'
(E) Setback abutting alley (min)	5'



C-MX-5	
Build-to Area	
(F) Primary street build-to area (min/max)	0' / 10'
(G) Building facade in primary street build-to area (min % of lot width)	80%
(H) Side street build-to area (min/max)	0' / 10'
(I) Building facade in side street build-to area (min % of lot depth)	60%
Parking Setbacks	
(J) Primary street (min)	10'
(K) Side, street (min)	10'
(L) Side, interior (min)	0' or 5'
(M) Setback abutting alley (min)	0'



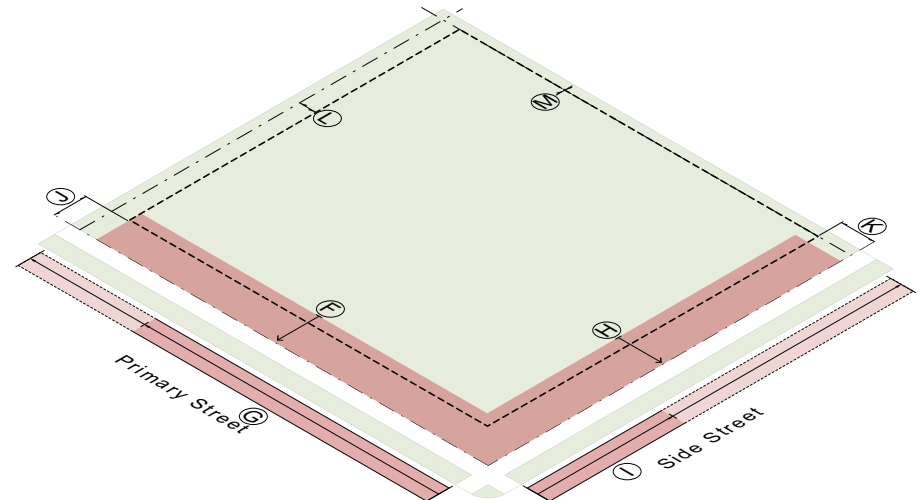
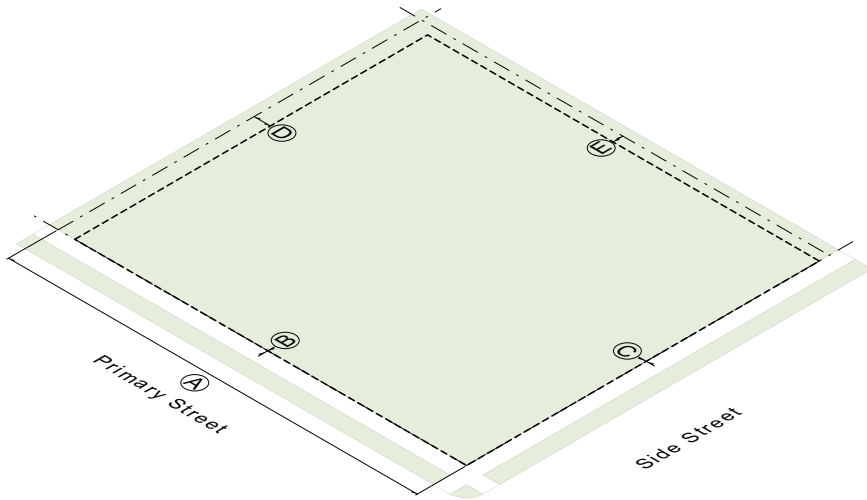
C-MX-5	
Height	
Ⓝ Stories (min/max)	2/5
Ⓝ Feet (max)	80'
Ⓞ Ground story elevation (min)	18"
Bulk Plane	
Bulk Plane abutting	yes
RS- district (1:1 above 40')	

C-MX-5	
Transparency	
Ⓟ Ground story (min)	40%
Ⓞ Upper story (min)	20%
Ⓡ Blank wall area (max)	30'
Building Entrance	
Ⓢ Street facing entrance required	yes
Ⓣ Entrance spacing (max)	75'
Building Mass	
Ⓞ Building length (max)	250'
Building Elements Allowed*	
Gallery, awning	▪
Double gallery	▪
Porch, stoop	▪
Balcony	▪

*See Sec. 9.4, Building Elements, for specific building element requirements

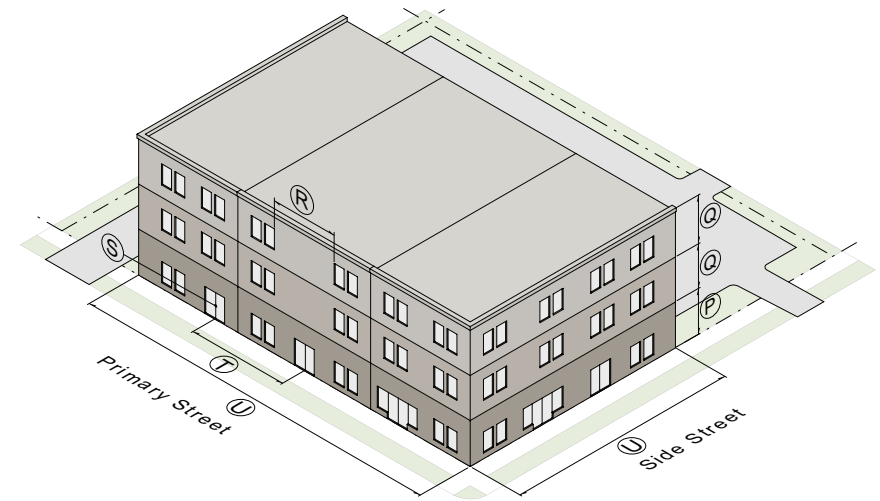
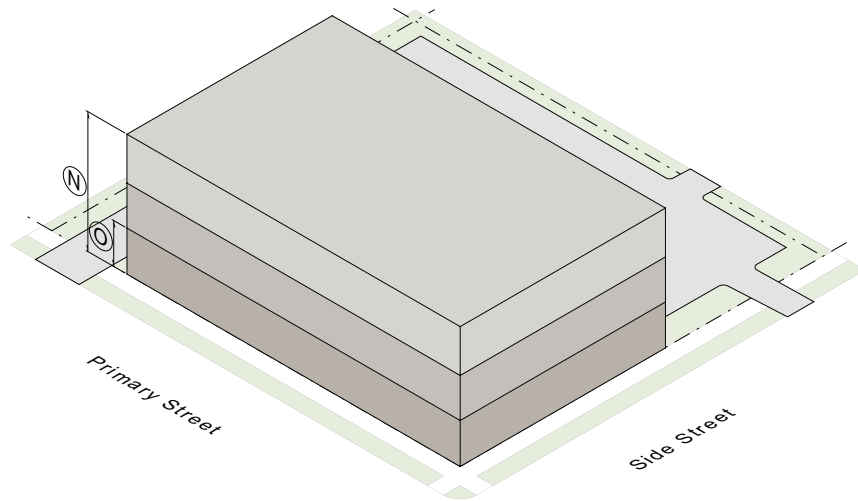
7.2.3 Mixed Use Building

A building type intended for ground floor commercial uses with upper-story residential or offices uses. Windows are provided on the ground floor to encourage interaction between the pedestrian and the ground story space. Primary entrances are prominent and street facing and are spaced at regular intervals along the street edge.



	C-MX-5	C-MS-5	C-IL
Lot			
Area (min square feet)	4,000	2,500	4,000
Building coverage (max)	85%	90%	80%
(A) Width (min)	40'	25'	40'
Structure Setbacks			
(B) Primary street (min)	0'	0'	0'
(C) Side, street (min)	0'	0'	0'
(D) Side, interior (min)	0' or 5'	0' or 5'	10'
(E) Setback abutting alley (min)	5'	5'	5'

	C-MX-5	C-MS-5	C-IL
Build-to Area			
(F) Primary street build-to area (min/max)	0' / 10'	0' / 10'	0' / 10'
(G) Building facade in primary street build-to area (min % of lot width)	80%	85%	80%
(H) Side street build-to area (min/max)	0' / 10'	0' / 10'	0' / 10'
(I) Building facade in side street build-to area (min % of lot depth)	60%	60%	60%
Parking Setbacks			
(J) Primary street (min)	10'	10'	10'
(K) Side, street (min)	10'	10'	10'
(L) Side, interior (min)	0' or 5'	0' or 5'	0' or 5'
(M) Setback abutting alley (min)	0'	0'	0'



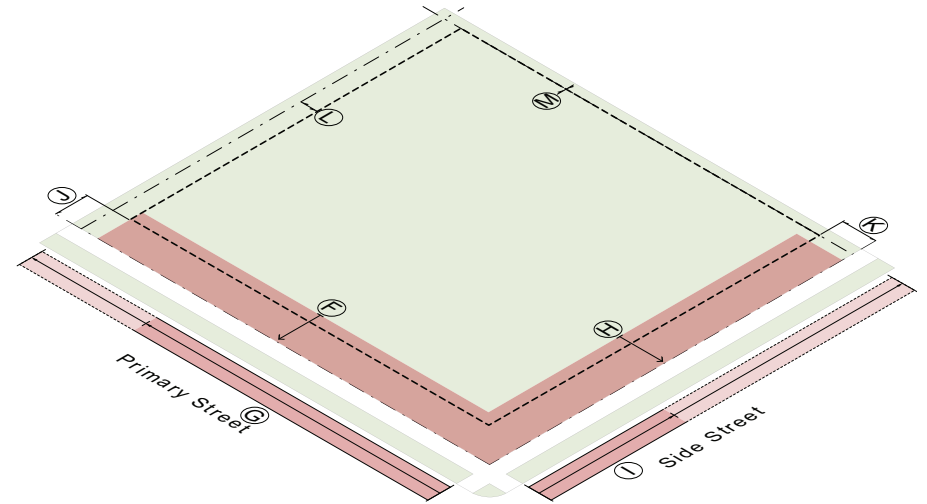
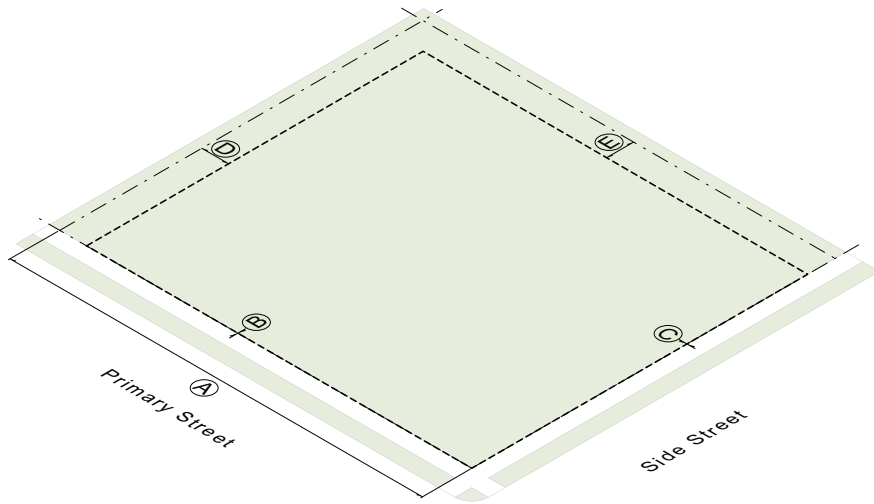
	C-MX-5	C-MS-5	C-IL
Height			
N Stories (min/max)	1/3	2/5	1/3
N Feet (max)	50'	80'	50'
C Ground story height (min)	12'	12'	12'
Bulk Plane			
Bulk Plane abutting	yes	yes	yes
RS- district (1:1 above 40')			

	C-MX-5	C-MS-5	C-IL
Transparency			
P Ground story (min)	50%	65%	50%
Q Upper story (min)	30%	40%	30%
R Blank wall area (max)	30'	30'	30'
Building Entrance			
S Street facing entrance required	yes	yes	yes
T Entrance spacing (max)	75'	75'	100'
Building Mass			
U Building length (max)	200'	250'	250'
Building Elements Allowed*			
Gallery, awning	■	■	■
Double gallery	■	■	■
Porch, stoop			
Balcony	■	■	■

*See Sec. 9.4, Building Elements, for specific building element requirements

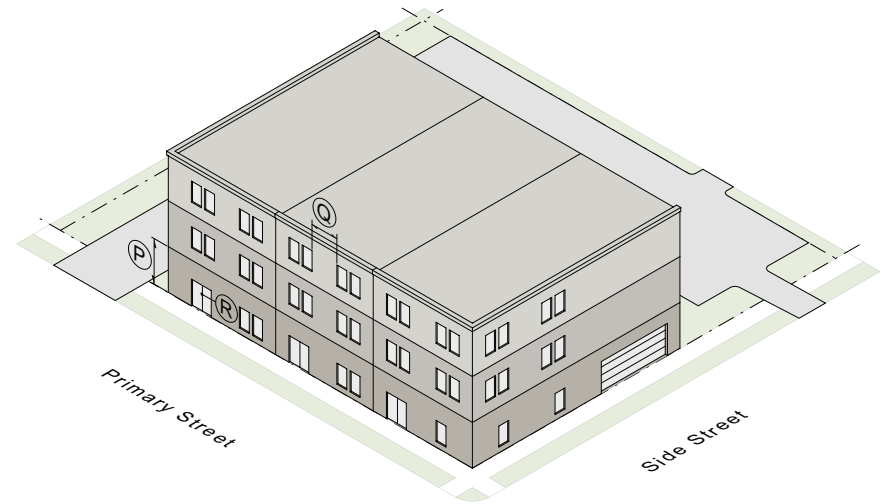
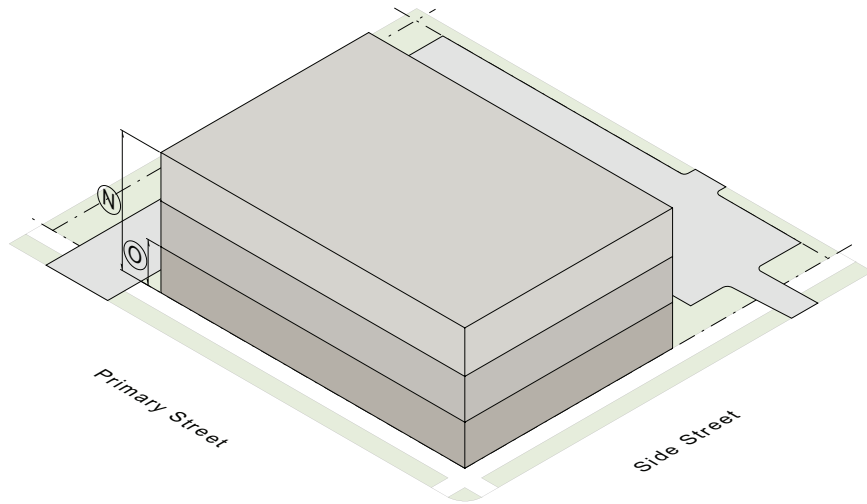
7.2.4 Industrial

A building type intended primarily for industrial, manufacturing and employment uses. To the extent possible, building entrances should face the street. Ground floor transparency is limited due to the intensive nature of the work inside. May include bay doors for vehicles.



	C-IL
Lot	
Area (min square feet)	4,000
Building coverage (max)	80%
(A) Width (min)	40'
Structure Setbacks	
(B) Primary street (min)	0'
(C) Side, street (min)	0'
(D) Side, interior (min)	0' or 5'
(E) Setback abutting alley (min)	5'

	C-IL
Build-to Area	
(F) Primary street build-to area (min/max)	0' / 10'
(G) Building facade in primary street build-to area (min % of lot width)	80%
(H) Side street build-to area (min/max)	0' / 15'
(I) Building facade in side street build-to area (min % of lot depth)	50%
Parking Setbacks	
(J) Primary street (min)	10'
(K) Side, street (min)	10'
(L) Side, interior (min)	0' or 5'
(M) Setback abutting alley (min)	0'



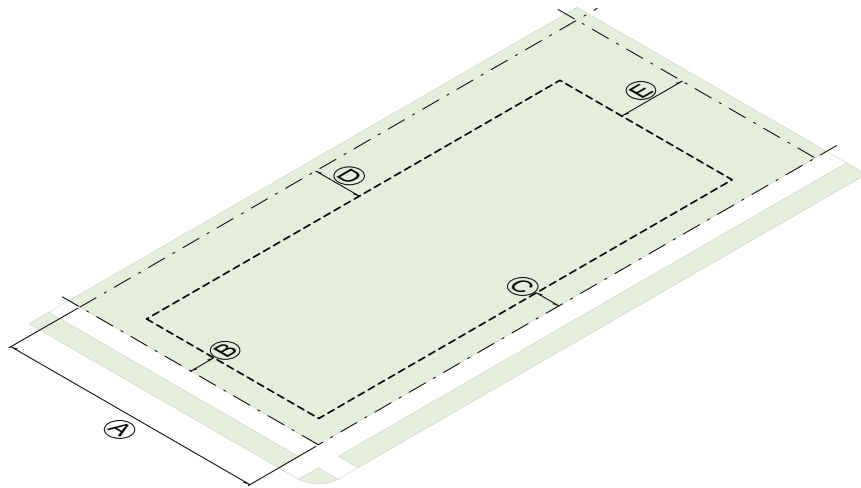
	C-IL
Height	
Ⓝ Stories (max)	3
Ⓝ Feet (max)	50'
Ⓞ Ground story height (min)	12'
Bulk Plane	
Bulk Plane abutting	yes
RS- district (1:1 above 40')	yes

	C-IL
Transparency	
Ⓟ Ground story (min)	40%
Ⓞ Blank wall area (max)	50'
Building Entrance	
Ⓡ Street facing entrance required	yes
Building Elements Allowed*	
Gallery, awning	▪
Double gallery	▪
Porch, stoop	
Balcony	▪

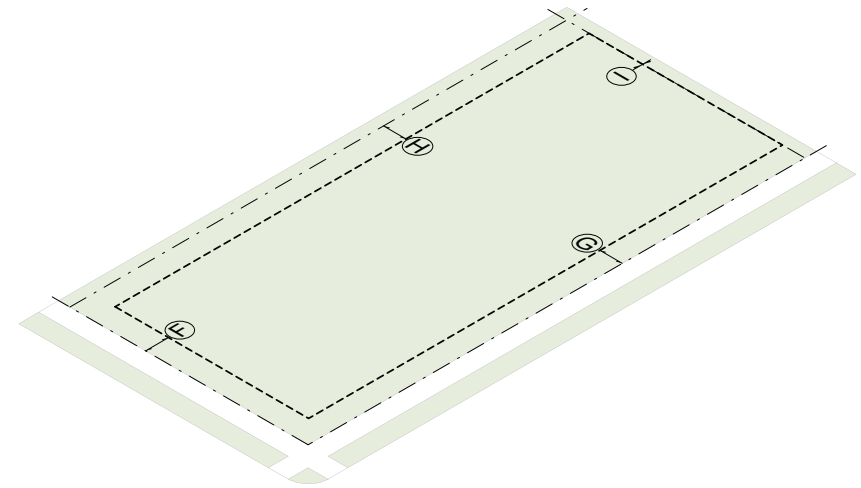
*See [Sec. 9.4, Building Elements](#), for specific building element requirements

7.2.5 Civic

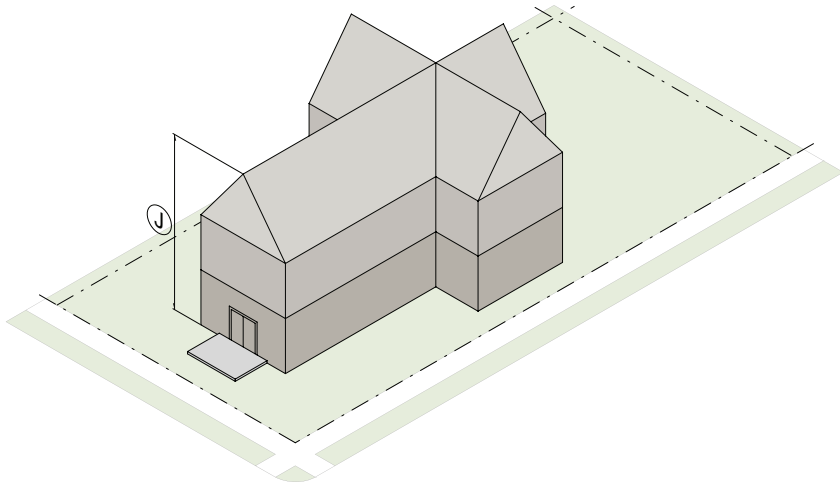
A building type containing community or public uses that serve the surrounding community. Civic buildings are usually sited adjoining or surrounded by civic spaces or they provide a visual landmark by being placed at the axial termination of a street.



	C-IL	C-MX-5, C-MS-5
Lot		
Area (min square feet)	6,000	4,000
Building coverage (max)	80%	85%
(A) Width (min)	60'	40'
Structure Setbacks		
(B) Front (min)	10'	10'
(C) Side, street (min)	10'	10'
(D) Side, interior (min)	0' or 10'	0' or 10'
(E) Rear (min)	10'	10'



	C-IL	C-MX-5, C-MS-5
Parking Setbacks		
(E) Front (min)	10'	10'
(G) Side, street (min)	10'	10'
(H) Side, interior (min)	0' or 10'	0' or 10'
(I) Setback abutting alley (min)	0'	0'

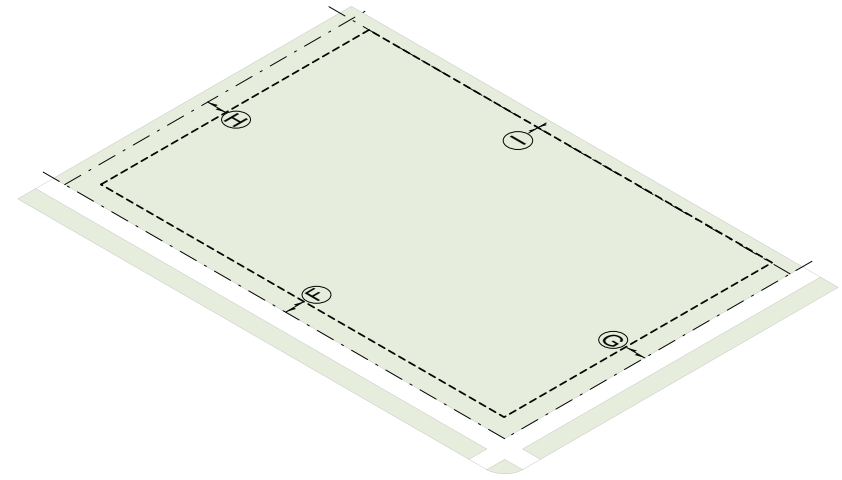
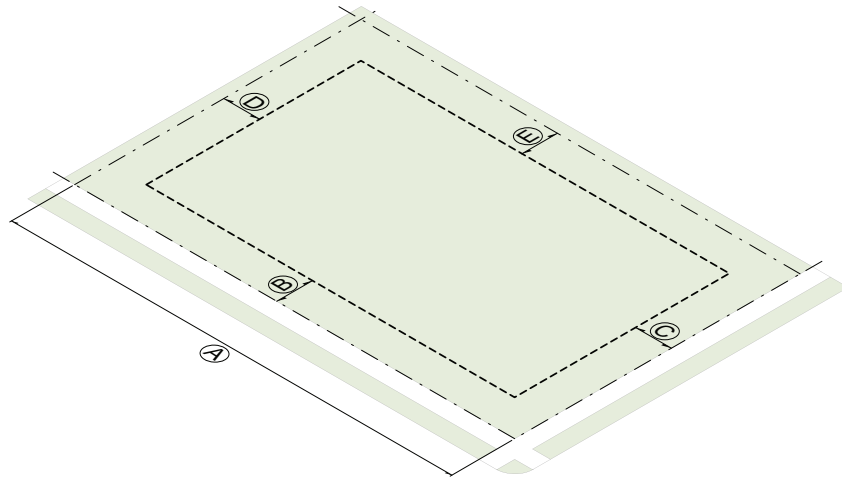


	C-IL	C-MX-5, C-MS-5
Height		
Ⓜ Stories (max)	3	5
Ⓜ Feet (max)	50'	80'
Bulk Plane		
Bulk Plane abutting RS- district (1:1 above 40')	yes	yes
Building Elements Allowed*		
Gallery, awning	■	■
Double gallery	■	■
Porch, stoop		
Balcony	■	■

*See Sec. 9.4, Building Elements, for specific building element requirements

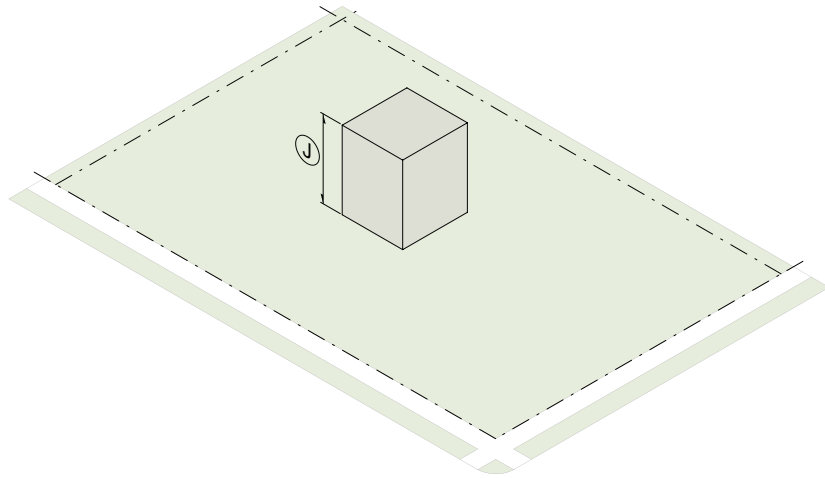
7.2.6 Open Lot

An open lot is designed to accommodate open space or natural areas worthy of preservation. An open lot is intended primarily to provide for public or private open space. Open lots may also be used to accommodate uses with large areas of open space and low building coverage.



	All Districts
Lot	
Area (min square feet)	2,000
Building coverage (max)	10%
(A) Width (min)	20'
Structure Setbacks	
(B) Front (min)	10'
(C) Side, street (min)	10'
(D) Side, interior (min)	10'
(E) Rear (min)	10'

	All Districts
Parking Setbacks	
(F) Front (min)	10'
(G) Side, street (min)	10'
(H) Side, interior (min)	10'
(I) Rear (min)	0'



All Districts	
Height	
Ⓧ Stories (max)	n/a
Ⓧ Feet (max)	35'

Sec. 7.3 Special Development Standards

7.3.1 Center Planned Development (C-PD)

A. General Provisions

1. The [**Governing Body**] may approve a center planned development subject to the following standards and the process in 12.2.9, Planned Development (PD).
2. Each application for approval of a center planned development shall include a statement by the applicant describing:
 - a. All requested deviations from the standards of this zoning code; and
 - b. How the proposed center planned development is an improvement over what would be required under otherwise applicable development regulations.

B. Size

No center planned development greater than four acres in size is allowed.

C. Blocks

Block perimeter shall be established as part of the approved concept plan.

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

No center planned development may be allowed to deviate from the applicable block perimeter for the Center context under [insert citation to Sec. 3.2, Block and Cul-de-sac Standards].

D. Streets

Required street cross-sections shall be established as part of the approved concept plan.

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

No center planned development may be allowed to deviate from the applicable street types for the Center context under [insert citation to Sec. 3.3, Street and Alley Standards].

ARTICLE 8. SPECIAL

Sec. 8.1 Special Context 8-2

- 8.1.1 General Character 8-2
- 8.1.2 Regional Growth Sectors. 8-2
- 8.1.3 Zoning Districts 8-2
- 8.1.4 Building Types and Dimensions 8-2
- 8.1.5 Street, Alley and Block Patterns 8-2
- 8.1.6 Parking and Mobility Options 8-2

Sec. 8.2 Building Types 8-3

- 8.2.1 Mixed Use Building 8-4
- 8.2.2 Industrial 8-6
- 8.2.3 Civic 8-8
- 8.2.4 Open Lot 8-10

Sec. 8.3 Special Development Standards. . . 8-12

- 8.3.1 Planned Industrial Development 8-12

Mapping Note: The Special Context should be mapped where the scale or intensity of an existing or proposed use does not reasonably fit any of the other context areas. Examples of this might be large scale heavy industrial operations, ports, planned business or educational campuses, or large scale civic institutions. Unlike the other context areas, Special is typically applied to individual sites as opposed to areas.

Sec. 8.1 Special Context



8.1.1 General Character

The Special context consists of large scale civic, institutional, and heavy industrial areas. Typically, these uses take up large lots or extensive tracts of land. They typically have multiple buildings in a form that does not fit easily into other contexts. Certain uses such as heavy industrial should be well separated from adjacent contexts in order to protect more sensitive uses. In smaller scale occurrences uses typically considered as Special context may be embedded in other context areas.

8.1.2 Regional Growth Sectors

The Special context may be mapped in the Restricted Growth, Anticipated Growth or Infill Growth sectors designated on the Regional Growth Sector Map.

8.1.3 Zoning Districts

The Special context allows for two types of large scale districts: the community (SP-CD) district addresses civic and institutional type areas, while the heavy industrial (SP-IH) district addresses major industry areas. The Special context also provides for innovative designs through a planned industrial development (SP-PID) district.

8.1.4 Building Types and Dimensions

Buildings may be one to three stories in height. Buildings may be pulled up to the street but are often set back far from the street. Lot coverage will be variable.

8.1.5 Street, Alley and Block Patterns

Uses within the Special context typically have larger blocks and a loose network of wide connected streets. Uses typically take vehicular access from the street.

8.1.6 Parking and Mobility Options

Parking may be provided on-street and on large surface lots. Uses may have structured parking as well. Uses may also have access to transit.

Sec. 8.2 Building Types



Farm Lot Single-Family House Attached House Row House Apartment Single-Story Shopfront Mixed Use Building Industrial Civic Open Lot

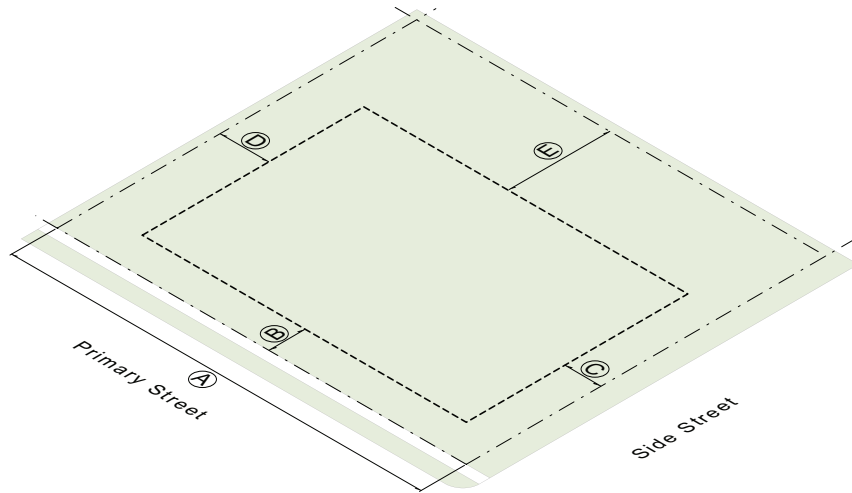
SPECIAL

Special Purpose Districts	Farm Lot	Single-Family House	Attached House	Row House	Apartment	Single-Story Shopfront	Mixed Use Building	Industrial	Civic	Open Lot
Community (SP-CD)									■	■
Heavy Industrial (SP-IH)							■	■	■	■
Planned Industrial Development (SP-PID)						*	*	*	*	*

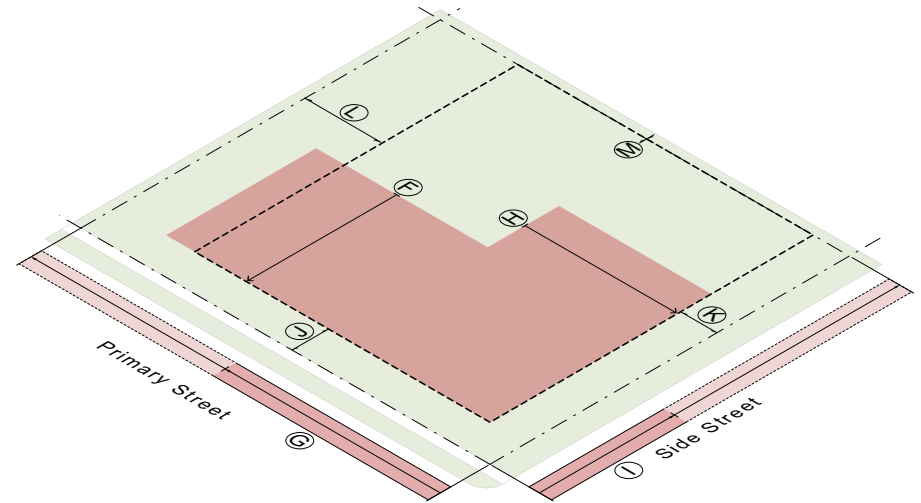
KEY: ■ Allowed by right * May be allowed by the *[Governing Body]* as part of an approved concept plan Blank cell = Not allowed

8.2.1 Mixed Use Building

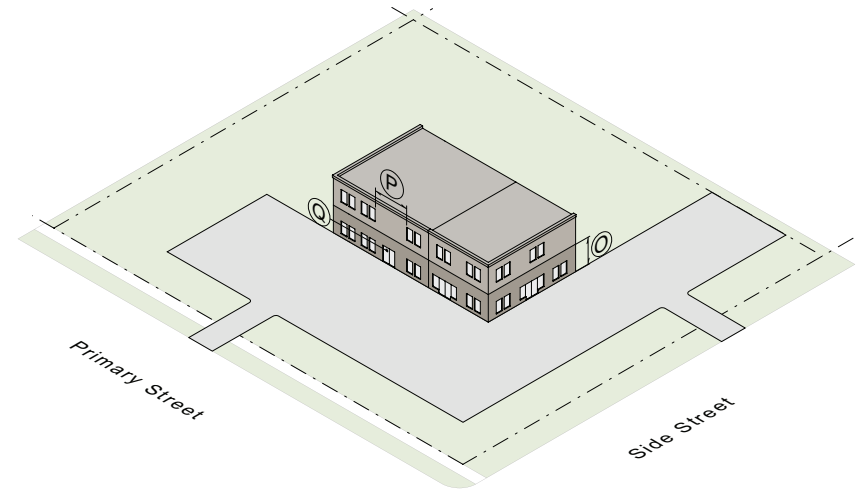
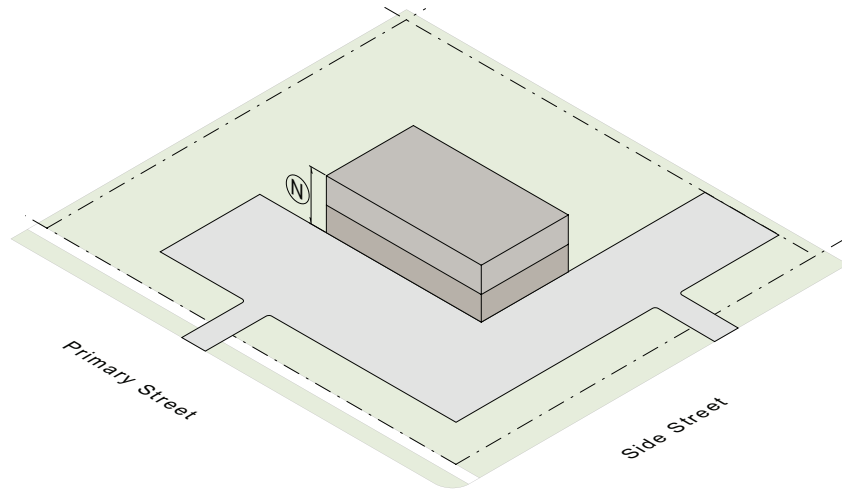
A building type intended for ground floor commercial uses with upper-story residential or offices uses. Windows are provided on the ground floor to encourage interaction between the pedestrian and the ground story space. Primary entrances are prominent and street facing and are spaced at regular intervals along the street edge.



SP-IH	
Lot	
Area (min square feet)	22,500
Building coverage (max)	60%
(A) Width (min)	150'
Structure Setbacks	
(B) Primary street (min)	15'
(C) Side street (min)	15'
(D) Side interior (min)	25'
(E) Rear (min)	60'



SP-IH	
Build-to Area	
(F) Primary street build-to area (min/max)	15' / 180'
(G) Building facade in primary street build-to area (min % of lot width)	50%
(H) Side street build-to area (min/max)	15' / 180'
(I) Building facade in side street build-to area (min % of lot depth)	30%
Parking Setbacks	
(J) Primary street setback (min)	15'
(K) Side street setback (min)	15'
(L) Setback abutting another lot (min)	40'
(M) Setback abutting alley (min)	0'



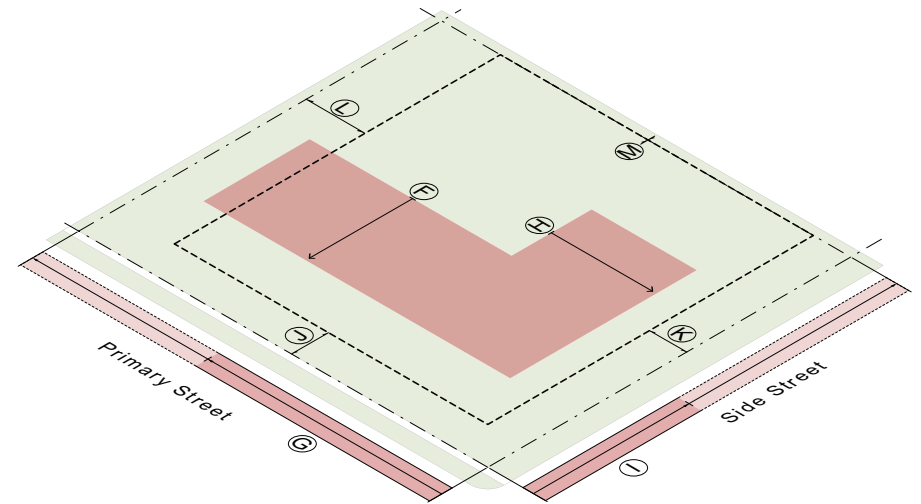
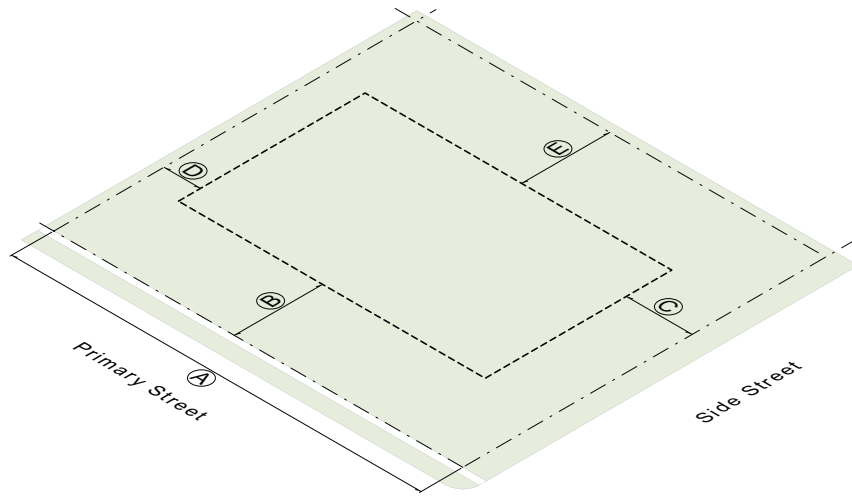
SP-IH	
Height	
Ⓝ Stories (max)	3
Ⓝ Feet (max)	50'
Bulk Plane	
Bulk Plane abutting	yes
RS- district (1:1 above 40')	

SP-IH	
Transparency	
Ⓞ Ground story (min)	30%
Ⓟ Blank wall area (max)	75'
Building Entrance	
Ⓠ Street facing entrance required	no
Building Elements Allowed*	
Gallery, awning	▪
Double gallery	▪
Porch, stoop	
Balcony	▪

*See [Sec. 9.4, Building Elements](#), for specific building element requirements

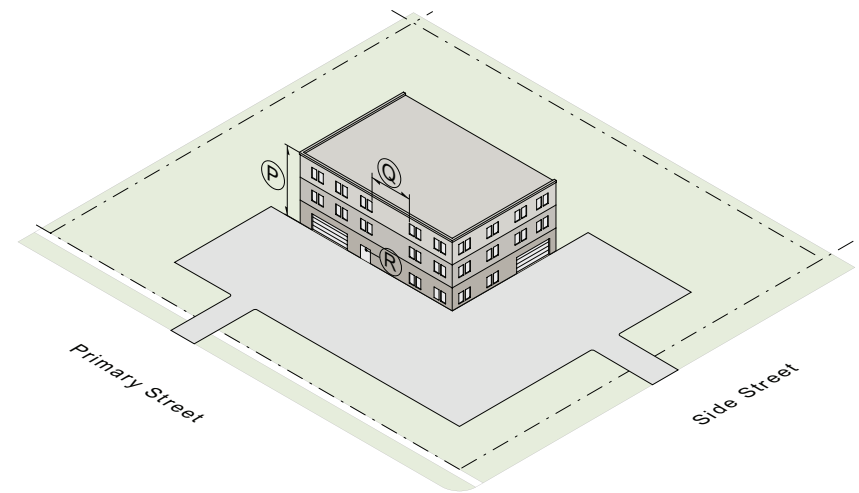
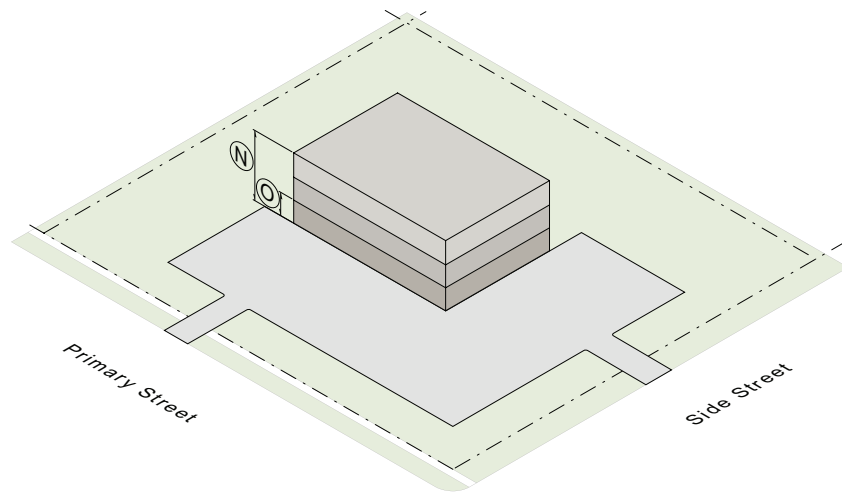
8.2.2 Industrial

A building type intended primarily for industrial, manufacturing and employment uses. To the extent possible, building entrances should face the street. Ground floor transparency is limited due to the intensive nature of the work inside. May include bay doors for vehicles.



	SP-IH
Lot	
Area (min acres)	2
Building coverage (max)	60%
(A) Width (min)	200'
Structure Setbacks	
(B) Primary street (min)	60'
(C) Side street (min)	45'
(D) Side interior (min)	25'
(E) Rear (min)	60'

	SP-IH
Build-to Area	
(F) Primary street build-to area (min/max)	60' / 180'
(G) Building facade in primary street build-to area (min % of lot width)	50%
(H) Side street build-to area (min/max)	45' / 180'
(I) Building facade in side street build-to area (min % of lot depth)	30%
Parking Setbacks	
(J) Primary street setback (min)	15'
(K) Side street setback (min)	15'
(L) Setback abutting another lot (min)	40'
(M) Setback abutting alley (min)	0'



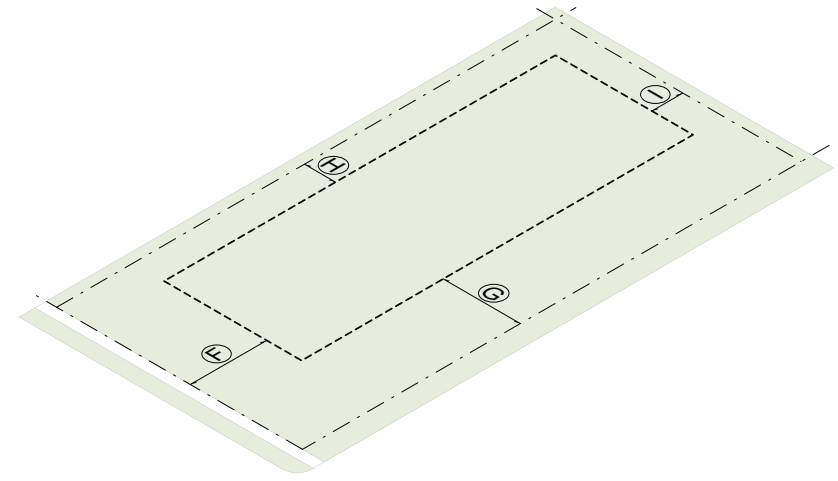
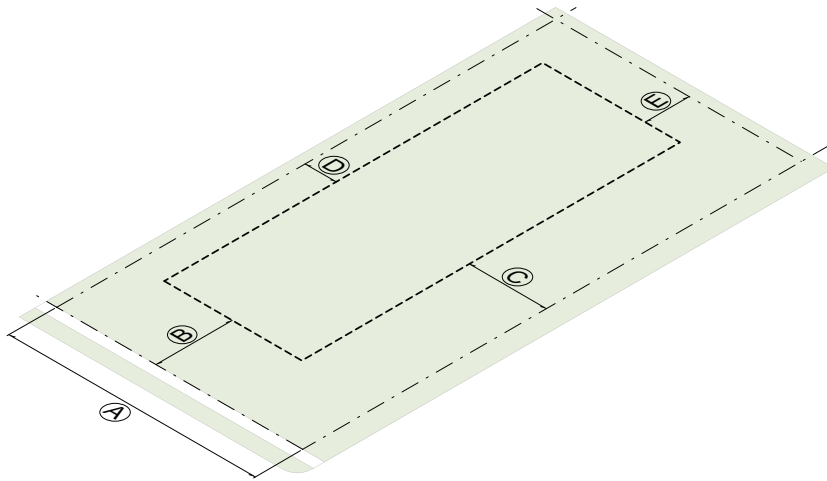
SP-IH	
Height	
Ⓟ Stories (max)	5
Ⓟ Feet (max)	70'
Ⓞ Ground story elevation (min)	0'
Bulk Plane	
Bulk Plane abutting	yes
RS- district (1:1 above 40')	

SP-IH	
Transparency	
Ⓡ Ground story (min)	30%
Ⓢ Blank wall area (max)	60'
Building Entrance	
Ⓣ Street facing entrance required	no
Building Elements Allowed*	
Gallery, awning	▪
Double gallery	▪
Porch, stoop	
Balcony	▪

*See [Sec. 9.4, Building Elements](#), for specific building element requirements

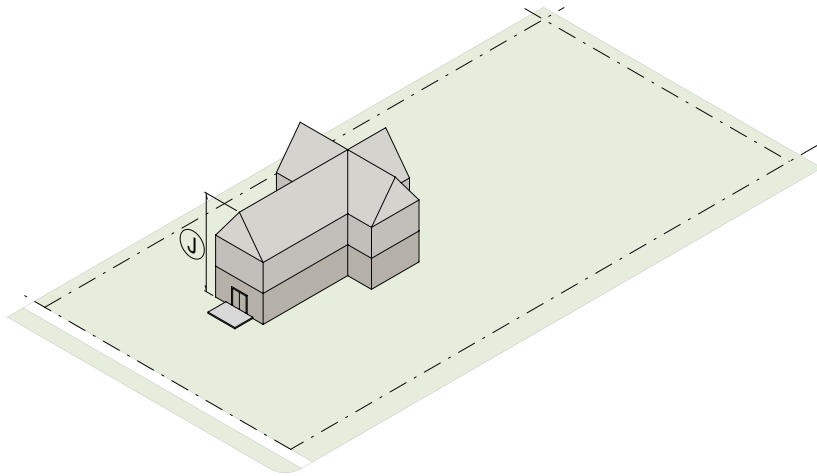
8.2.3 Civic

A building type containing community or public uses that serve the surrounding community. Civic buildings are usually sited adjoining or surrounded by civic spaces or they provide a visual landmark by being placed at the axial termination of a street.



	All Districts
Lot	
Area (min acres)	2
Building coverage (max)	30%
(A) Width (min)	200'
Structure Setbacks	
(B) Front (min)	50'
(C) Side, street (min)	50'
(D) Side, interior (min)	30'
(E) Rear (min)	50'

	All Districts
Parking Setbacks	
(F) Front (min)	50'
(G) Side, street (min)	50'
(H) Side, interior (min)	30'
(I) Rear (min)	20'

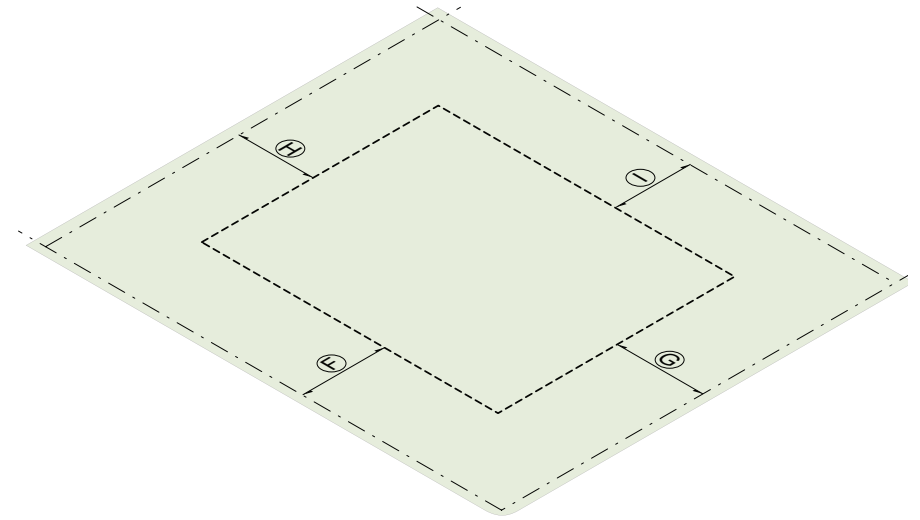
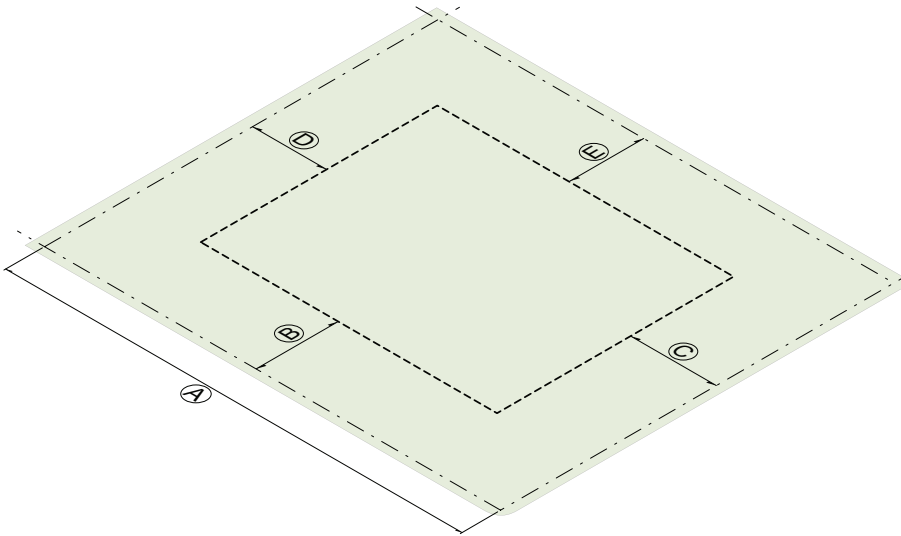


All Districts	
Height	
Ⓜ Stories (max)	3
Ⓜ Feet (max)	50'
Bulk Plane	
Bulk Plane abutting RS- district (1:1 above 40')	yes
Building Elements Allowed*	
Gallery, awning	■
Double gallery	■
Porch, stoop	■
Balcony	■

*See [Sec. 9.4, Building Elements](#), for specific building element requirements

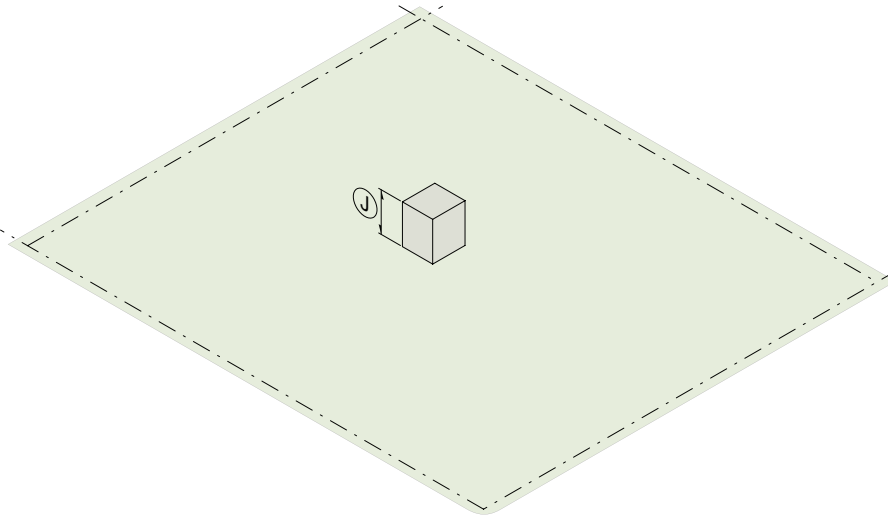
8.2.4 Open Lot

An open lot is designed to accommodate open space or natural areas worthy of preservation. An open lot is intended primarily to provide for public or private open space. Open lots may also be used to accommodate uses with large areas of open space and low building coverage.



	All Districts
Lot	
Area (min square feet)	2,000
Building coverage (max)	2%
(A) Width (min)	25'
Structure Setbacks	
(B) Front (min)	50'
(C) Side, street (min)	25'
(D) Side, interior (min)	25'
(E) Rear (min)	50'

	All Districts
Parking Setbacks	
(F) Front (min)	50'
(G) Side, street (min)	25'
(H) Side, interior (min)	25'
(I) Rear (min)	50'



All Districts	
Height	
⌵ Stories (max)	n/a
⌵ Feet (max)	35'

Sec. 8.3 Special Development Standards

8.3.1 Planned Industrial Development

A. General Provisions

1. The [**Governing Body**] may approve a planned industrial development subject to the following standards and the process in 12.2.10, Planned Industrial Development (PID). The special planned industrial development is intended to facilitate the use of innovative techniques of industrial development and site design concepts that achieve a high level of environmental sensitivity, energy efficiency, aesthetics, quality development and other community goals by:
 - a. Reducing or eliminating the inflexibility that may result from strict application of building type standards and permitted uses; and
 - b. Promoting quality site design and environmentally sensitive development by allowing development to take advantage of special site characteristics, locations and land uses.
2. Each application for approval of a Special Planned Industrial Development shall include a statement by the applicant describing:
 - a. How the proposed industrial development departs from the otherwise applicable standards of this zoning code; and
 - b. How the proposed industrial development is an improvement over what would be required under otherwise applicable development regulations.

B. Size

No special planned industrial development less than 10 acres in size is allowed.

C. Streets

Required street cross-sections shall be established as part of the approved concept plan.

D. Site Buffers

The [**Governing Body**] may require the applicant install a high intensity landscaping buffer around the property.

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

*The [**Governing Body**] may require that a high intensity buffer, as established in [insert Citation to 1.1.3B, District Boundary Buffers by Context] be installed around the property.*

E. Allowed Deviations

Unless otherwise expressly approved by the [**Governing Body**] as part of the approved rezoning and concept plan, all planned industrial developments shall be subject to all applicable standards of this zoning code. In order to approve modifications of otherwise applicable standards, the [**Governing Body**] must find that:

1. Requested deviations from applicable building type standards, permitted uses, or other development standards that otherwise would apply are justified by the compensating benefits of the planned industrial development; and
2. The planned industrial development includes adequate provisions for all necessary services including but not limited to utility service, wastewater service, and emergency vehicle access.

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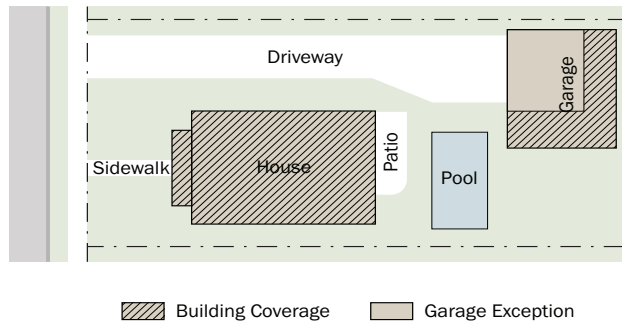
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Sec. 9.1 Measurement & Exceptions

9.1.1 Building Coverage



- A. The maximum area of the lot that is permitted to be covered by buildings, including both principal structures, structured parking and roofed accessory structures.
- B. Building coverage does not include paved areas such as driveways, uncovered porches or patios, decks, swimming pools, porte cochere, or roof overhangs of two feet or less.
- C. A detached residential garage up to 450 square feet associated with a single-family house, attached house, or row house is not included the calculation of lot coverage.

9.1.2 Primary, Side and Service Street Frontage

A site's primary, side and service street frontages shall be designated by the Administrator. See [12.2.6, Site Plan Review](#). In making a determination the Administrator shall consider the following standards:

- A. When a site abuts only one street, that street is the primary street frontage.
- B. On corner sites, one street is a primary street frontage and the other street or streets may be designated a primary street or a side street frontage. In determining the required primary street frontage the Administrator shall consider the following conditions:
 1. The street with the highest street classification;
 2. The established orientation of the block;
 3. The street abutting the longest face of the block; and

4. The street parallel to an alley within the block.
- C. When a site runs from one street to another and has a double frontage, one street may be designated a service street frontage provided the following standards are met:
 1. The applicant controls the land along an entire block face;
 2. A site with a service street must have at least two street frontages and one street frontage must be a primary street; and
 3. Only one service street frontage may be designated abutting any block.
 - D. When a site abuts four or more streets, two service street frontages may be designated provided that two or more primary street frontages are also designated.

9.1.3 Lot Width

The minimum lot width of all lots shall be measured from side property line to side property line along the right-of-way of the primary street providing access to the lot.



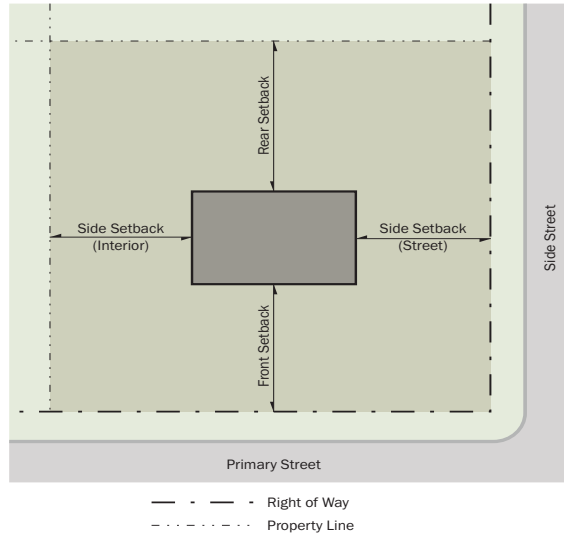
9.1.4 Setbacks

A. General

1. No part of a setback or other open space required for any structure or use for the purpose of complying with the provisions of this develop-

ment code may be included as a part of a setback or other open space similarly required for another structure or use.

2. Front, side street, and parking setbacks are measured from the edge of the right-of-way. Interior side setbacks are measured from the side property line. Rear setbacks are measured from the rear property line or the edge of the right-of-way if there is an alley.



B. Build-To Area

1. The build-to area is the portion of the lot that must be occupied with a building facade. The primary street and side street build-to areas are measured as a minimum and maximum setback range from the edge of the right of way.
2. The minimum percentage specifies the minimum linear extent of build-to area that must be occupied with a building facade.
3. On corner lots, a building facade must be placed within the build-to area for the first 30 feet along the street extending from the block corner.

C. Parking Setback

1. On-site surface parking must be located behind the parking setback line.

2. The parking setback line applies to both ground and upper stories of building.

D. Encroachments

The following allowed encroachments apply to all required setbacks unless otherwise stated, so long as they do not extend into any easements. Structures below and covered by the ground may extend into any required setback.

1. Building Features

- a. Chimneys, flues or smokestacks may encroach a maximum of two feet.
- b. Building eaves or roof overhangs may extend up to two feet; provided that such extension is at least three feet from the property line, its lower edge is at least 7½ feet above the ground, and it is located at least five feet from any other building or eave.
- c. Bay windows, entrances and similar features that are less than 10 feet wide may extend up to 3½ feet but must remain at least five feet from the property line.
- d. Cornices, belt courses, sills, buttresses, or other similar architectural features may project up to two feet.
- e. Unenclosed fire escapes or stairways may project up to four feet.
- f. Unenclosed patios, decks or terraces may extend up to four feet into a required side setback, or up to eight feet into a required rear setback but may not project within five feet of a common lot line.

2. Building Elements

- a. Porches may extend up to eight feet into a required setback but may not project within three feet of a common lot line. A porch may not encroach into the public right-of-way without a license for the use of public right-of-way.
- b. Stoops may extend a maximum of five feet into a required setback but may not project within five feet of a common lot line. A stoop may not encroach into the public right-of-way without a license for the use of public right-of-way.
- c. Balconies may extend up to six feet into a required setback but may not project within five feet of a common lot line. A balcony may not

encroach into the public right-of-way without a license for the use of public right-of-way.

- d. Awnings, light shelves, galleries and arcades may extend into a required front setback. Awnings, light shelves, galleries and arcades may not encroach into the public right-of-way without a license for the use of public right-of-way.

3. Mechanical Equipment and Utilities Lines

- a. Mechanical equipment associated with residential uses, such as HVAC units and security lighting, may extend into a required rear or side setback but must remain at least four feet from a common lot line.
- b. Solar and wind energy systems may extend into a required rear or side setback, but must remain at least three feet from a common lot line.
- c. Minor structures accessory to utility lines (such as hydrants, man-holes, and transformers and other cabinet structures) may extend into any required setback.

4. Other Encroachments

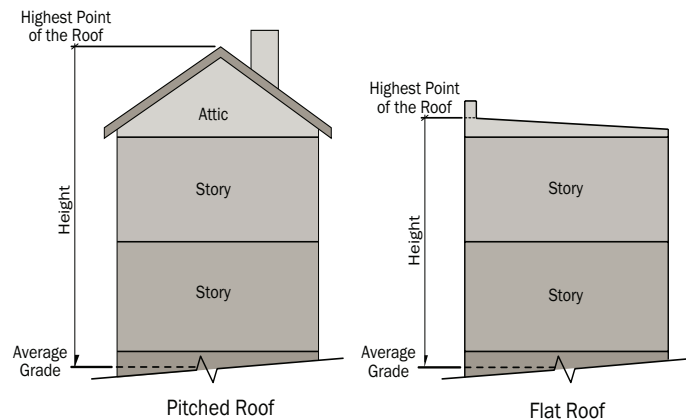
The following encroachments may extend into any required setback.

- a. Outdoor dining.
- b. Fence and walls as set forth in [11.2.4.C, Fences and Walls](#).
- c. Benches, trash receptacles, public art, water features, bicycle racks, bollards, planters and other street furniture.
- d. Pedestrian lighting.
- e. Landscaping, sidewalk, trees, tree grates and planters.

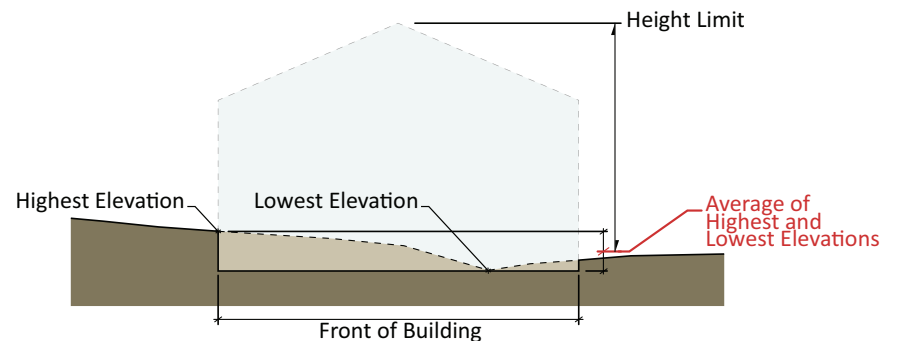
9.1.5 Height

A. Structure Height

1. Structure height is measured in both number of stories and feet from the average grade to the top of the highest point of the roof.

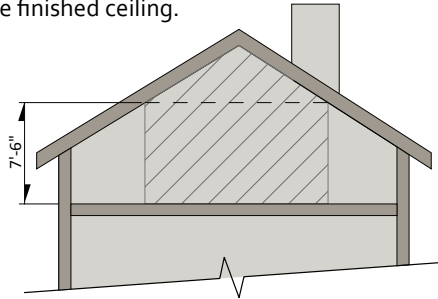


2. Average grade is determined by calculating the average of the highest and lowest elevation along natural or improved grade (whichever is more restrictive) along the front of the building parallel to the setback line.



3. A basement with 50 percent or more of its perimeter wall area surrounded by natural grade is not considered a story.

4. An attic is not a story where 50 percent or more of the attic floor area has a clear height of less than 7 1/2 feet; measured from the finished floor to the finished ceiling.

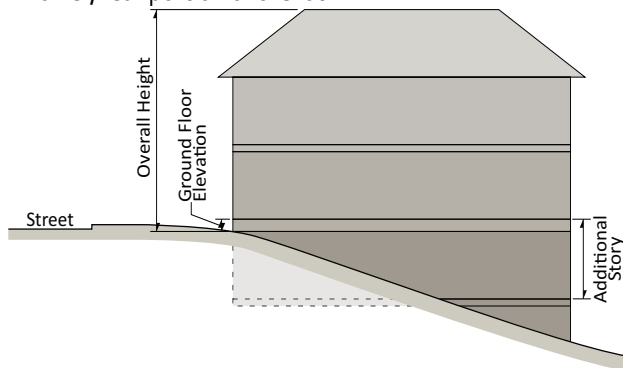


B. Ground Story Height and Elevation

1. Ground story height is measured from the finished floor to the ceiling above.
2. Ground story elevation is measured from natural or improved grade (whichever is more restrictive) to the finished floor of the ground floor. Grade is measured continuously across a lot.

C. Sloping Lots

Where a lot slopes downward from the front property line, one story that is additional to the specified maximum number of stories may be built on the lower, rear portion of the lot.



D. Height Exceptions

The following accessory structures may exceed the established height limits, provided they do not exceed the maximum building height by more than 12 feet:

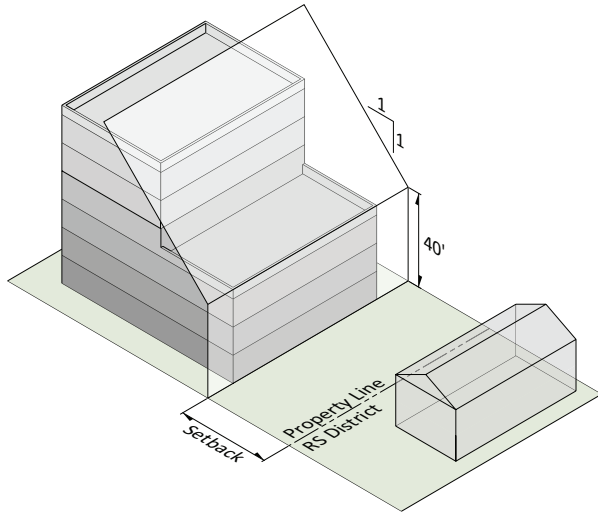
1. Amateur communications tower;
2. Cooling tower;
3. Clerestory;
4. Chimney and vent stack;
5. Elevator penthouse or bulkhead;
6. Flagpole;
7. Mechanical equipment room;
8. Ornamental cupola or dome;
9. Parapet wall, limited to a height of four feet.
10. Roof top deck;
11. Skylights;
12. Solar panels;
13. Spire, belfry;
14. Stairway access to roof;
15. Tank designed to hold liquids;
16. Visual screens surrounding roof mounted mechanical equipment; and
17. Wind turbines and other integrated renewable energy systems.

E. Additional Height

Additional height for principal or accessory structures may be granted through the process under [12.2.7, Special Use Permit](#).

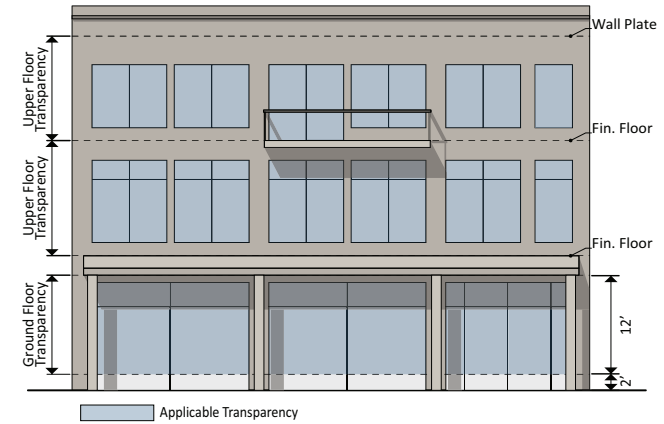
F. Bulk Plane

Any building on a lot that abuts a residential single-family district (-RS-) is subject to a bulk plane starting at 40 feet in height at the side or rear setback line, and extending upward one foot for every additional foot into the site from the setback line.



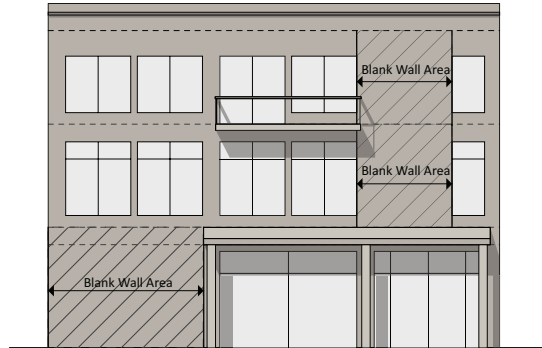
9.1.6 Transparency

- A. Ground floor transparency (windows and doors) is measured between two and 12 feet above the adjacent sidewalk.



- B. For a mixed use building only, a minimum of 60 percent of the required ground story transparency must allow views into the ground story use for a depth of at least six feet. Windows must be clear, unpainted, or made of similarly treated glass. Neither spandrel glass nor backpainted glass complies with this provision.

9.1.7 Blank Wall Area



- A. Blank wall area is the portion of the exterior façade of a floor of a building, measured parallel to the street, that does not include a substantial material change; windows or doors, display windows, art installations, columns, pilasters or other articulation greater than 12 inches in depth.
- B. Blank wall area applies individually to both ground and upper story street-facing floors from the finished floor to the .

9.1.8 Building Entrances

The following building entrance requirements apply to Apartment, and Mixed Use building types.

- A. An entrance providing both ingress and egress, operable during normal business hours, is required to meet the street facing entrance requirements. Additional entrances off another street, pedestrian area or internal parking area are permitted.
- B. The entrance separation requirements provided for the building type must be met for each building, but are not applicable to separate adjacent buildings.
- C. An angled entrance may be provided at either corner of a building along the street to meet the street entrance requirements, provided any applicable entrance spacing requirements are met.
- D. A minimum of 50 percent of a required entrance must be transparent.
- E. A required fire exit door with no transparency may front on a primary, side, or service street.

Sec. 9.2 Principal Buildings per Lot

9.2.1 One Principal Building Per Tract or Lot

Unless otherwise permitted in [9.2.2, Multiple Principal Buildings on a Lot](#), no more than one principal building may be erected on a single lot. This provision shall not apply to property developed under a master plan in the Special context or as an open lot building type in any other context. In addition, wireless communication towers and facilities, or power lines on a site shall not constitute an additional principal building.

9.2.2 Multiple Principal Buildings on a Lot

A. Defined

A group of two or more row houses, apartments and/or mixed use building types, on a single lot operating under a common legal relationship. The provisions of this section do not apply to a permanent off-premise advertising sign on an individual tract or lot where only one such sign is permitted on an individual tract or lot.

B. General

If multiple principal buildings are established on a single lot the following requirements shall be met:

1. Multiple principal buildings in the form of row houses, apartments and/or mixed use building types shall meet all applicable development standards as set forth in this zoning code.
2. Uses shall be limited to those permitted within the district in which the development is located.
3. Each building shall meet the setback requirements of the district in which the development is located.

Sec. 9.3 Accessory Structures

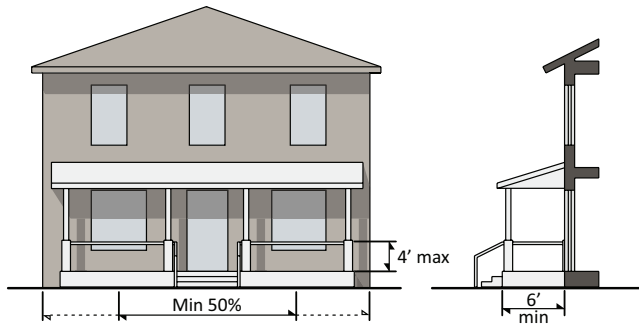
9.3.1 General

- A. Accessory structures shall be clearly incidental and subordinate to a permitted principal structure.
- B. Accessory structures shall be located on the same lot as the principal structure, or on a contiguous lot in the same ownership.
- C. No accessory structure may extend forward of the front building facade of the primary structure.

9.3.2 Accessory Structure Separation

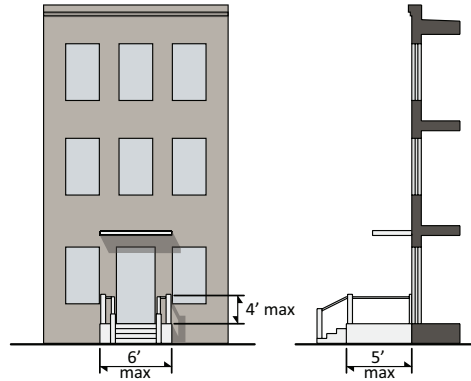
In the Natural, Rural and Suburban contexts, accessory structures shall be separated from all principal structures by a minimum of 10 feet.

Sec. 9.4 Building Elements



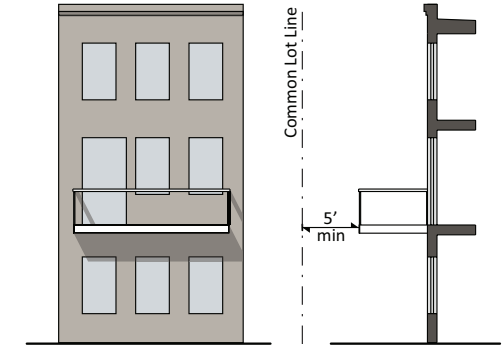
9.4.1 Porch

- A. A porch must be a minimum of six feet deep (not including the steps).
- B. A porch must extend across not less than 50 percent of the building facade from which it projects.
- C. A porch may be roofed, but not enclosed.
- D. Partial walls on a porch can be no higher than four feet.
- E. A porch may encroach into a required setback in accordance with the terms of [9.1.4, Setbacks](#).



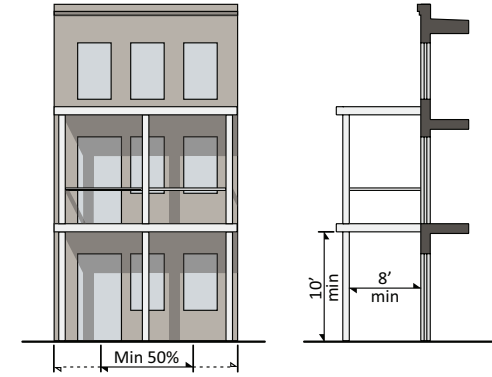
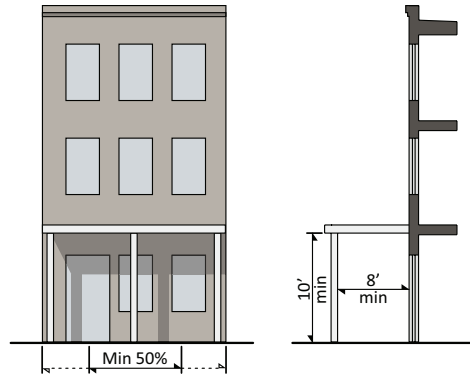
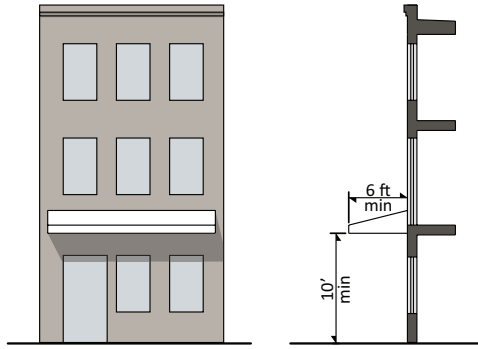
9.4.2 Stoop

- A. A stoop must be no more than five feet deep (plus steps) and six feet wide.
- B. A stoop may be roofed, but not enclosed.
- C. Partial walls on a stoop can be no higher than four feet.
- D. A stoop may encroach into a required setback in accordance with the terms of [9.1.4, Setbacks](#).



9.4.3 Balcony

- A. A balcony must not project within five feet of a common lot line.
- B. A balcony may encroach into a required setback in accordance with the terms of [9.1.4, Setbacks](#).



9.4.4 Awning

- A. An awning must provide 10 feet clear height above the sidewalk and must have a minimum depth of six feet.
- B. An awning may encroach into a required setback in accordance with the terms of [9.1.4, Setbacks](#).

9.4.5 Gallery

- A. A gallery must provide a clear depth from the support columns to the building's facade of at least eight feet and a clear height above the sidewalk of at least 10 feet.
- B. A gallery must extend across at least 50 percent of the width of the building facade.
- C. A gallery may encroach into a required setback in accordance with the terms of [9.1.4, Setbacks](#).

9.4.6 Double Gallery

- A. A double gallery must provide a clear depth from the support columns to the building's facade of at least eight feet and a clear height above the sidewalk of at least 10 feet.
- B. A double gallery must extend across at least 50 percent of the width of the building facade.
- C. A double gallery may encroach into a required setback in accordance with the terms of [9.1.4, Setbacks](#).

Sec. 9.5 Rules for Residential Building Types

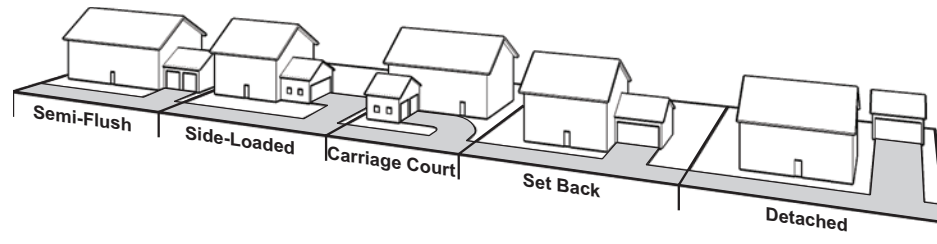
9.5.1 Garage and Carport Placement

A. Applicability

1. The following garage and carport placement requirements apply only in the Suburban, Urban and Center context areas.
2. In addition to the standards provided below, attached garages and carports are considered part of the principal structure and must meet all applicable requirements for the principal structure.

B. Single-Family House and Attached House

1. Street facing garages and carports are not permitted on lots 40 feet or less in width.
2. Street-facing garages and carports must be positioned as described below, however, carports are not permitted in the carriage court form.



a. Semi-Flush

Garage or carport is positioned between three and 10 feet behind the front wall plane, extending no more than 30 percent of the width of the building.

b. Side-Loaded

Garage or carport face is oriented perpendicular to the street and at least three feet behind the front wall plane. Windows must cover a minimum of 15 percent of the street-facing garage façade.

c. Carriage Court

Carriage courts are allowed only on lots at least 70 feet wide. Garage is oriented perpendicular to the street. Windows must cover a minimum of 15 percent of the street-facing garage façade.

d. Set Back

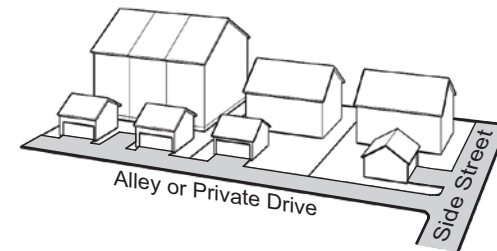
Garage or carport is positioned more than 10 feet behind the front wall plane of the building.

e. Detached

Garage or carport is positioned to the rear of the principal building.

C. Row House and Rear Loaded Garages

1. Street-facing garages and carports are not permitted with row house units.
2. When provided, rear loaded garages and carports must be positioned as set forth below.



9.5.2 Foundation

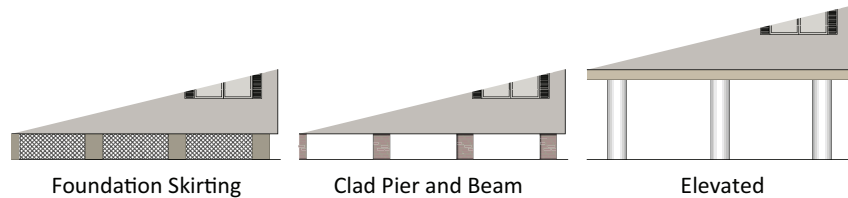
A. Applicability

The following foundation standards apply to all residential building types in the Suburban and Urban context areas.

B. General Foundation Treatments Required

1. All residential building types must be built upon a permanent foundation.

2. One of the following foundation treatments must be applied to new residential building types not built on a slab foundation.



a. Foundation Skirting

A curtain skirting wall constructed of brick, stone, lattice or a siding material consistent with the siding material used on the primary building. Additional materials may be approved by the Administrator.

b. Clad Pier and Beam

Traditional pier and beam treatment, provided that the piers are clad in brick or other material approved by the Administrator.

c. Elevated

In the event that the ground story elevation of the residential building type is in a flood prone area and is more than 60 inches above the natural grade; the foundation may be treated with either one of the above mentioned methods or may be left without skirting.

3. All foundation treatments shall be in accordance with applicable building code regulations.
4. All skirting shall be installed under the perimeter of the home and shall be uninterrupted except for required ventilation and access.

C. Installation of Manufactured Homes

In addition to the standards above, all manufactured homes shall be installed in a manner consistent with Louisiana Revised Statute 51:912.22.

9.5.3 Infill Standards

A. Intent

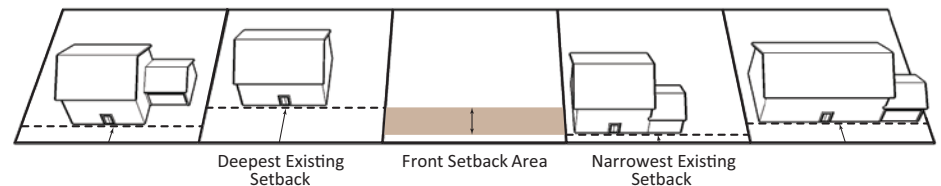
The following standards are intended to accommodate infill development in a residential district consisting predominately of single-family house building types. They have been crafted to allow an applicant and the Administrator to look to the surrounding character for guidance. These standards are intended to encourage reinvestment in existing neighborhoods and reinforce the traditional character of established residential neighborhoods.

B. Applicability

1. The infill development standards shall be applied to any residential project type that is less than two acres in size and is located within a residential district consisting predominately of single-family house building types legally established before 1950.
2. Residential projects two acres or more in size or in areas constructed after 1950 shall follow the applicable district standards.

C. Front Setbacks

Structures shall be located within the range of front setbacks on the street. This range of setbacks is measured on the basis of the four lots surrounding the project site (the two closest lots in either direction along the street). The new structure shall be located within the range of setbacks (no closer than the narrowest setback, no further than the deepest setback). Where a setback in these four lots is significantly out of the range of setbacks along the street, it may be eliminated from the range. Where the calculation of a range of setbacks is not practicable, the structure shall meet the district standards.



D. Height

The maximum building height shall be 1.5 times the average building height of the four lots surrounding the project site (the two closest lots in either direction along the street). In no case shall the infill development be restricted to less than 2 stories or an additional 12 feet taller than the calculated average.

E. Garages and Carports

Street-facing garages and carports may be allowed where an alley is not present and street-facing garages or carports are part of the dominant character of properties fronting on the same block face. Any new garage or carport shall meet the standards of [9.5.1, Garage and Carport Placement](#).

F. Front Porches

A front porch is required where front porches are part of the dominant character of properties fronting on the same block face. Any project that is required to provide a front porch must meet the standards of [9.4, Building Elements](#).

G. Ground Floor Elevation

Raised ground floors shall be required where raised ground floors are part of the dominant character of properties fronting on the same block face. Any project that requires a raised ground floor must have a foundation height of at least 18 inches measured from top of grade to the first finished floor. In the event of a demonstrated disability-related hardship, the Administrator may approve an alternative zero-step entry design.

Sec. 9.6 Mixed Use Building Types

9.6.1 Civic Building Type

The Civic building type may only be used for new buildings that will predominantly be occupied with uses from the civic use category. See [10.2.2.A, Civic](#).

9.6.2 Open Lot Building Type

The Open Lot building type may only be used for development that will be occupied by parks and open space, retreats, or with uses from the open use categories. See [10.2.2.B, Parks & Open Space](#) and [10.2.5, Open Use Categories](#).

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Sec. 10.1 Allowed Uses

10.1.1 General Provisions

A. Use Categories

1. Use categories have been established to provide a systematic basis for assigning land uses to appropriate categories with other, similar uses.
2. Use categories classify land uses and activities based on common functional, product, or physical characteristics. Characteristics include the type and amount of activity, the hours of operation, the type of customers or residents, how goods or services are sold or delivered, likely impact on surrounding properties, and site conditions.

B. Principal Uses

Allowed principal uses by district are listed in the Allowed Use Table below. Principal uses are grouped into use categories outlined in [Sec. 10.2, Use Categories](#). The uses listed are not an exhaustive list. When a proposed use is not identified on the allowed use table or in [Sec. 10.2, Use Categories](#), the Administrator may determine that the proposed use is sufficiently similar to an identified use.

C. Accessory Uses

Accessory uses are allowed in conjunction with an allowed principal use as set forth in [Sec. 10.8, Accessory Uses](#).

D. Temporary Uses

Temporary uses are allowed as set forth in [Sec. 10.9, Temporary Uses](#).

10.1.2 Uses Not Listed

- A. The Administrator is responsible for categorizing all uses. If a proposed use is not listed in a use category, but is similar to a listed use, the Administrator may place the proposed use under that use category.
- B. When determining whether a proposed use is similar to a listed use in [Sec. 10.2, Use Categories](#), the Administrator will consider the following criteria:
 1. The actual or projected characteristics of the proposed use;

2. The relative amount of site area or floor area and equipment devoted to the proposed use;
3. Relative amounts of sales.;
4. The customer type;
5. The relative number of employees;
6. Hours of operation;
7. Building and site arrangement;
8. Types of vehicles used and their parking requirements;
9. The number of vehicle trips generated;
10. Signs;
11. How the proposed use is advertised;
12. The likely impact on surrounding properties; and
13. Whether the activity is likely to be independent of the other activities on the site.

10.1.3 Allowed Use Table

The allowed use table establishes the uses allowed within each district and any conditions or use standards associated with each use. The allowed use table key is set forth below.

A. Allowed by Right (■)

Use is allowed by right in the respective district subject to any use standard. Such use is also subject to all other applicable requirements of this zoning code.

B. Special Use Permit (□)

Indicates a use may be permitted in the respective district only where approved by the [**Governing Body**] in accordance with [12.2.7, Special Use Permit](#). Special use permits are subject to all other applicable requirements of this zoning code, including all applicable use standards.

C. Approved Residential Cluster (o)

Indicates a use may be allowed within an approved residential cluster development. Uses within a residential cluster development are subject to all other applicable requirements of this zoning code, including all applicable use standards.

D. Approved Concept Plan (*)

Indicates a use may be allowed in the respective district only where approved by the [**Governing Body**] as part of an approved concept plan in accordance with 12.2.9, Planned Development (PD); 12.2.10, Planned Industrial Development (PID). Unless otherwise modified by the [**Governing Body**], uses allowed as part of an approved concept plan are subject to all other applicable requirements of this zoning code, including all applicable use standards.

E. Blank Cell

A blank cell indicates that a use is not allowed in the respective district.

F. Use Standard

A cross-reference to any associated use standard established in Sec. 10.3, Residential Use Standards, through Sec. 10.7, Open Use Standards. Where no cross-reference is shown, no additional use standard applies.

ALLOWED USE TABLE

	NATURAL		RURAL						SUBURBAN						URBAN						CENTER				SPECIAL			Use Standard									
	N-AG-40	N-CON	R-AG-40	R-AG-20	R-AG-10	R-AG-5	R-MX-2	R-IL	R-PD	S-RS-15	S-RS-6	S-RM-3	S-MX-3	S-MS-3	S-CC-3	S-IL	S-PD	U-RS-6	U-RS-3	U-RM-3	U-MX-3	U-MX-5	U-MS-3	U-MS-5	U-IL	U-PD	C-MX-5		C-MS-5	C-IL	C-PD	SP-CD	SP-IH	S-PID			
Commerce Use Categories (continued)																																					
All restaurant/bar							■	■	*			■	■	■	■	■	*			■	■	■	■	■	■	*	■	■	■	*	□	□	*			<u>10.5.5</u>	
All retail sales except as listed below:							■	■	*				■	■	■	*					■	■	■	■	■	*	■	■	□	*							
Art studio/gallery			□	□	□	□	■	■	*			■	■	■	■	■	*			■	■	■	■	■	■	*	■	■	■	*						<u>10.5.6.A.</u>	
Convenience store w/ gas							■	■	*				■	□	■	■	*				■	■	□	□	■	*	■	□	■	*		■	*			<u>10.5.6.B.</u>	
Convenience store w/o gas							■	■	*			■	■	■	■	■	*			■	■	■	■	■	■	*	■	■	■	*		■	*			<u>10.5.6.C.</u>	
Dry cleaning							■	■	*			■	■	■	■	■	*			■	■	■	■	■	■	*	■	■	■	*						<u>10.5.6.D.</u>	
All vehicle sales							■	■	*				■	□	■	■	*				■	■	□	□	■	*	■	□	■	*		■	*			<u>10.5.7</u>	
All water-oriented sales and service							■	■	*				■	□	■	■	*				■	■	□	□	■	*	■	□	■	*		■	*				
Industrial Use Categories																																					
All heavy industrial																																	□	■	*	<u>10.6.1</u>	
All light industrial								■	*			■		■	■	*					■	■			■	*			■	*	■	■	*				
All research & development								■	*			■		■	■	*					■	■			■	*	■	□	■	*	■	■	*				
All self-service storage								■	*			■		■	■	*					■	■			■	*			■	*		■	*				<u>10.6.2</u>
All vehicle service								□	■	*			■	□	■	■	*				■	■	□	□	■	*	□	□	■	*		■	*			<u>10.6.3</u>	
All warehouse & distribution								■	*							■	*								■	*			■	*		■	*				
All waste-related service except as listed below:								□								□									□								■	*			
Landfill																																	□	■	*	<u>10.6.4.A.</u>	
Recycling facility								■	*						□	■	*								■	*			□	■	*		■	*			
All wholesale trade								■	*							■	*								■	*			■	*		■	*				
Open Use Categories																																					
All agriculture, except as listed below:	■	■	■	■	■	■	■	■	*							■	*								■	*				*	■	■	*			<u>10.7.1</u>	
Agricultural airstrip								□	*								*															■	■	*			
All resource extraction	□		□	□	□	□		■	*							■	*								■	*					□	■	*				

KEY: ■ Allowed by right □ Allowed by special use permit ◦ Allowed as part of an approved residential cluster * May be allowed by the [Governing Body] as part of an approved concept plan

Blank cell = Not allowed

Sec. 10.2 Use Categories

10.2.1 Residential Use Categories

A. Household Living

Residential occupancy of a dwelling unit by a household on a monthly or longer basis in structures with self-contained dwelling units, including kitchens.

Example Uses:

1. Detached living
2. Attached living
3. Multifamily living
4. Upper story residential
5. Manufactured home parks
6. Camps

B. Group Living

Residential occupancy of a structure by a group of people that does not meet the definition of household living. Tenancy is usually arranged on a monthly or longer basis. Generally, group living facilities have a common eating area for residents, and residents may receive care or training.

Example Uses:

1. Assisted living facility
2. Boarding house, rooming house, lodging house
3. Congregate care facility
4. Fraternity, sorority, dormitory
5. Group residential facility for more than eight mentally handicapped dependent persons
6. Hospice
7. Monastery, convent
8. Nursing or care home
9. Single room occupancy

C. Social Service

Uses that primarily provide treatment of those with psychiatric, alcohol, or drug problems, and transient housing related to social service programs.

Example Uses:

1. Adult rehabilitation center
2. Group shelter
3. Overnight general purpose shelter
4. Rehabilitative clinic
5. Social service facility, soup kitchen, transient lodging, homeless shelter
6. Transitional home, halfway house

10.2.2 Public Use Categories

A. Civic

Places of public assembly that provide ongoing life safety, educational and cultural services to the general public, as well as meeting areas for religious practice.

Example Uses:

1. College, community college, university
2. Convention center
3. Museum, library
4. Places of worship including church, mosque, synagogue, temple
5. Police, fire, EMS station, substation
6. Post office
7. Public or private (K-12) school
8. Neighborhood arts center

B. Parks & Open Space

Uses focusing on public gathering areas for passive or active outdoor recreation, and having few structures.

Example Uses:

1. Botanical garden, nature preserve, recreational trail
2. Cemetery, mausoleum, columbarium, memorial park
3. Square, green, plaza, neighborhood park, tot lot, community garden, farmers market, neighborhood recreational fields, skate park

C. Utilities

Public or private infrastructure serving a limited area with no on-site personnel (minor utility) or serving the general community with on-site personnel (major utility).

Example Uses:

1. Minor utilities, including on-site stormwater retention or detention facility, neighborhood-serving telephone exchange/switching center, gas/electric/telephone/cable transmission lines, amateur radio operator tower (65 feet or less), stealth wireless communication device, water and wastewater pump station or lift station, gas gates, reservoir, control structure, drainage well, water supply water well.
2. Major utilities, including aeration facility, electrical substation, electric or gas generation plant, filter bed, railroad right-of-way, non-stealth wireless communication towers and facilities, transmission towers, waste treatment plant, water pumping facility, water tower or tank

10.2.3 Commerce Use Categories

A. Commercial Parking

Facilities that provide parking not accessory to a principal use, for which a fee may or may not be charged.

Example Uses:

1. Short- and long-term fee parking facility
2. Park-and-ride facility
3. Motor vehicle parking lot
4. Surface parking lot

B. Day Care

Uses providing care, protection, and supervision of children or adults on a regular basis away from their primary residence. Care is typically provided to a given individual for fewer than 18 hours each day, although the facility may be open 24 hours each day.

Example Uses:

1. Adult day care center
2. Day care center for children
3. Nursery school, preschool
4. Recreational program, before- and after-school
5. Small group child care center

C. Indoor Recreation

Generally commercial uses, varying in size, providing daily or regularly scheduled recreation-oriented activities in an indoor setting.

Example Uses:

1. Amusement center, game arcade, children's amusement center
2. Amusement arcade
3. Athletic, tennis, swim or health club, exercise salon
4. Billiard hall, pool hall
5. Bingo parlor
6. Bowling alley
7. Club or lodge, membership club
8. Dance hall
9. Dance, martial arts, music studio or classroom
10. Gymnastic facility, indoor sports academy
11. Motor track
12. Movie or other theater
13. Skating rink

D. Medical

Uses providing medical or surgical care to patients. Some uses may offer overnight care.

Example Uses:

1. Ambulatory surgical center
2. Blood plasma donation center, medical or dental laboratory
3. Hospital, urgent care or emergency medical office
4. Medical, dental office or chiropractor, medical practitioner
5. Medical clinic
6. Medical day care

E. Office

Activities conducted in an office setting and generally focusing on business, professional or financial services.

Example Uses:

1. Offices including advertising, business management consulting, data processing, collection agency, real estate or insurance agent, professional service such as lawyer, accountant, bookkeeper, engineer, architect, sales office, travel agency
2. Financial services such as lender, investment or brokerage house, bank, call center, bail bonds
3. Counseling in an office setting
4. City, county, state, government office
5. Radio, TV or recording studio, utility office
6. Trade, vocational, business school

F. Outdoor Recreation

Generally commercial uses, varying in size, providing daily or regularly scheduled recreation-oriented activities. Such activities may take place wholly outdoors or within a number of outdoor structures.

Example Uses:

1. Drive-in theater
2. Campground, travel trailer park, recreational vehicle park

3. Executive par three golf course
4. Extreme sports such as paintball, BMX or skateboarding facility
5. Golf course, country club, clubhouse
6. Outdoor entertainment activity such as batting cage, golf driving range, mini-amusement park, miniature golf facility, water park
7. Hunting and fishing preserve
8. Horse stable, riding academy, equestrian center
9. Outdoor shooting range
10. Retreat center
11. Sports academy for active recreational or competitive sports
12. Stadium, arena, commercial amphitheater

G. Overnight Lodging

Accommodations arranged for short term stays of less than 30 days for rent or lease.

Example Uses:

1. Apartment hotel
2. Hotel, motel, inn, extended-stay facility, bed and breakfast, youth hostel
3. Tourist home

H. Passenger Terminal

Public or commercial facilities for the takeoff and landing of airplanes and helicopters, and facilities for bus, taxi or limo service.

Example Uses:

1. Airport, heliport
2. Bus passenger terminal, multi-modal facility
3. Rail station or stop
4. Taxi dispatch center, limousine service

I. Personal Service

Facilities involved in providing personal services or repair services to the general public.

Example Uses:

1. Animal care (animal grooming, animal hospital, veterinary clinic, pet clinic, animal boarding place, animal shelter, kennel, doggy day care)
2. Laundromat
3. Funeral home, funeral parlor, mortuary, undertaking establishment, commercial wedding chapel
4. Hair, nail, tanning, massage therapy and personal care service, barber, beauty shop
5. Photocopy, blueprint, package shipping and quick-sign service, printing and publishing, security service
6. Tattoo/body piercing shop, palmist, psychic, medium, fortune telling, massage therapy
7. Appliance, bicycle, canvas product, clock, computer, jewelry, musical instrument, office equipment, radio, shoe, television or watch repair
8. Taxidermist, tailor, milliner, upholsterer, locksmith

J. Restaurant/Bar

Establishments that prepare and sell food or drink for on- or off-premise consumption.

Example Uses:

1. Bar, tavern, cocktail lounge, nightclub, brew pub
2. Eating and drinking establishment
3. Food truck or trailer
4. Pizza delivery facility
5. Restaurant, fast-food restaurant, take-out, snowball stand, yogurt or ice cream shop

K. Retail Sales

Facilities involved in the sale, lease, or rental of new or used products.

Example Uses:

1. Sale, lease or rental of alcoholic beverages, antiques, appliances, art supplies, baked goods, bicycles, books, building supplies, cameras, carpet and floor coverings, crafts, clothing, computers, convenience goods, dry goods,

electronic equipment, fabric, flowers, fuel (including gasoline and diesel fuel), furniture, garden supplies, gifts or novelties, groceries, hardware, home improvement, household products, jewelry, medical supplies, music, musical instruments, office supplies, package shipping, pets, pet supplies, pharmaceuticals, photo finishing, picture frames, plants, printed materials, produce, souvenirs, sporting goods, stationery, tobacco, used or second-hand goods, vehicle parts and accessories, videos, and related products.

2. Art studio, gallery
3. Check cashing
4. Drop-in child care center
5. Pawnshop
6. Seafood market, farm stand
7. Convenience store(with gas)
8. Convenience store (without gas)
9. Dry-cleaning or laundry drop-off facility

L. Vehicle Sales

Direct sales, rental or leasing of passenger vehicles, light and medium trucks, and other consumer motor vehicles such as motorcycles, boats, and recreational vehicles.

Example Uses:

1. Boats and other recreational vehicle sales
2. Vehicle sales, rental, or leasing

M. Water-Oriented

Uses that require direct access to navigable waters.

Example Uses:

1. Boat livery
2. Dock or pier (commercial)
3. Dry storage of boats
4. Ferry/water taxi
5. Marina
6. Wet storage of boats (commercial)

10.2.4 Industrial Use Categories

A. Heavy Industrial

Firms involved in research and development activities without light fabrication and assembly operations; limited industrial/manufacturing activities. The uses emphasize industrial businesses, and sale of heavier equipment. Factory production and industrial yards are located here. Sales to the general public are limited.

Example Uses:

1. Any use that is potentially dangerous, noxious or offensive to neighboring uses in the district or those who pass on public ways by reason of smoke, odor, noise, glare, fumes, gas, vibration, threat of fire or explosion, emission of particulate matter, interference with radio, television reception, radiation or any other likely cause.
2. Asbestos, radioactive materials
3. Animal processing, packing, treating, and storage, livestock or poultry slaughtering, concentrate plant, processing of food and related products, production of lumber, tobacco, chemical, rubber, leather, clay, bone, paper, pulp, plastic, stone, or glass materials or products, production or fabrication of metals or metal products including enameling and galvanizing, Automobile dismantlers and recyclers, commercial feed lot
4. Bulk storage of flammable liquids, chemical, cosmetics, drug, soap, paints, fertilizers and abrasive products
5. Concrete batching and asphalt processing and manufacture, batch plant Earth moving, heavy construction equipment, transportation equipment
6. Detention center, jail, prison
7. Explosives, fabricated metal products and machinery
8. Impound lot, wrecker service includes vehicle wreckers, auto storage, wrecking, junk or salvage yard
9. Labor hall, leather and leather products includes tanning and finishing
10. Manufactured or modular housing sales
11. Petroleum, liquefied petroleum gas and coal products and refining
12. Primary metal manufacturing

13. Pulp mill, rubber and plastic products, rubber manufacturing
14. Scrap metal processors, sawmill, secondary materials dealers
15. Trailer leasing, auction vehicle, broker vehicle, pawn shop vehicle
16. Tire recapping, tobacco products, transportation equipment

B. Light Industrial

Manufacturing, assembly, repair or servicing of industrial, business, or consumer machinery, equipment, products, or by-products mainly by providing centralized services for separate retail outlets. Contractors and building maintenance services and similar uses perform services off-site. Few customers, especially the general public, come to the facility.

Example Uses:

1. Brewery, winery
2. Bus or rail transit vehicle maintenance or storage facility
3. Contractors storage including janitorial and building maintenance service, exterminator, or other maintenance yard or facility, building, heating, plumbing, landscaping or electrical contractor and others who perform services off-site, but store equipment and materials or perform fabrication or similar work on-site
4. Crematorium, pet crematorium
5. Electronics service center
6. Food beverage products except animal slaughter, stockyards
7. Lawn, tree or garden service
8. Laundry, dry-cleaning, and carpet cleaning plants
9. Leather and leather products except tanning and finishing
10. Lumberyard and wood products, sheet metal shop, soft drink bottling
11. Stone, clay, glass, and concrete products
12. Bulk mailing service
13. Clothing, textile apparel manufacturing
14. Office showroom/warehouse
15. Printing, publishing, and lithography

16. Production of artwork and toys, sign-making, movie production facility, photo-finishing laboratory
17. Repair of scientific or professional instruments and electric motors
18. Sheet metal, welding, machine, tool repair shop or studio
19. Woodworking, including cabinet makers and furniture manufacturing

C. Research and Development

A facility focused primarily on the research and development of new products.

Example Uses:

1. Laboratories, offices, and other facilities used for research and development by or for any individual, organization, or concern, whether public or private; prototype production facilities that manufacture a limited amount of a product in order to fully investigate the merits of such a product; pilot plants used to test manufacturing processes planned for use in production elsewhere; production facilities and operations with a high degree of scientific input; facilities and operations in which the input of science, technology, research, and other forms of concepts or ideas constitute a major element of the value added by manufacture per unit of product.

D. Self-Service Storage

Facilities providing separate storage areas for personal or business use designed to allow private access by the tenant for storing or removing personal property.

Example Uses:

1. Warehouse, self-service, fully enclosed indoor multi-story storage, mini-warehouse

E. Vehicle Service

Repair and service to passenger vehicles, light and medium trucks, and other consumer motor vehicles such as motorcycles, boats, and recreational vehicles.

Example Uses:

1. Audio and alarm system installation, custom accessories, quick lubrication facilities, auto detailing, minor scratch and dent repair, bedliner installation, glass repair/replacement, tire sales and mounting, full- or self-service vehicle wash

2. Alignment shop, body shop, engine replacement or overhaul, repair of cars, trucks, RVs and boats, repair or replacement of brakes, shocks, mufflers and transmissions
3. Service station
4. Towing service, truck service, vehicle towing station

F. Warehouse and Distribution

Facilities involved in the storage or movement of goods for themselves or other firms. Goods are generally delivered to other firms or the final consumer with little on-site sales activity to customers.

Example Uses:

1. Bulk storage, including nonflammable liquids, cold storage plants, including frozen food lockers, household moving and general freight storage, separate warehouse used by retail store such as furniture or appliance store
2. Bus barn
3. Commercial packing for fruits and vegetables
4. Distribution facility, central postal facility
5. Freight, service facility
6. Outdoor storage yard
7. Parcel services
8. Railroad switching yard, freight terminal, piggyback yard
9. Transfer and storage business where there are no individual storage areas or where employees are the primary movers of the goods to be stored or transferred
10. Trailer storage, drop off lot
11. Truck or motor freight terminal, service facility
12. Trucking operation
13. Warehouse

G. Waste-Related Service

Characterized by uses that receive solid or liquid wastes from others for transfer to another location and uses that collect sanitary wastes or that manufacture or produce goods or energy from the composting of organic material.

Example Uses:

1. Animal waste processing
2. Garbage or refuse collection service (office and truck fleet)
3. Landfill
4. Manufacture and production of goods from composting organic material
5. Recycling facility including recyclable material storage, recycling drop-off facility, recycling buy-back center, recycling collection center
6. Solid or liquid waste transfer station, waste incineration

H. Wholesale Trade

Facilities involved in the sale, lease, or rent of products to industrial, institutional or commercial businesses only. The use emphasizes on-site sales or order-taking and often includes display areas. Businesses may or may not be open to the general public, but sales to the general public are not permitted. Products may be picked up on-site or delivered to the customer.

Example Uses:

1. Mail-order house
2. Sale or rental of machinery, equipment, heavy equipment, building materials, special trade tools, welding supplies, machine parts, electrical supplies, plumbing supplies, janitorial supplies, restaurant equipment, and store fixtures
3. Wholesale sales of food, clothing, auto parts, building hardware and similar products

10.2.5 Open Use Categories**A. Agriculture**

Characterized by uses that create or preserve areas intended primarily for the raising of animals and crops, conservation, and the secondary industries associated with agricultural production.

Example Uses:

1. Agricultural airstrip
2. Animal raising including horses, hogs, cows, sheep, goats, and swine, poultry, rabbits, and other small animals, apiculture, aquaculture, dairy-ing, personal or commercial animal breeding and development
3. Crop production, soil preparation, agricultural services, large animal and veterinary services, farm labor and management services
4. Floriculture, horticulture, pasturage, row and field crops, viticulture, tree or sod farm, silviculture, sale of agriculture products
5. Fish hatcheries and preserves
6. Grain, fruit, field crop and vegetable cultivation and storage
7. Hunting, trapping and game propagation
8. Livestock, horse, dairy, poultry and egg products
9. Livestock auction
10. Milk processing plant
11. Packing house for fruits or vegetables
12. Plant nursery, plant nursery with landscape supply
13. Poultry slaughtering and dressing
14. Timber tracts, forest nursery gathering of forest products

B. Resource Extraction

Characterized by uses that extract minerals and other solids and liquids from land.

Example Uses:

1. Dredging, earth extraction, clearing or grading (timber cutting)
2. Extraction of phosphate or minerals
3. Extraction of sand or gravel, borrow pit, metal, sand stone, gravel clay, mining and other related processing
4. Stockpiling of sand, gravel, or other aggregate materials

Sec. 10.3 Residential Use Standards

10.3.1 Detached Living

Detached living may take place within the Single-Family House building type only.

10.3.2 Attached Living

Attached living may take place within the Attached House and Row House building types only.

10.3.3 Multifamily Living

Multifamily living may take place within the Apartment and Mixed Use building types only.

10.3.4 Upper Story Living

Upper story living may take place within the Mixed Use and Industrial building types only.

10.3.5 Manufactured Home Park

All manufactured home parks located in the Rural or Suburban context shall be subject to the following standards:

- A. No manufactured home park may be located on a site less than 10 acres.
- B. When located within 600 feet of a residential use, a high intensity buffer as established in [11.2.3, Required Buffers](#), shall be installed around the property. An equivalent alternative buffer may be approved through the site plan review process established in [12.2.6, Site Plan Review](#).
- C. For the purpose of this paragraph, measurement shall be made in a straight line, without regard to intervening structures or objects, from the nearest property line of the mobile home park, to the nearest property line of the premises where the ground floor residential use is occurring.
- D. All structures, including but not limited to buildings, parking pads and parking spaces shall be set back a minimum of 75 feet from all property lines.

10.3.6 Group Living

- A. No group living facility shall be located within 1,500 feet of any other group living facility.

- B. For the purpose of this part, measurement shall be made in a straight line, without regard to intervening structures or objects, from the nearest property line of the premise where the group living facility is located, to the nearest property line of the premises of any other group living facility.

Sec. 10.4 Public Use Standards

10.4.1 Civic

A. Police, Fire, EMS Station and Sub-station

A low intensity buffer as established in [11.2.3, Required Buffers](#), shall be installed along any common property line adjacent to a residential use. An equivalent alternative buffer may be approved through the site plan review process established in [12.2.6, Site Plan Review](#).

B. Places of Worship

1. When located in any residential district a place of worship shall be located on a corner lot no smaller than 20,000 square feet.
2. When located in any residential district, all parking shall be located on the same site, a contiguous site, or in a district that allows commercial parking as principal use.

10.4.2 Parks and Open Space

A. Cemetery and Mausoleum

1. A cemetery shall be located on a site of at least three acres.
2. A mausoleum which is not located in a cemetery shall be located on a site of at least one acre.
3. All structures six feet in height or over including, but not limited to mausoleums, monuments and buildings, shall be set back at least 20 feet from all property lines.
4. All graves or burial lots shall be set back at least 20 feet from all property lines.
5. A low intensity buffer as established in [11.2.3, Required Buffers](#), shall be installed along any common property line adjacent to a residential building type or ground floor residential use. An equivalent alternative buffer may be approved through the site plan review process established in [12.2.6, Site Plan Review](#).

B. Neighborhood Recreational Fields

Neighborhood recreational fields for active recreation and athletics equipped with outdoor lighting shall be subject to the following standards.

1. Neighborhood recreational fields may be no larger than four acres.
2. A low intensity buffer as established in [11.2.3, Required Buffers](#), shall be installed along any common property line adjacent to a ground floor residential use. An equivalent alternative buffer may be approved through the site plan review process established in [12.2.6, Site Plan Review](#).

Editor's Note: If including the Outdoor Lighting Standards of the Additional Ordinances module add the following language.

3. All field lighting shall meet the requirements of [*insert citation to Sec. 1.1, Outdoor Lighting*].

10.4.3 Minor Utilities

A. Amateur Radio Operator Tower (65 feet or less)

1. An amateur radio operator tower may not exceed 65 feet in height. Additional height may be granted through the special use permit process under [12.2.7, Special Use Permit](#).
2. The tower shall be located so that no part of the antenna or its elements encroaches within the required side or rear setbacks or within 10 feet of any easement for overhead electric distribution or transmission lines.
3. The tower height shall be established as the tallest point of the supporting tower and shall not include antenna mast or antenna elements affixed to the tower.
4. No more than one such tower shall be located on a lot.
5. The request for a building permit shall be accompanied by a copy of a valid Amateur Radio Operators licensed issued by the FCC for the location being requested.

6. A tower shall not be structurally installed in such a way that it could fall onto a neighbor's property during normal operations or in the event of high winds. Installation shall conform to all local building code and structural design requirements pertaining to wind loading and structural strength characteristics protecting against collapse of the tower.
7. A low intensity buffer as established in [11.2.3, Required Buffers](#), shall be installed around the base of any tower. An equivalent alternative buffer may be approved through the site plan review process established in [12.2.6, Site Plan Review](#) provided that the alternative landscaping buffer serves to reasonably screen the tower from adjacent residential properties.

B. Stealth Wireless Communication Device

Stealth Wireless Communication Devices may be permitted when attached to any existing structure subject to the following standards.

1. Height

The top of the stealth wireless communication device may not be more than 12 feet above the facility to which it is attached.

2. Setbacks

The facility to which the stealth wireless communication device will be attached shall maintain the required setbacks for the respective building type.

3. Aesthetics

Any stealth wireless communication device, including feed lines and antennae, shall be designed so as to be compatible with the facade, roof, wall or facility on which it is affixing so that it matches the existing structural design, color and texture.

C. Electric, Telephone and Cable Lines

1. Where functionally feasible, all new electric services in the Suburban, Urban and Center contexts shall be placed underground. Temporary construction service may be permitted above ground.

2. All other utilities, including but not limited to telephone and cable, shall be located underground.
3. The applicant shall make the necessary arrangements including the provision of any easements to or any construction or installation charges with each of the serving utilities for the installation of such facilities and shall be subject to all applicable laws and regulations for their construction.
4. Transformers, switching boxes, terminal boxes, meter cabinets, pedestals, ducts, and other facilities necessarily appurtenant to such underground utilities may be placed above the ground in a screened location approved by the *[Jurisdiction]* provided they remain clear of any sidewalk, bicycle or pedestrian way.

10.4.4 Major Utility Use Standards

A. Wireless Communication Tower

All proposed wireless communication towers and facilities shall comply with the following standards.

1. Location

The location, size and design of all wireless communication towers and facilities shall be such that minimal negative impacts results from the facility. A new wireless communication tower may not be approved nor shall any zoning or building permit for a new wireless communication tower be issued unless the applicant certifies that the wireless communication tower equipment planned for the proposed tower cannot be accommodated on any existing or approved tower or other structure due to one or more of the following reasons:

- a. The planned equipment would exceed the structural capacity of existing or approved structure and those structures cannot be reinforced to accommodate planned or equivalent equipment at a reasonable cost.
- b. The planned equipment would result in technical or physical interference with or from other existing or planned equipment and the interference cannot be prevented at a reasonable cost.

- c. There is no appropriate existing or pending structure to accommodate the planned equipment.
- d. Other technical reasons that make it impractical to place equipment planned by the applicant on existing or approved structures.

2. Height

Building type height restrictions do not apply to wireless communication towers. Wireless communication tower height may not exceed the standards established in the table below. Any tower greater in height than permitted in the table below shall require a special use permit.

Districts	Tower Height (max)
Agricultural Districts	150'
Residential Districts	120'
Mixed Use/Commercial Districts	150'
Special Purpose Districts	200'

3. Setbacks

The minimum setback requirement for support structures, including associated attachments, shall correspond to the open lot building type for each context area, except that a minimum buffer equal to the height of the tower shall be maintained between any support structure and any lot line within a residential district.

4. Distance and Spacing

All wireless communication towers and facilities shall be separated by a minimum distance of one-quarter mile as measured from property line to property line.

5. Co-Location

- a. All proposed wireless communication towers and facilities shall be structurally designed to accommodate additional wireless communication tower sectorized antennas consistent with the following table.

Tower Height	Number of Antenna (min)
0' - 99'	3
100' - 149'	4
150' - 169'	5
170' - 200'	6

- b. All co-located wireless communication tower antennas shall be placed on a structure in such a manner as to avoid interference with or impairment of operations of existing antennas or other uses.

6. Screening and Fencing

- a. Existing on-site vegetation shall be preserved to the maximum extent practicable and shall be supplemented as required by the [Jurisdiction].
- b. Where the site is within or abuts a residential district, public park, or street, a high intensity buffer as established in 11.2.3, Required Buffers, shall be installed along the side of the abutting property.
- c. Security fencing shall be required around the base and guy anchors of any tower.

7. Lighting

Towers shall not be artificially lighted unless required by the Federal Aviation Administration (FAA) or other governmental authority. Any lighting required by the FAA shall be of the minimum intensity and the number of flashes per minute (i.e., the longest duration between flashes) allowed by the FAA. Dual lighting standards shall be required and strobe lighting standards prohibited unless required by the FAA. The lights shall be oriented so as not to project directly onto surrounding residential property, consistent with FAA requirements.

8. Submittal Requirements

All applicants for a wireless communication tower and facility shall submit the following documents to the Administrator:

- a. A site plan showing property boundaries, tower, guy wire anchors, existing structures, proposed transmission buildings and other accessory uses, access, parking, fences, a landscaping plan and existing abutting land uses around the site.
- b. A study from a professional engineer which specifies the tower height and design including a cross-section of the structure, demonstrates the tower's compliance with applicable structural standards, including a certification that the tower will withstand at a minimum

sustained winds in accordance with the appropriate building code, and a description of the tower's capacity, including the number and type of antennas which it can accommodate.

- c. Written statements that the proposed tower will comply with regulations administered by the Federal Aviation Administration, Federal Communications Commission, and all applicable governmental bodies or that the tower is exempt from those regulations; and
- d. A letter of intent committing the tower owner and his or her successors to allow shared use of the tower if capacity exists based on existing and planned use, and if a future applicant agrees in writing to pay any reasonable charge of shared use, the potential use is technically compatible and the future applicant is in good standing.

9. Exemptions

The following shall not be subject to the requirements of this paragraph:

- a. Regular maintenance or upgrade of antenna elements of any existing wireless communications facility that does not include the addition of any new antenna elements, feed lines, or associated support equipment on the facility or the placement of any new wireless communications facility.
- b. Any government-owned wireless communications facility, upon the declaration of a state of emergency by federal, state, or local government, and a written determination of public necessity by the **[Jurisdiction]** designee; except that such facility must comply with all federal and state requirements. No wireless communications facility shall be exempt from the provisions of this section beyond the duration of the state of emergency.
- c. Antenna-supporting structures, antennae and/or antenna arrays for AM/FM/TV/HDTV broadcasting transmission facilities that are licensed by the Federal Communications Commission.

Sec. 10.5 Commerce Use Standards

10.5.1 Day Care

A. General

1. A day care facility located in a residential district may only be located in a Single-Family House building type.
2. The minimum site for a day care center located in a Single-Family House shall be 20,000 square feet.
3. A low intensity buffer as established in [11.2.3, Required Buffers](#), shall be installed along any common property line adjacent to a ground floor residential use. An equivalent alternative buffer may be approved through the site plan review process established in [12.2.6, Site Plan Review](#).
4. Sufficient off-street passenger drop-off and loading area shall be provided on-site.

B. Adult Day Care Center

1. No adult day care center proposed to be located in a residential district may be located within 1,500 feet of any other adult day care center.
2. For the purpose of this paragraph, measurement shall be made in a straight line, without regard to intervening structures or objects, from the nearest property line of the premise where the adult day care center is located, to the nearest property line of the premises of any other adult day care center.

C. Day Care Center For Children

1. No day care center for children proposed to be located in a residential district may be located within 1,500 feet of any other day care center for children.
2. For the purpose of this paragraph, measurement shall be made in a straight line, without regard to intervening structures or objects, from the nearest property line of the premise where the day care center for

children is located, to the nearest property line of the premises of any other day care center for children.

3. The maximum number of children to be accommodated on-site shall be specified. Children who are related to the child care provider by blood or marriage and are kept at the facility shall be counted for purposes of determining enrollment and facility compliance with these standards.
4. Enrollment shall mean the total number of children on-site at any one time.
5. No playground equipment shall be permitted within the front building setback.

10.5.2 Indoor Recreation

A. Adult Oriented Establishment

The [*Governing Body*] finds that adult oriented establishments have a negative secondary effect on both commercial and residential properties, resulting in blight and the downgrading of property values, increased criminal activity, and an adverse health impact. The following standards shall apply to all adult oriented establishments.

1. It shall be a violation of this zoning code for a person, corporation, or other legal entity to operate or cause to be operated any adult oriented establishment within 1,500 feet of:
 - a. A duly organized and recognized place of worship;
 - b. A public or private elementary or secondary school;
 - c. A public or private day care facility for children or kindergarten;
 - d. A residential use;
 - e. A public park; or
 - f. Any other adult oriented establishment
2. For the purpose of 10.5.2.A., measurement shall be made in a straight line, without regard to intervening structures or objects, from the nearest property line of the premise where the adult oriented establishment is located, to the nearest property line of the premises of a place of worship, public or private elementary or secondary school, public or private

day care facility for children or kindergarten, residential use, public park or any other adult oriented establishment.

10.5.3 Outdoor Recreation

A. Generally

All outdoor recreational uses located in the Suburban or Urban context that are equipped with outdoor lighting shall be subject to the following standards:

1. When located within 250 feet of a residential use, a low intensity buffer as established in 11.2.3, Required Buffers, shall be installed around the property. An equivalent alternative buffer may be approved through the site plan review process established in 12.2.6, Site Plan Review.
2. For the purpose of this section, measurement shall be made in a straight line, without regard to intervening structures or objects, from the nearest property line of the outdoor recreational use, to the nearest property line of the premises where the residential use is occurring.

Editor's Note: If including the Outdoor Lighting Standards of the Additional Ordinances module add the following language.

3. *All field lighting shall meet the requirements of [insert citation to Sec. 1.1, Outdoor Lighting].*

B. Campground, Travel Trailer Park, and RV park

All campground, travel trailer park or RV park uses located in the Suburban or Urban context shall be subject to the following standards:

1. No campground, travel trailer park or RV park may be located on a site less than 10 acres.
2. When located within 600 feet of a ground floor residential use, a high intensity buffer as established in 11.2.3, Required Buffers, shall be installed around the property. An equivalent alternative buffer may be approved through the site plan review process established in 12.2.6, Site Plan Review.
3. For the purpose of this section, measurement shall be made in a straight line, without regard to intervening structures or objects, from the near-

est property line of the campground, travel trailer park or RV park use, to the nearest property line of the premises where the residential use is occurring.

4. All structures, including but not limited to buildings, camp sites, parking pads, and parking spaces shall be set back a minimum of 75 feet from all property lines.

C. Horse Stable, Riding Academy, Equestrian Center

The following standards apply to all horse stables, riding academies, or equestrian centers in the Natural, Rural and Special contexts.

1. No horse stable, riding academy or equestrian center may be located on a site less than 10 acres.
2. All stables, rings, or other accessory structures shall be located a minimum of 100 feet from any property line.
3. The buildings located on the site may not cover more than five percent of the site.

D. Hunting and Fishing Preserve

The following standards apply to all hunting and fishing preserves in the Natural, Rural and Special contexts.

1. No hunting or fishing preserve may be located on a site less than 40 acres.
2. The buildings located on the site may not cover more than five percent of the site.
3. No single building on the site may be larger than 10,000 square feet.

E. Retreat Center

The following standards apply to all retreat centers in the Natural, Rural and Special contexts.

1. No retreat center may be located on a site less than 40 acres.
2. The buildings located on the site may not cover more than two percent of the site.
3. No single building on the site may be larger than 30,000 square feet.

10.5.4 Personal Service

A. Animal Care

1. Outdoor runs shall only be permitted in the Natural, Rural, Suburban, and Special contexts.
2. Outdoor runs in the Suburban context shall only be permitted on sites larger than two acres in size.
3. When located within 250 feet of a residential use, animal care facilities with outdoor runs in the Suburban context shall install a low intensity buffer as established in [11.2.3, Required Buffers](#). An equivalent alternative buffer may be approved through the site plan review process established in [12.2.6, Site Plan Review](#).
4. For the purpose of this paragraph, measurement shall be made in a straight line, without regard to intervening structures or objects, from the nearest property line of the animal care facility, to the nearest property line of the premises where the residential use is occurring.
5. All overnight care of animals in the Suburban, Urban or Center context must occur indoors and all pens, kennels and runs must be located within an enclosed building.

10.5.5 Restaurant/Bar

A. Restaurant/Bar in the Residential Multifamily Districts

The following standards shall apply to restaurants or bars allowed by special use permit in either the S-RM-3 or U-RM-3 districts.

1. Part of the contiguous use shall be within 100 feet of the right-of-way of a street intersection.
2. The use shall be located on the first floor of a two-story or greater building.
3. Maximum floor area of each individual use may not exceed 4,000 square feet.
4. Parking on the lot shall be located at the side or rear of a building and not between the building and the street.

5. Neither drive-thru nor pick-up windows are allowed.

B. Restaurant/Bar in the Residential Mixed Use Districts

The following standards shall apply to restaurants or bars allowed in the Suburban, Urban or Center context Residential Mixed Use districts.

1. Parking on the lot shall be located at the side or rear of a building and not between the building and the street.
2. Neither drive-thru nor pick-up windows are allowed.
3. In the Suburban or Urban context, a low intensity buffer as established in [11.2.3, Required Buffers](#), shall be installed along the common property line adjacent to a residential building type. An equivalent alternative buffer may be approved through the site plan review process established in [12.2.6, Site Plan Review](#).

C. Restaurant/Bar in the Main Street Districts

The following additional standards shall apply to restaurants or bars allowed in all Main Street districts.

1. Parking on the lot shall be located at the side or rear of a building and not between the building and the street.
2. Neither drive-thru nor pick-up windows are allowed.

10.5.6 Retail Sales

A. Art Studio/Gallery

The following standards apply to art or photography studios or galleries permitted in either the S-RM-3 or U-RM-3 districts.

1. Part of the contiguous use shall be within 100 feet of the right-of-way of a street intersection.
2. The use shall be located on the first floor of a two-story or greater building.
3. Maximum floor area of each individual user may not exceed 4,000 square feet.
4. Parking on the lot shall be located at the side or rear of a building and not between the building and the street.

B. Convenience Store with Gas Pumps, Gas Station

1. General Standards

- a. The primary building, including the full canopy, shall conform to all building envelope standards.
- b. Gasoline pumps, tanks, vents and pump islands shall be located no closer than 20 feet to any side or rear property line or right-of-way.
- c. No sign of any type or any gasoline pump or tank shall be located within 20 feet of a residential building type.
- d. A high intensity buffer as established in [11.2.3, Required Buffers](#), shall be installed along any common property line adjacent to a residential building type. An equivalent alternative buffer may be approved through the site plan review process established in [12.2.6, Site Plan Review](#).

2. Fuel Canopies

- a. Fuel canopies shall not be located closer than 15 feet to any side or rear property line or right-of-way.
- b. No fuel canopy shall exceed a height of 20 feet.
- c. Fuel canopies shall be integrated architecturally with the design of the principal building and shall be complementary to the overall color scheme of the building façade from which it projects.
- d. Fuel canopy lighting shall not extend beyond the area beneath the canopy and all fixtures shall be recessed, including any lens.

3. Single-Bay Automatic Car Wash

An accessory single-bay automatic (not self-service) car wash completely enclosed except for openings necessary to allow entry and exit of vehicles may be permitted subject to the following:

- a. The car wash structure shall be located no closer than 50 feet to any side or property line adjacent to a residential building type.
- b. The car wash structure shall be constructed of building materials consistent with that of the principal building, including the roof.

- c. When located adjacent to a residential building type, the car wash facility shall not operate before 6 AM or after 10 PM.

C. Convenience Store without Gas Pumps

The following standards apply to convenience stores without gas pumps permitted in either the S-RM-3 or U-RM-3 districts.

1. Part of the contiguous use shall be within 100 feet of the right-of-way of a street intersection.
2. The use shall be located on the first floor of a two-story or greater building.
3. Maximum floor area of each individual user may not exceed 4,000 square feet.
4. Parking on the lot shall be located at the side or rear of a building and not between the building and the street.

D. Dry Cleaning Pick Up Station

The following standards apply to dry cleaning pick up stations permitted in either the S-RM-3 or U-RM-3 districts.

1. Part of the contiguous use shall be within 100 feet of the right-of-way of a street intersection.
2. The use shall be located on the first floor of a two-story or greater building.
3. Maximum floor area of each individual user may not exceed 4,000 square feet.
4. Parking on the lot shall be located at the side or rear of a building and not between the building and the street.

10.5.7 Vehicle Sales

A. General

1. A high intensity buffer as established in [11.2.3, Required Buffers](#), shall be installed along any common property line adjacent to a residential building type. An equivalent alternative buffer may be approved

through the site plan review process established in [12.2.6, Site Plan Review](#).

2. All outdoor lighting shall be directed downward and shall not glare onto any property occupied by a residential building type.

Editor's Note: *If including the Outdoor Lighting Standards of the Additional Ordinances module add the following language.*

3. All field lighting shall meet the requirements of [*insert citation to Sec. 1.1, Outdoor Lighting*].
4. Vehicle display may not be artificially elevated above the general topography of the site.
5. No banners, flags, steamers, balloons or similar advertising devices, temporary or portable signs, reader board signs, roof-mounted signs or tents may be permitted.
6. No outside speaker system shall be allowed.

B. Main Street Districts

The following additional standards shall apply to all vehicle sales facilities in the Suburban, Urban and Center Main Street districts.

1. The sales and leasing of motor vehicles for display shall be conducted within a fully-enclosed building. The outdoor display and storage of vehicles for sale or rental or shall not be permitted.
2. A maximum of two service bay doors no more than 24 feet in width each shall be allowed. No more than one bay door shall be allowed on each side of the building.

Sec. 10.6 Industrial Use Standards

10.6.1 Heavy Industrial

A. Radioactive Materials

1. A high intensity buffer as established in [11.2.3, Required Buffers](#), shall be installed around the property. An equivalent alternative buffer may be approved through the site plan review process established in [12.2.6, Site Plan Review](#).
2. No person, corporation, or other legal entity may operate any radioactive materials or waste facility within 2,500 feet of:
 - a. A public or private elementary or secondary school;
 - b. A public or private day care facility or kindergarten;
 - c. A residential use; or
 - d. A public park.
3. For the purpose of this section, measurement shall be made in a straight line, without regard to intervening structures or objects, from the nearest property line of the premise where the radioactive materials or waste facility is located, to the nearest property line of the premises of a public or private elementary or secondary school, public or private day care facility or kindergarten, residential use, or public park.

B. Scrap Metal Processors and Wrecking, Junk or Salvage Yards

The following standards shall apply to scrap metal processors or wrecking, junk or salvage yards in the Rural, Suburban, Urban or Special context.

1. A high intensity buffer as established in [11.2.3, Required Buffers](#), shall be installed around the property. An equivalent alternative buffer may be approved through the site plan review process established in [12.2.6, Site Plan Review](#).
2. No person, corporation, or other legal entity may operate any scrap metal processors or wrecking, junk or salvage yard within 1,500 feet of:
 - a. A public or private elementary or secondary school;
 - b. A public or private day care facility or kindergarten;

- c. A residential use; or
 - d. A public park.
3. For the purpose of this section, measurement shall be made in a straight line, without regard to intervening structures or objects, from the nearest property line of the premise where the scrap metal processors and wrecking, junk or salvage yard is located, to the nearest property line of the premises of a public or private elementary or secondary school, public or private day care facility or kindergarten, residential use, or public park.

10.6.2 Self-Service Storage

A. General

1. With the exception of lighting fixtures and climate controls, no electrical power supply may be accessible to the renter/lessee of the storage unit.
2. The following activities shall be prohibited on the premises:
 - a. Servicing, repair, or fabrication of motor vehicles, boats, trailers, lawn mowers, appliances, or other similar equipment.
 - b. Operation of a transfer-and-storage business.
 - c. Operation of power tools, spray painting equipment, table saws, lathes, compressors, welding equipment, kilns, or other similar equipment except when needed for maintenance of the use.
 - d. Any activity that is noxious or offensive because of odors, dust, noise, fumes, or vibrations.
 - e. Storage of hazardous chemicals, flammable liquids, or combustible and explosive materials.
 - f. Habitation of storage units by humans or animals.

B. Warehouse, Self-service, Mini-warehouse

1. All storage shall be contained within a fully-enclosed building. However, the outdoor storage of boats, RV's or other similar vehicles may be permitted through the site plan review process. See [12.2.6, Site Plan Review](#)

2. A high intensity buffer as established in [11.2.3, Required Buffers](#), shall be installed along any common property line adjacent to a residential use. An equivalent alternative buffer may be approved through the site plan review process established in [12.2.6, Site Plan Review](#).
3. Where the end wall of a self-service storage building is visible from a public right-of-way, the wall shall be buffered by a hedge that has a mature height of at least six feet.

C. Warehouse, Self-Service, Indoor Multi-story

1. All warehouse storage on the property shall be in a minimum single-enclosed two-story, building.
2. All storage units shall be accessed internally.
3. External doors to individual units shall not be permitted.
4. One consolidated loading area is permitted to the rear or side of the building.
5. All storage of boats, RV's or other similar vehicles shall be in the enclosed building.

10.6.3 Vehicle Service

A. General

1. A high intensity buffer as established in [11.2.3, Required Buffers](#), shall be installed along any common property line adjacent to a ground floor residential use. In the Center context, the High Intensity Urban buffer shall be used. An equivalent alternative buffer may be approved through the site plan review process established in [12.2.6, Site Plan Review](#).
2. All outdoor lighting shall be directed downward and shall not glare onto any property occupied by a residential building type.

Editor's Note: *If including the Outdoor Lighting Standards of the Additional Ordinances module add the following language.*

3. *All field lighting shall meet the requirements of [insert citation to Sec. 1.1, Outdoor Lighting].*
4. No banners, flags, steamers, balloons or similar advertising devices, temporary or portable signs, reader board signs, roof-mounted signs or tents may be permitted.
5. No outside speaker system shall be allowed.

B. Main Street Districts

The following additional standards shall apply to all vehicle sales facilities in the Suburban, Urban and Center Main Street districts.

1. The service and repair of all motor vehicles shall be conducted within a fully-enclosed building. The outdoor display and storage of vehicles shall not be permitted.
2. A maximum of two service bay doors no more than 24 feet in width each shall be allowed. No more than one bay door shall be allowed on each side of the building.

10.6.4 Waste Related Services

A. Landfill

1. The site for a sanitary landfills shall be a minimum of 100 acres.
2. A high intensity buffer as established in [11.2.3, Required Buffers](#), shall be installed around the property. An equivalent alternative buffer may be approved through the site plan review process established in [12.2.6, Site Plan Review](#).
3. No person, corporation, or other legal entity may operate any landfill within 2,500 feet of:
 - a. A public or private elementary or secondary school;
 - b. A public or private day care facility or kindergarten;
 - c. A residential building type; or
 - d. A public park.

4. For the purpose of this paragraph, measurement shall be made in a straight line, without regard to intervening structures or objects, from the nearest property line of the premise where the landfill is located, to the nearest property line of the premises of a public or private elementary or secondary school, public or private day care facility or kindergarten, residential building type, or public park.
5. No fill shall be located within the 100 year floodplain and no excavation except as expressly authorized by the [*Governing Body*] shall be located within the 100 year floodplain.
6. No excavation or filling shall occur within 100 feet of any boundary of the site or within 100 feet of any public street right-of-way.
7. Provisions shall be made for the proper drainage of stormwater on or crossing the site at all times during and after completion of the operations. Operations shall not obstruct the normal flow of any public drain, or abrogate the riparian rights of any other party to a stream or drain.
8. The depth of excavation and the materials to be used for fill shall not have any adverse effect on the supply, quality or purity of ground water or wells.
9. A layer of clean earth at least two feet thick shall be deposited and thoroughly compacted over all final fill to bring the surface to the finished surface grade as shown on the topographic plan filed with the application. The final fill and finished grade shall be stabilized, seeded and sodded or appropriately planted after completion and closure of each stage of landfill operations.
10. The installation of roads, parking areas, buildings, structures and operational facilities and equipment shall be located on the site so that adjoining properties will not be adversely affected.
11. The operation shall be conducted so as not to create a nuisance or cause undue noise, vibration, dust, odor or incandescence to adjacent properties. The premises shall be kept in a neat and clean condition at all times. No loose paper or debris shall be allowed on the site except on areas where active filling operations are taking place. Dusty conditions

shall be corrected by sprinkling with water or another approved method. No fires shall be permitted. Any smoldering flame or spontaneous combustion shall be immediately extinguished.

12. Except for required or protective fences, no building or structure, other than a scale and entry gatehouse erected in connection with the operation, shall be located in any required setback or closer than 100 feet from any property line.
13. Separation of materials or storage for salvage on the site shall be conducted within an enclosed building.
14. All unacceptable fill material shall be removed from the premises immediately after delivery.
15. Water lines shall be installed, connected to a public water supply, or to some other source which by use of pumps will provide water in sufficient quantity to combat fires or settle dust.
16. The days and hours of landfill operations are subject to the approval of the [*Governing Body*].

Sec. 10.7 Open Use Standards

10.7.1 Agriculture

With the exception of fences, all structures for keeping and raising livestock shall be at least 100 feet from property lines abutting a residential building type.

Sec. 10.8 Accessory Uses

10.8.1 General

- A. Unless otherwise expressly stated, accessory uses are permitted in conjunction with allowed principal uses. Accessory uses must be clearly incidental and subordinate to a permitted principal use.
- B. No accessory use may be established on a lot prior to the establishment of a permitted principal use.
- C. The Administrator is authorized to determine when a structure or use meets the definition of an accessory use. In order to classify a structure or use as accessory, the Administrator must determine that the use:
 1. Is subordinate to the principal use in terms of area, extent and purpose;
 2. Contributes to the comfort, convenience or necessity of occupants of the principal use served;
 3. Is located on the same lot as the principal structure or use, or on a contiguous lot in the same ownership;
 4. Does not involve operations not in keeping with the character of the principal use served; and
 5. Is not of a nature likely to attract visitors in larger numbers than would normally be expected.

10.8.2 Home Occupations

A. Prohibited Home Occupations

The following uses are not permitted as home occupations. There shall be no group instruction of more than two people in connection with a home occupation.

1. Vehicle or body and fender repair.
2. Outdoor repair.
3. Food handling, processing or packing, other than services that use standard home kitchen equipment.
4. Medical or dental lab.

5. Restaurant.
6. Bulk storage of flammable liquids.
7. Funeral homes and mortuaries.
8. Animal hospitals and kennels.
9. Commercial parking.
10. Retail sales.

B. Class A

The intent of a Class A home occupation is to permit very limited activities in a residential dwelling, provided such activities do not impact or detract from the residential character of the neighborhood. A Class A home occupation is deemed an accessory use and no further approval is required, provided the use meets the following.

1. The use of the dwelling unit for Class A home occupation must be clearly incidental and subordinate to its use for residential purposes by its occupants, and must under no circumstances change the residential character of the structure.
2. There must be no change in the outside appearance of the building or premises, or other visible evidence of the conduct of a home occupation.
3. No business, storage or warehousing of material, supplies or equipment is permitted outside of the primary dwelling unit.
4. No equipment or process may be used that creates excessive noise, vibration, glare, fumes, odors, or electrical interference.
5. No display of products are visible from the street.
6. A Class A home occupation is subject to all applicable licenses and business taxes.
7. With the exception of one employee, no persons other than members of the family residing on the premises may be engaged in the home occupation.
8. Storage space and the operation of the business inside the dwelling unit may not exceed 25 percent of the floor area of the residence.

9. No signage is permitted.

C. Class B

A Class B home occupation is a business, profession, occupation or trade conducted for gain or support within a residential dwelling or its accessory buildings that requires employees, customers, clients or patrons to visit the home. A Class B home occupation is permitted as a special use provided that the [Governing Body] determines that:

1. It is carried on by a person residing on the premises and employs no more than two employees not living on the premises.
2. No more than 25 percent of the total floor area of the residence is used for the home occupation.
3. No more than two vehicles are used in the conduct of the home occupation, and such vehicles are parked off the street.
4. No merchandise or commodity is sold on the premises, except what is incidental to the home occupation.
5. No mechanical equipment is installed or used except equipment normally used for domestic or professional purposes.
6. No expansion is permitted outside the principal structure that houses the home occupation, except that which is necessary to house vehicles used in the conduct of home occupation.
7. The use will not create undue traffic congestion or create a traffic hazard.
8. Advertising signs shall be limited to one unlighted wall sign no larger than three square feet in area, attached to the structure housing the home occupation.

10.8.3 Accessory Dwellings Units

A. Existing Lot of Record

An accessory dwelling unit (subject to the standards listed below) may be permitted by the [Governing Body] as a special use permit under 12.2.7, Special Use Permit, on an existing residential legal lot of record.

B. New Development

One accessory dwelling unit is permitted by right (subject to the standards listed below) on a lot platted after the effective date of this zoning code.

C. Standards

1. The living area of the accessory dwelling unit may not exceed the living area of the principal structure. In no case shall the total floor area of the accessory dwelling unit exceed 1,000 square feet.
2. One additional parking space on the same premises is required for the accessory dwelling unit.

10.8.4 Drive-Through Facilities

- A. A drive-through is permitted in conjunction with a permitted ground floor nonresidential use, except where expressly prohibited elsewhere in this zoning code.
- B. The drive-through facility must orient to an alley, driveway, or interior parking area, and not a street.
- C. None of the drive-through facilities (e.g., driveway queuing areas, windows, teller machines, service windows, kiosks, drop-boxes, or similar facilities) may be located within 20 feet of a street and may not be oriented to a street corner.
- D. The minimum spacing of drive-through facilities receiving access onto the same street is 400 linear feet, measured along that street's block face (same side of street).

Sec. 10.9 Temporary Uses

Certain uses are temporary in character. They vary in type and degree, as well as length of time involved. Such uses may have little impact on surrounding and nearby properties or they may present questions involving potential incompatibility of the temporary use with existing uses. Unless otherwise specified in this zoning code, the following regulations govern temporary uses.

10.9.1 Temporary Uses Exempt from Zoning Permit

The following temporary uses do not need to obtain a zoning permit.

A. Garage or Yard Sales

Private sales are limited to two sales per dwelling unit each calendar year and the length of each permitted sale shall not exceed three consecutive days, except that the Administrator may permit a third sale in any calendar year upon submission of sufficient proof a change in ownership of the residential premises on which the sale is to be conducted.

B. Storage Containers

1. One storage container for off-site storage of household or other goods located in any setback is permitted for a maximum of 30 consecutive days.
2. The storage container must be placed completely on-site (and is not permitted to be placed in any type of public right-of-way).
3. The storage must be placed on a paved surface.

C. Construction Dumpsters

One construction dumpster is permitted on on-site in association with a valid building permit. The use of such a dumpster is strictly limited to the period of construction. In no event can the use of dumpster continue past expiration of the building permit.

10.9.2 Temporary Use Zoning Permit Required

The following temporary uses are allowed subject to approval of a zoning permit in the frequency stated below except that no property may have more than

four of the events listed below in one calendar year. See [12.2.2, Zoning Permit](#).

A. Commercial Circuses, Carnivals or Fairs

Commercial circuses, carnivals or fairs, for not more than two consecutive weeks in any calendar year.

B. Temporary Religious or Revival Activities

Temporary religious or revival activities in tents in association with a place of worship, for not more than two consecutive weeks in any calendar year.

C. Special Events

Special events occurring no longer than seven consecutive days once every three months.

D. Grand Opening Sales

Grand opening sales, including outside food and beverage vending, for three consecutive days, once per zoning permit.

E. Other Temporary Uses

Other temporary uses similar in nature to the ones listed above, with corresponding limitations, as determined by the Administrator.

10.9.3 Mobile or Trailer for Temporary Use

- A. After approval by the Administrator, a mobile home or trailer may be used as a temporary office, security shelter, or shelter for materials or tools (but not for residential purposes or sales offices) incidental to construction on or development of the premises upon which the mobile home or trailer is located.
- B. Such use is strictly limited to the period when construction or development is actively underway. In no event may the use continue more than six months without the further approval of the Administrator.

10.9.4 Real Estate Development Projects

- A. A developer may request a temporary use zoning permit for necessary commercial promotional, storage or fabrication activities at a development site that occur during construction of that developer's project. See 12.2.2, Zoning Permit.
- B. When the request is for a temporary sales office, model home or apartment, the application must list the lots, apartment units or dwelling units to be initially sold.
- C. The temporary use zoning permit will be restricted to only those activities and properties listed on the petition. Such activities may not include any sale of properties outside the development site or any resale of properties.
- D. The following uses in connection with such a project require a temporary use zoning permit:
 - 1. Offices for sale of real estate or for persons engaged in the development.
 - 2. Construction materials storage, general contractor's business office, processing, or fabrication.
 - 3. Equipment storage.
 - 4. Model homes or sample apartments.

ARTICLE 11. SITE DEVELOPMENT STANDARDS

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Editor's Note: The site development standards in this article represent basic parking and landscaping standards. The Zoning Code module may be supplemented with more comprehensive site development standards found in the Additional Ordinances module.

Sec. 11.1 Parking

11.1.1 Applicability

- A. Unless specifically exempt in this section, all existing and proposed development shall provide parking facilities and manage access in accordance with this article. 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 article.
- C. Buildings and uses lawfully existing as of the effective date of this zoning code 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 zoning code, 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 zoning code 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 zoning code shall require additional parking facilities to comply with the requirements of this section for the new use unless:
 - 1. The building is less than 1,200 square feet in floor area; or
 - 2. The new use has the same parking requirement or a lesser requirement than the previous one.

11.1.2 Parking Requirements

A. General Provisions

1. Parking Required

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

2. Location of Parking Spaces

Unless otherwise approved in an alternative parking plan under [11.1.4, Alternative Parking Plan](#), parking spaces shall be located as set forth below.

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

- i. Required parking spaces shall be located on the same lot and shall not be located within the required front setback.
- ii. Garage and carport placement shall meet the requirements of [9.5.1, Garage and Carport Placement](#).

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

- i. All required parking spaces shall be located on the same site or off-site 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).
- ii. 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.

B. Parking Ratios

1. Calculation of Ratios

a. 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.

b. Fractional Measurements

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

2. Minimum

The following minimum parking ratios apply to all zoning districts. The applicant may provide an alternative parking plan with data submitted in support of higher or lower ratios.

PARKING RATIOS	Specific Use	Minimum Parking
Residential		
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	All uses	1.0 per 300 SF of GFA
Social Service	All uses	1.0 per 300 SF of GFA
Public		
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)
Commerce		
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
Office	All other uses	1.0 per 250 SF of GFA
	All uses	1.0 per 250 SF of GFA
Outdoor recreation	Campground, travel trailer park, RV park	1.0 per space
	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)

SF = Square Feet GFA = Floor Area

PARKING RATIOS	Specific Use	Minimum Parking
Commerce (continued)		
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 in the RM, MX, or MS districts	1.0 per 1,000 SF of GFA
	All uses over 4,000 SF of GFA or in other districts	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
Industrial		
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
Open		
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)

SF = Square Feet GFA = Floor Area

3. Maximum

- a. 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.
- b. 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.

4. 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

5. 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.

C. 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.

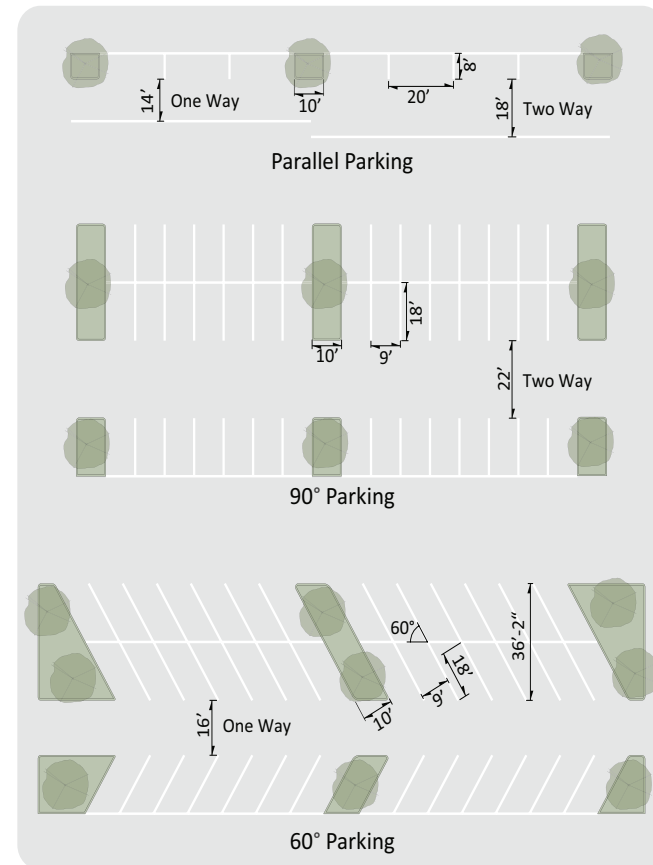
D. Parking Reductions in the Center Context

No parking is required in a designated downtown area located within a Center context. Where parking is provided, it must meet the dimensional standards of this section.

11.1.3 Parking Area Design Standards

A. Parking Space Layout

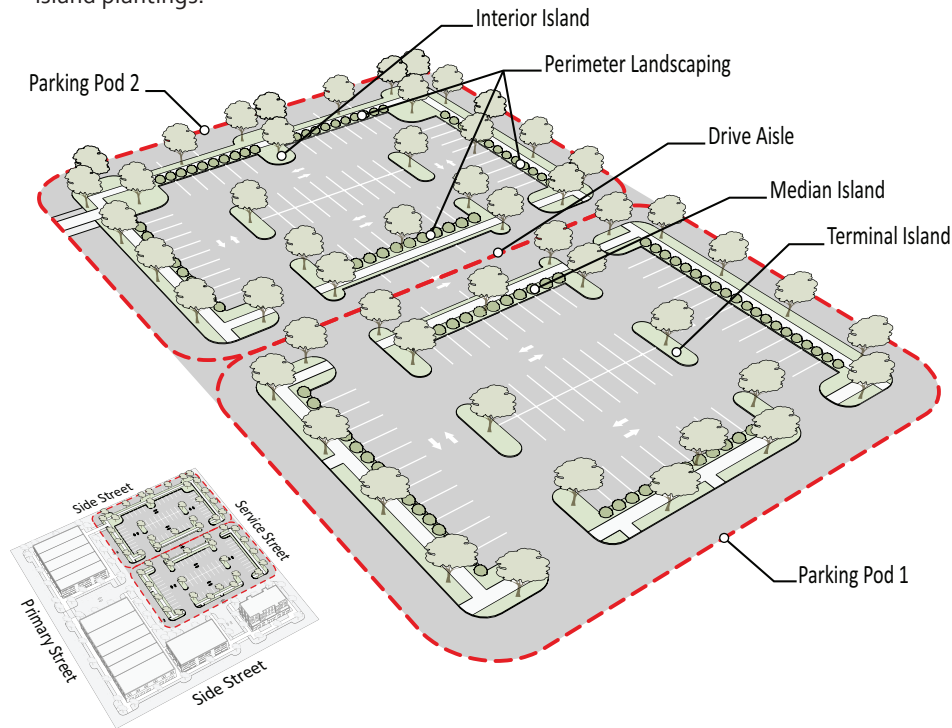
1. Parking space layout shall meet the following dimensions.



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 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 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 a 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.

C. Accessible Parking

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

D. Surfacing

1. 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 other dustless material approved by the Administrator, and shall be maintained in a smooth, well-graded condition.

2. Pervious Parking Surfaces

- a. All parking spaces may be surfaced with pervious parking surface that is engineered for parking or driveways.
- b. 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.
- c. Where provided, pervious parking surfaces shall be maintained in a smooth, well-graded condition.

E. Setback

1. All off-street parking must observe the required parking setback for the appropriate building type and zoning district.
2. 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.
3. All parking shall be separated from buildings by a minimum distance of three feet.

F. Striping

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

G. Curbs and Wheel Stops

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.

H. Drainage

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

11.1.4 Alternative Parking Plan

A. Applicant-Submitted Parking Data

The Administrator may modify the parking requirements of this section 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 section 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 all of the 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 of 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 in a district that permits 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 section.

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 in a district that permits 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 section.

D. 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.

E. Amendments

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

11.1.5 Site Access

A. General Standards

- 1. All buildings shall be located on a site abutting a public or private street.
- 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 cross-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 for cross-access.

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 of the table below.

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

- 2. Driveway access between a site and an arterial street may be located no closer than 300 feet to any other proposed or existing intersecting arterial.
- 3. Sites may be subdivided so as to provide access onto a frontage road.
- 4. 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 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 on the effective date of this zoning code 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. 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 setback.
- b. Driveways 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 setback.

3. Location of Driveways

- a. Non-alley loaded driveways may be no closer than 30 feet from any other driveway.
- 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 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

A 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.

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. 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 similar considerations.
- c. Driveways shall be separated by a distance of 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.
- d. 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.
- e. 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.
- f. Driveways for mixed use building types shall be contained entirely within the property frontage or as part of a joint access easement with an adjacent platted property.

Sec. 11.2 Landscaping

11.2.1 Applicability

- A. Unless specifically exempted below, all existing and proposed development shall provide landscaping in accordance with this section. 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 zoning code 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 zoning code, 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 section shall be required.
- D. Parking areas providing five or less spaces are exempt from the parking landscaping requirements below.

11.2.2 Street Trees

- A. 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).
- B. 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).
- C. 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.

11.2.3 Required Buffers

A. Generally

1. A required buffer is not a 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. One purpose of a buffer 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. Low Intensity Buffer

1. A low intensity buffer is required along the lot boundary line of any lot in a mixed use district that abuts a residential district.
2. 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.



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.

C. High Intensity Buffer

1. A high intensity buffer is required along the lot boundary line of any lot in a commercial corridor, light or heavy industrial district that abuts a residential district.
2. 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.



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 contain 25 shrubs per 100 lineal feet.

11.2.4 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 materials shall be cold hardy for the specific location where they are to be planted.
- c. Trees and shrubs shall be salt-tolerant in coastal areas.
- d. 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 is required.
2. Existing native habitat or vegetation located within planting areas and meeting the requirements of this section 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. Fencing and Walls

1. No fence or wall may be more than nine feet in height. A fence or wall in any required front setback 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 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.

D. Sight Distance Planting

Any established street trees interfering with an established 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.

E. 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.

F. 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 section.
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.

11.2.5 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

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. 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.

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Editor's Note: If adopting the Subdivision Code module, then this Article must be reconciled with Article 4 of the Subdivision Code module by incorporating the notice and procedure elements into this Article. Additionally, the terms "subdivision code" and "zoning code" must be changed to "development code."

Sec. 12.1 Review Bodies

12.1.1 [Governing Body]

A. Authority for Final Action

The [Governing Body] is responsible for final action regarding:

1. Special Use Permits;
2. Zoning Map Amendments;
3. Planned Development (PD);
4. Planned Industrial Development (PID);
5. Planned Neighborhood Development (PND);
6. Text Amendments; and
7. Development Agreements.

12.1.2 Planning Commission

Editor's Note: If your community already has specific rules for your planning commission consider reconciling them with the rules in section 12.1.2, Planning Commission.

A. Establishment

A Planning Commission is established, which shall consist of seven members to be appointed by the [Governing Body]. Members must be qualified voters of the [Jurisdiction], but not employees or elected officials. All members serve without compensation.

B. Terms

The members of the Planning Commission shall be appointed for terms of four years each. The terms of members shall be staggered, so that the term of one member expires each year.

C. Removal and Vacancy

1. The appointment of any member who misses five meetings in any 12 month period may be terminated by the [Governing Body] after public hearing.
2. The [Governing Body] may remove any member of the Planning Com-

mission, after public hearing, for inefficiency, neglect of duty, or malfeasance in office.

3. The [Governing Body] is authorized to fill any vacancy for an unexpired term on the Planning Commission caused by death, resignation or otherwise.

D. Chair

The Planning Commission shall elect its own chair who shall serve for one year.

E. Secretary

The [Jurisdiction] shall provide a secretary for the Planning Commission. The Secretary shall not be considered a voting member of the Planning Commission. It shall be the duty of the secretary to keep a true and correct record of all proceedings, resolutions, transactions, findings, and determinations of the Planning Commission, which shall be a public record.

F. Rules

The Planning Commission shall adopt rules necessary to the conduct of its affairs and in keeping with the provisions of this zoning code.

G. Staff and Finances

1. At the request of the Planning Commission, the [Governing Body] may appoint employees necessary to complete the work of the Planning Commission. The employees appointment, promotion, demotion, and removal shall be subject to the same provisions of law, including civil service regulations, as govern other corresponding civil employees of the [Jurisdiction].
2. The [Jurisdiction] may contract with planning experts, engineers, architects and other consultants for such services as it may require.
3. Members of a Commission, when duly authorized by the Commission, may attend planning conferences or meetings of planning institutes or hearings on pending planning legislation, and the Commission may pay the reasonable traveling expenses related to such attendance.

4. The expenditures of a commission, exclusive of those made from funds received by gift, shall be within the amounts appropriated for the purpose by the [**Governing Body**].

H. Meetings

The Planning Commission shall hold at least one regular meeting in each month. Additional meetings may be held at the call of the chair and at such other times as the Planning Commission may determine. All meetings shall be open to the public.

I. Quorum

A quorum consisting of a majority of the members of the Planning Commission must be present to conduct any business of the Planning Commission.

J. Voting

The concurring vote of a majority of the Planning Commission members present and voting shall be required for any decision.

K. Conflict of Interest

In the event that a Planning Commission member has any financial, ownership, or employment interest in the subject of a vote by the Commission, such member shall disclose such interest and recuse themselves before the vote so that it appears in the official record.

L. Training

All appointed members of the Planning Commission shall receive at least eight hours annually of training in the duties, responsibilities, ethics, and substance of the positions held or to be held, either prior to taking office or no later than one year after office is assumed. All training shall be approved by the Planning Commission.

M. Authority for Final Action

The Planning Commission is responsible for final action regarding:

1. Preparation and adoption of a comprehensive plan;
2. Preliminary plats; and
3. Major site plans.

N. Review Authority

The Planning Commission is responsible for review and recommendations regarding:

1. Zoning Map Amendments;
2. Planned Development (PD);
3. Planned Industrial Development (PID); and
4. Planned Neighborhood Development (PND).

12.1.3 Board of Adjustment

A. Establishment

A Board of Adjustment is established, which shall consist of five members to be appointed by the [**Governing Body**]. Members must be qualified voters of the [**Jurisdiction**], but not employees. All members serve without compensation.

B. Terms

The terms of members shall be staggered, so that the term of one member expires each year. The membership of the first Board shall serve respectively, one for one year, one for two years, one for three years, two for four years. Thereafter, members shall be appointed for terms of four years each.

C. Removal and Vacancy

1. The appointment of any member who misses five meetings in any 12 month period may be terminated by the [**Governing Body**] after public hearing.
2. All members shall be removable for cause by the [**Governing Body**] upon written charges and after public hearings. The [**Governing Body**] shall fill any vacancy for an unexpired term.

D. Chair

The Board shall elect its own chair who shall serve for one year.

E. Secretary

The [*Jurisdiction*] shall provide a secretary for the Board. The Secretary shall not be considered a voting member of the Board. It shall be the duty of the secretary to keep a true and correct record of all proceedings of the Board.

F. Rules

The Board of Adjustment shall adopt rules necessary to the conduct of its affairs and in keeping with the provisions of this zoning code. Any rules adopted shall not be effective until approved by resolution by the [*Governing Body*].

G. Meetings

Meetings shall be held at the call of the chair and at such other times the Board may determine. The chair, or in his absence the acting chair, may administer oaths and compel the attendance of witnesses. All meetings shall be open to the public.

H. Quorum

A quorum consisting of a majority of the members of the Board of Adjustment must be present to conduct any business of the Board of Adjustment.

I. Voting

The concurring vote of a majority of the Board shall be necessary to reverse any order, requirement, decision or determination of the Administrator, or to decide in favor of the applicant on any matter upon which it is required to pass under this Article, or to effect any variance in the application of this zoning code.

J. Minutes

The Board of Adjustment shall keep minutes of its meetings showing the vote of each member upon each question, or, if the member is absent or fails to vote, indicating that fact, and shall keep records of its examinations and other official actions, all of which shall be filed immediately in the office of the board and shall be public records. All testimony, objections to testimony, and rulings on testimony shall be taken down by the Secretary.

K. Training

All appointed members of the Board of Adjustment shall receive at least eight hours annually of training in the duties, responsibilities, ethics, and substance of the positions held or to be held, either prior to taking office or no later than one year after office is assumed. All training shall be approved by the Board of Adjustment.

L. Authority for Final Action

The Board of Adjustment is responsible for final action regarding:

1. Variances; and
2. Appeals of administrative decisions.

M. Findings of Fact

Every decision of the Board of Adjustment shall be based upon findings of fact and every finding of fact shall be supported in the record of its proceedings.

N. Presumption

Any determination or finding of the Administrator shall be presumed to be correct until evidence is introduced which would support a contrary determination or finding.

O. Powers Strictly Construed

This section shall not be construed to empower the Board to change the terms of this zoning code, to change the zoning map or to add to the specific uses permitted in any district. The powers of the Board shall be so construed that this zoning code and the zoning map are strictly enforced.

P. Appeal from Board Decision

Recourse from the decisions of the Board of Adjustment shall be to the District Court, as provided by law.

12.1.4 Administrator

A. General Authority

The Administrator is responsible for:

1. Maintaining a map showing the current zoning classification of all land in [*Jurisdiction*];
2. Maintaining written records of all actions taken under this zoning code; and
3. Making interpretations of this zoning code.

B. Authority for Final Action

The Administrator is responsible for final action regarding:

1. Zoning permits;
2. Administrative adjustments;
3. Minor plats;
4. Final plats; and
5. Minor site plans

C. Review Authority

The Administrator is responsible for review and recommendations regarding:

1. Variances;
2. Preliminary plats;
3. Major site plans;
4. Special use permits;
5. Zoning map amendments;
6. Planned development (PD);
7. Planned industrial development (PID);
8. Planned neighborhood development (PND);
9. Text amendments; and
10. Development agreements.

D. Delegation of Authority

The Administrator may designate any staff member to represent the Administrator in any function assigned by this zoning code. The Administrator remains responsible for any final action.

12.1.5 Summary of Authority

The following table summarizes the review and approval authority of the various review bodies with regard to this zoning code.

	Administrator	Board of Adjustment	Planning Commission	[Governing Body]
Zoning Permit	Decision			
Administrative Adjustment	Decision			
Variance	Recommend	Decision*		
Appeal of Administrative Decision		Decision*		
Subdivision:				
Minor Plat	Decision			
Major Subdivision Preliminary Plat	Recommend		Decision*	
Final Plat	Decision			
Site Plan Review:				
Minor	Decision			
Major	Recommend		Decision	
Special Use Permit	Recommend		Recommend*	Decision*
Zoning Map Amendment	Recommend		Recommend*	Decision*
Planned Development (PD)	Recommend		Recommend*	Decision*
Planned Industrial Development (PID)	Recommend		Recommend*	Decision*
Planned Neighborhood Development (PND)	Recommend		Recommend*	Decision*
Text Amendment	Recommend			Decision*
Development Agreement	Recommend			Decision*

* Public Hearing Required

Sec. 12.2 Procedures

12.2.1 Common Review Procedures

A. General

The following requirements are common to many of the following procedures, and apply to applications submitted under this Article. Additional details may be included in the specific procedure.

B. Pre-Application Conference

1. Optional

Before submitting an application for development approval, an applicant may schedule a pre-application conference with the Administrator to discuss the procedures, standards and regulations required for approval. A pre-application conference is optional, except for the procedures listed below.

2. Mandatory

Before submitting an application for the following types of review, an applicant must schedule a pre-application conference with the Administrator to discuss the procedures, standards and regulations required for approval in accordance with this Article.

- a. Major Subdivision;
- b. Major Site Plan Review;
- c. Special Use Permit;
- d. Zoning Map Amendment;
- e. Planned Development (PD);
- f. Planned Industrial Development (PID);
- g. Planned Neighborhood Development (PND); and
- h. Text Amendment.

C. Application

1. Initiation

Parties allowed to file an application are summarized below. More detailed information may be included with each specific procedure.

APPLICATION AUTHORITY	Owner or Agent	Planning Commission	[<i>Governing Body</i>]
Zoning Permit	■		
Administrative Adjustment	■		
Variance	■		
Appeal of Administrative Decision	■		
Subdivision:			
Minor Plat	■		
Major Subdivision Preliminary Plat	■		
Final Plat	■		
Site Plan Review:			
Minor	■		
Major	■		
Special Use Permit	■		
Zoning Map Amendment	■	■	■
Planned Development (PD)	■		■
Planned Industrial Development (PID)	■		■
Planned Neighborhood Development (PND)	■		■
Text Amendment	■	■	■

2. Application Forms

Applications, containing all information requested on the application, must be submitted on forms and in such numbers as required by the Administrator.

3. Fees

Filing fees are established from time to time by the [*Governing Body*] in an ordinance or resolution designed to defray the cost of processing the application. Prior to review of an application, all associated fees must be paid in full. Where the [*Governing Body*], Board of Adjustment or Planning Commission initiates an application, no fees shall be required.

4. Complete Applications

- a. All applications shall be complete and sufficient for processing before the Administrator is required to review the application.
- b. An application is complete when it contains all of the information necessary to decide whether or not the development as proposed will comply with all of the requirements of this zoning code.
- c. The presumption is that all of the information required in the application forms is necessary to satisfy the requirements of this zoning code. However, it is recognized that each application is unique, and more or less information may be required according to the needs of the particular case. The applicant may rely on the determination of the Administrator as to whether more or less information may be submitted.

5. Concurrent Applications

- a. Applications may be filed and reviewed concurrently, at the option of the applicant.
- b. Any application that also requires a variance shall not be eligible for final approval until the variance has been granted.
- c. Applications submitted concurrently are subject to approval of all other related applications; denial of any concurrently submitted application shall stop consideration of any related applications until the denied application is resolved.

6. Modification of Application

An application may be modified at the applicant's request following approval of the Administrator. Any modification after a hearing but prior to a final decision shall require a new hearing and associated notice.

D. Public Notice and Hearings

1. Public Notice Required

Required public notices are summarized below. More detailed information may be included with each specific procedure.

PUBLIC NOTICE REQUIREMENTS	Written Notice	Posted Notice of Public Hearing	Published Notice of Public Hearing
Variance	■	■	
Appeal of Administrative Decision	■	■	
Subdivision:			
Minor Plat	■		■
Major Subdivision Preliminary Plat	■		■
Final Plat	■		■
Special Use Permit	■	■	■
Zoning Map Amendment	■	■	■
Planned Development (PD)	■	■	■
Planned Industrial Development (PID)	■	■	■
Planned Neighborhood Development (PND)	■	■	■
Text Amendment			■
Preliminary Plat		■	■

2. Written Notice of Public Hearing

At least 10 days prior to the hearing, a good faith attempt to notify the owner of record of all adjacent property shall be made by sending an official notice by regular U.S. mail of the time, place and subject matter of the hearing. Where more than 10 parcels are to be initially zoned or rezoned, no written notice is required.

3. Posted Notice of Public Hearing

Notice shall be posted for at least 15 days prior to the hearing. A posted notice shall be in number, size, location and content as prescribed by the Administrator and shall indicate the time and place of the public hearing and any other information prescribed by the Administrator.

Posted notices shall be removed by the applicant from the subject area within 15 days after the public hearing has been held.

4. Published Notice of Public Hearing

Notice of the time and place of a public hearing shall be published once a week in three different weeks in the official journal, if designated, or a newspaper of general circulation in the area. The first notice shall be published at least 15 days prior to the hearing.

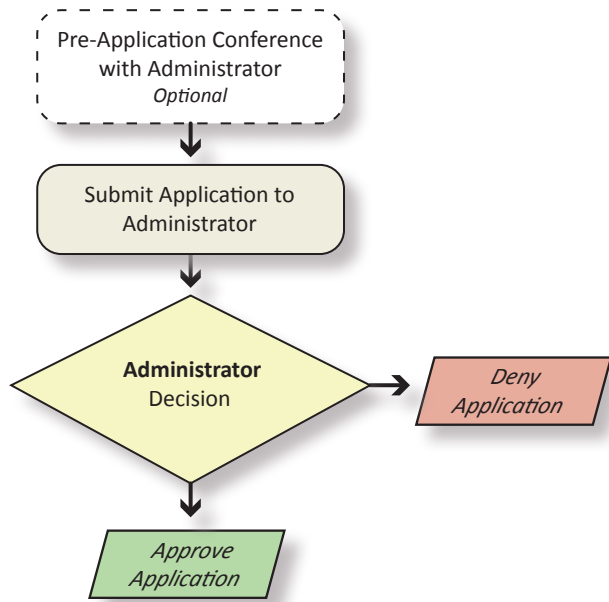
5. Notice to Military Installations

- a. When considering any action to be taken on an application for a zoning request or variance affecting property within 3,000 feet of the boundary of a military installation, notification to the commander of the installation shall be provided at least thirty days in advance of taking such action.
- b. As used here, "military installation" shall include any base, military airport, camp, post, station, yard, center, home port facility for a ship, or any other military activity center that is under the jurisdiction of the United States Department of Defense.

6. Specific Notice Requirements for Preliminary Plats

- a. Notice of the time and place of the public hearing shall be sent to the applicant by certified mail not less than five days before the date of the hearing.
- b. The Planning Commission shall give notice of preliminary plat hearings, including the purpose, time, and place, by at least one publication in a newspaper of general circulation in the area surrounding the proposed subdivision, not less than five days prior to the hearing date.

12.2.2 Zoning Permit



A. When Required

1. A zoning permit is required for the following:
 - a. Change in use.
 - b. Building permits that do not require site plan review.
 - c. Temporary uses.
 - d. Sign permits.
2. It shall be unlawful to begin moving, constructing, altering or repairing (except ordinary repairs) any building or other structure on a site, including an accessory structure, until a zoning permit has been issued.
3. It shall be unlawful to change the use of land or the occupancy of any building until a zoning permit has been issued for the intended use.
4. No certificate of occupancy may be issued without a properly issued zoning permit.

B. Application and Fees

1. A pre-application conference is optional.
2. All applications for zoning permit review shall be filed in writing with the Administrator. See [12.2.1, Common Review Procedures](#).
3. Application shall be made prior to or concurrent with the application for a building permit.

C. Decision by Administrator

1. The Administrator may refer the application to other affected or interested agencies for review and comment.
2. In deciding to approve, approve with conditions or deny the proposed zoning permit, the Administrator shall consider relevant comments of all interested parties and the review criteria below.
3. The decision of the Administrator must be consistent with prior decisions.
4. The Administrator may attach any condition to the permit necessary to ensure compliance with the standards of this zoning code.

D. Review Criteria

The Administrator shall consider the following criteria in approving or denying a zoning permit:

1. The proposed development is consistent with the pertinent elements of the [*Jurisdiction*] comprehensive plan and any other adopted plans;
2. The proposed development meets the requirements of this zoning code; and
3. The proposed development is in compliance with any prior approvals.

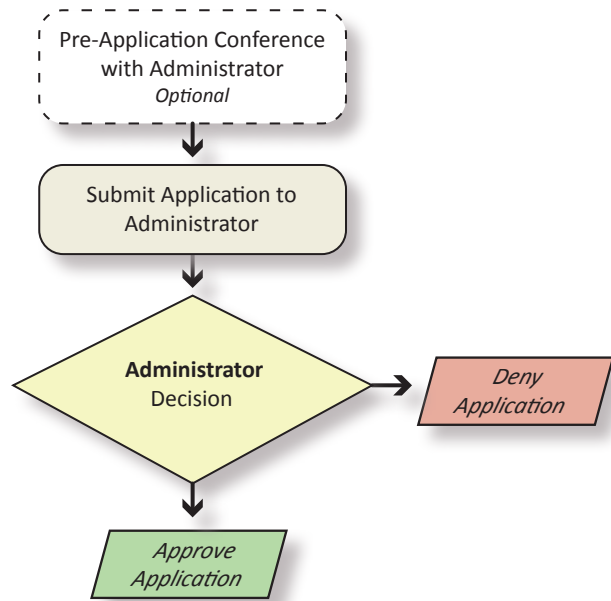
E. Appeal

A final decision by the Administrator on a zoning permit may be appealed to the Board of Adjustment. See [12.2.5, Appeal of Administrative Decision](#).

F. Expiration

A zoning permit expires after six months if a building permit application has not been filed.

12.2.3 Administrative Adjustment



A. When Allowed

The administrative adjustment procedure allows the Administrator to approve modest variations from the standards of this zoning code. Administrative adjustment is allowed for the following:

1. Reduction of any required setback by up to 15 percent.
2. Increase or reduce any build-to area by up to 10 percent.
3. Reduce the percent of lot width or depth that the building facade must occupy by up to five percent.
4. Increase in the maximum height of any building by the lesser of five feet or five percent.
5. An increase in lot coverage by no more than five percent.
6. Any other administrative adjustment authorized by a specific section of this zoning code.

B. Application and Fees

1. A pre-application conference is optional.
2. All applications for an administrative adjustment shall be filed in writing with the Administrator. See [12.2.1, Common Review Procedures](#).

C. Decision by Administrator

1. The Administrator may refer the application to other affected or interested agencies for review and comment.
2. In deciding to approve, approve with conditions or deny the proposed administrative adjustment, the Administrator shall consider relevant comments of all interested parties.
3. The Administrator may attach any condition to the adjustment necessary to protect the health, safety and welfare of **[Jurisdiction]** and minimize adverse impacts on adjacent properties.

D. Review Criteria

The Administrator shall consider the following criteria in approving or denying an administrative adjustment:

1. The proposed adjustment is consistent with the pertinent elements of the **[Jurisdiction]** comprehensive plan and any other adopted plans;
2. The proposed development meets the requirements of this zoning code;
3. The proposed development is in compliance with any prior approvals.

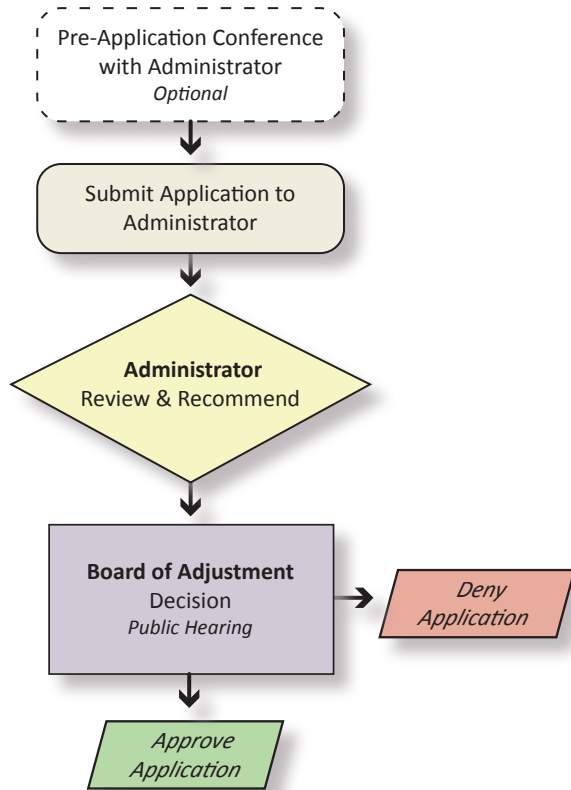
E. Appeal

A final decision by the Administrator on an administrative adjustment may be appealed to the Board of Adjustment. See [12.2.5, Appeal of Administrative Decision](#)

F. Expiration

An administrative adjustment expires after six months if a building permit application has not been filed.

12.2.4 Variance



A. When Allowed

The Board of Adjustment shall have the authority to authorize such variances from the terms of this zoning code, subject to terms and conditions fixed by the Board, as will not be contrary to the public interest where, owing to exceptional and extraordinary circumstances, literal enforcement of the provisions of this zoning code will result in practical difficulties or unnecessary hardship.

B. Application and Fees

1. No pre-application conference is necessary.
2. All applications for administrative review shall be filed in writing with the Administrator. See [12.2.1, Common Review Procedures](#).

C. Review by Administrator

The Administrator may refer the application to other affected or interested agencies for review and comment.

D. Public Hearing and Decision by Board of Adjustment

1. Following notice and a public hearing as required in [12.2.1, Common Review Procedures](#), the Board of Adjustment shall approve, approve with conditions or deny the variance request based on the recommendation of the Administrator and the review criteria below.
2. The Board of Adjustment may attach any condition to the permit necessary to protect the health, safety and welfare of the community and minimize adverse impacts on adjacent properties.

E. Review Criteria

No variance shall be authorized unless the Board of Adjustment finds that all of the following conditions exist:

1. That the variance will not authorize a use other than those uses allowed in the district;
2. That, due to exceptional and extraordinary circumstances, literal enforcement of the provisions of this zoning code will result in practical difficulties or unnecessary hardship;
3. That the exceptional and extraordinary circumstances were not created by the owner of the property or the applicant and are not due to or the result of general conditions in the district in which the property is located;
4. That the practical difficulties or unnecessary hardship are not solely financial;
5. That the variance will not substantially or permanently injure the allowed uses of adjacent conforming property;
6. That the variance will not adversely affect the public health, safety or welfare; and
7. That the applicant has adequately addressed any concerns raised by the Administrator.

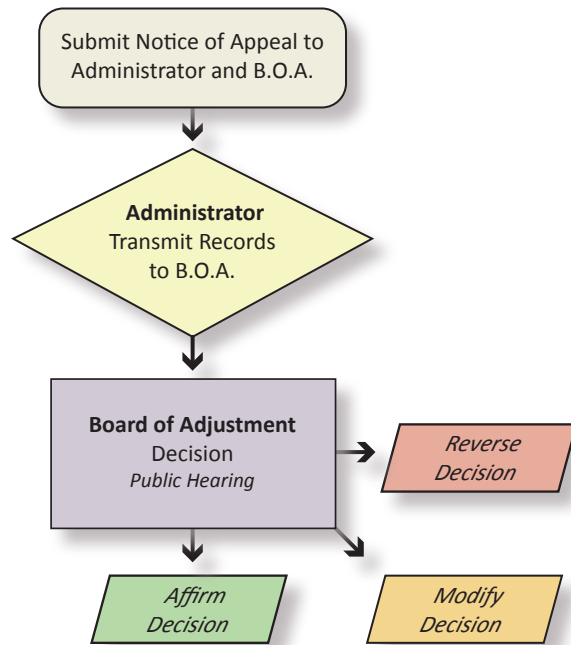
F. Appeal

A final decision by the Board of Adjustment on a variance may be appealed to District Court.

G. Expiration

A variance runs with the land and does not expire unless an expiration date is assigned as a condition by the Board of Adjustment.

12.2.5 Appeal of Administrative Decision



A. When Allowed

Appeals to the Board of Adjustment may be taken by any person aggrieved or by any officer, department, administrative board, or bureau of the [Jurisdiction] affected by any decision of the Administrator. Appeals shall be taken within 30 days of the decision.

B. Application and Fees

1. No pre-application conference is necessary.
2. An application and notice of appeal for administrative review shall be filed in writing with the Administrator and with the board of adjustment. See [12.2.1, Common Review Procedures](#).
3. The appellant shall provide a written notice of appeal citing the decision that is being appealed, and any reasons why the appeal should be granted.

C. Action by Administrator

The Administrator shall transmit to the Board all the papers constituting the record upon which the action appealed from was taken, after all transcript costs and all other costs of appeal are paid by the person or entity taking the appeal.

D. Stay of Proceedings

An appeal stays all proceedings in furtherance of the action appealed from, unless the Administrator certifies to the Board of Adjustment after the notice of appeal has been filed that, by reason of facts stated in the certificate, a stay would, in the Administrator's opinion, cause imminent peril of life or property. In such case proceedings shall not be stayed except by a restraining order that may be granted by the Board of Adjustment or by a court of record on application or notice to the Administrator and on due cause shown.

E. Public Hearing and Decision by Board of Adjustment

1. Following notice and a public hearing as required in [12.2.1, Common Review Procedures](#), the Board of Adjustment shall hear and decide appeals where it is alleged there is error in any order, requirement, decision, or determination made by the Administrator.
2. The Board may reverse or affirm, wholly or partly, or may modify the order, requirement, decision or determination appealed from and may make such order, requirement, decision or determination as ought to be made, and to that end shall have the powers of the Administrator.
3. Any party may appear at the hearing in person or by agent or by attorney.

F. Testimony and Evidence

The Board of Adjustment shall limit testimony and other evidence to that contained in the record at the time the Administrator took final action.

G. Review Criteria

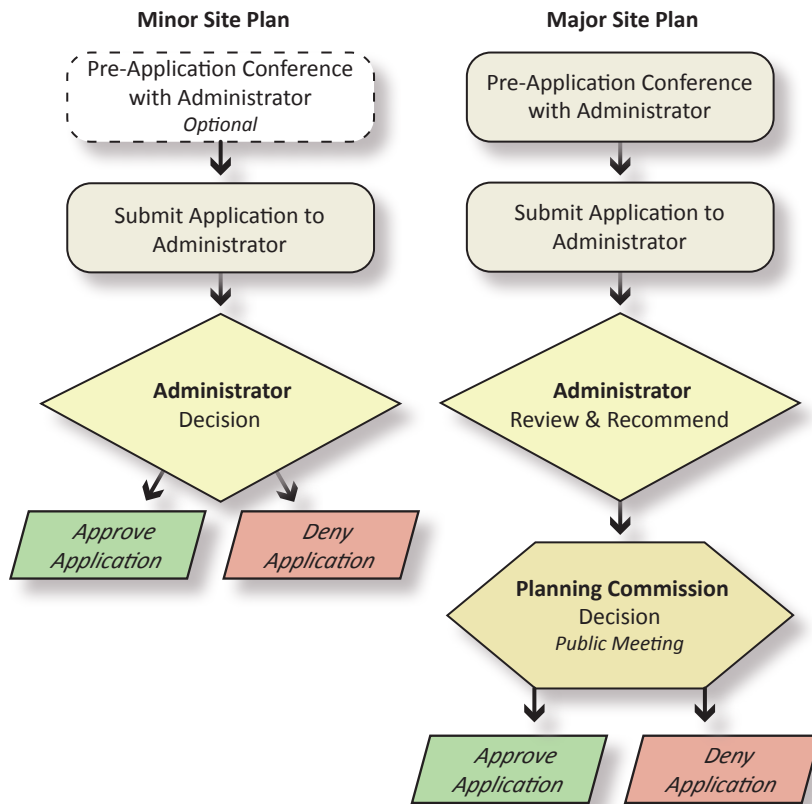
The Board of Adjustment shall consider the following criteria in deciding an appeal:

1. Whether the decision by the Administrator was in accordance with the intent and requirements of this zoning code.
2. Whether the Administrator made erroneous findings based on the evidence and testimony on the record, or failed to fully consider mitigating measures or revisions offered by the applicant that would have brought the proposed project into compliance; or
3. Whether the Administrator acted arbitrarily or capriciously.

H. Appeal

A final decision by the Board of Adjustment on an administrative appeal may be appealed to District Court.

12.2.6 Site Plan Review



A. When Required

1. Major Site Plan

Major site plan review by the Planning Commission is required for:

- a. Construction of 10 or more residential units on a platted lot of record.
- b. Construction or expansion of 5,000 or more square feet of Row House, Apartment, Mixed Use, or Industrial building types.

2. Minor Site Plan

Minor site plan review by the Administrator is required for:

- a. Construction or expansion of up to 5,000 square feet of Row House, Apartment, Mixed Use, or Industrial building types.
- b. Construction of more than two, but less than 10, residential units on a platted lot of record.
- c. Creation of more than 1,000 square feet of additional impervious surface (paving).
- d. Construction of accessory structures in nonresidential districts.

3. No Site Plan Required

No site plan review is required for the following:

- a. Construction or expansion of one or two units in a single structure on a platted lot of record.
- b. Creation of up to 1,000 square feet of additional impervious surface (paving).
- c. Construction of accessory structures in residential districts.

B. Application and Fees

1. A pre-application conference is optional for a minor site plan and mandatory for a major site plan.
2. All applications for site plan review shall be filed in writing with the Administrator. See [12.2.1, Common Review Procedures](#).

C. Review by Administrator

1. The Administrator may refer the application to other affected or interested agencies for review and comment.
2. The Administrator shall provide notice as set out in [12.2.1, Common Review Procedures](#).
3. The Administrator shall recommend approval, approval with conditions, or denial of a Major Site Plan.

D. Minor Site Plan Decision by Administrator

1. In deciding to approve, approve with conditions or deny the proposed site plan, the Administrator shall consider relevant comments of all interested parties and the review criteria below.

2. The Administrator may attach any condition to the site plan necessary to ensure the site plan meets the requirements of the zoning code.

F. Major Site Plan Decision by Planning Commission

1. The Planning Commission shall approve or deny the major site plan.
2. In deciding, the Planning Commission shall consider the recommendation of the Administrator, relevant comments of all interested parties and the review criteria below.
3. The Planning Commission may attach any condition to the site plan necessary to ensure the site plan meets the requirements of the zoning code.

F. Review Criteria

The Administrator and Planning Commission shall consider the following criteria in approving or denying a site plan:

1. The proposed development is consistent with the pertinent elements of the *[Jurisdiction]* comprehensive plan and any other adopted plans.
2. The proposed development meets the requirements of this zoning code;
3. The site plan demonstrates compliance with any prior approvals.

G. Building Permit

No building permit shall be issued for development requiring a site plan until the site plan has been approved.

H. Dedication and Improvements

1. In developing property requiring a site plan under this zoning code, the applicant must dedicate any additional right-of-way necessary to the width required by *[Jurisdiction]* for streets adjoining the property, install curbs and gutters and pave all streets adjoining the property, and install sidewalks and street trees, all based on the *[Subdivision Standards applicable in the Jurisdiction]*.
2. The applicant shall bear the costs of installation of any on-site or off-site improvements required by this zoning code, including provisions for stormwater management, paving and utilities.

I. Improvement Guarantee

1. Prior to the approval of any site plan, the applicant shall submit a cost estimate and time schedule for installation of each phase of site improvements.
2. A bond shall be required guaranteeing all on-site and off-site improvements. The bond shall be in an amount equal to 125 percent of the improvement cost estimate, and in a form approved by the *[Jurisdiction]* attorney.
3. As each phase of improvements is installed and inspected by *[Jurisdiction]*, the bond may be reduced by the cost of the installed improvements.

J. Modification of Approved Site Plan

The Administrator is authorized to approve minor modifications to an approved site plan. All modifications not listed as minor below shall be considered by the body that approved original site plan. The following modifications shall be considered minor:

1. Up to a 10 percent increase or any decrease in gross floor area of a single building;
2. Up to a 10 percent reduction or any increase in the approved setbacks from exterior property lines; and
3. Relocation of parking areas, internal streets or structures where such relocation occurs more than 100 feet from exterior property lines.

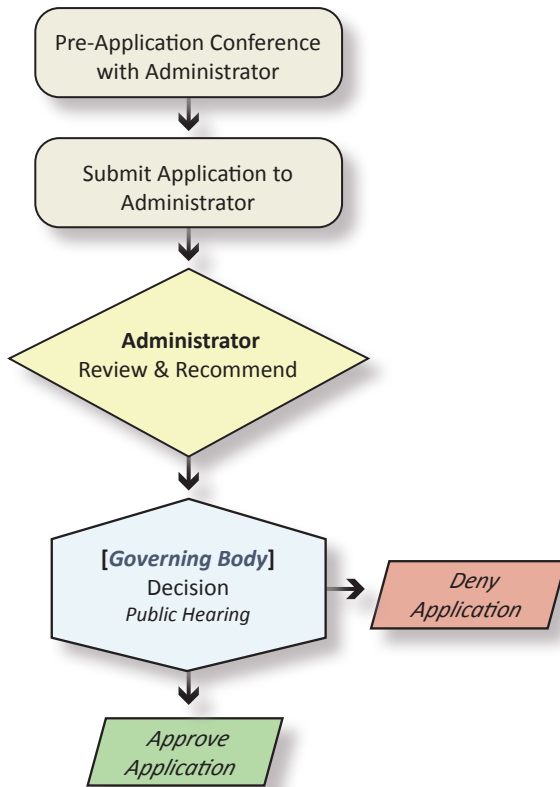
K. Appeal

1. A final decision by the Administrator on a minor site plan may be appealed to the Board of Adjustment. See [12.2.5, Appeal of Administrative Decision](#).
2. A final decision by the Planning Commission on a major site plan may be appealed to District Court.

L. Expiration

A site plan expires after one year if a building permit application has not been filed.

12.2.7 Special Use Permit



A. When Required

A special use permit is required for any use or building type identified with a hollow box on any applicable building type or permitted use table.

B. Application and Fees

1. A pre-application conference with the Administrator is required.
2. All applications for a special use permit shall be filed in writing with the Administrator. See [12.2.1, Common Review Procedures](#).

C. Review by Administrator

1. The Administrator may refer the application to other affected or interested agencies for review and comment.
2. The Administrator shall provide notice as set out in [12.2.1, Common Review Procedures](#).
3. The Administrator shall recommend approval, approval with conditions, or denial of the Special Use Permit.

D. Public Hearing and Decision by [Governing Body]

1. Following notice and a public hearing as required in [12.2.1, Common Review Procedures](#), the [Governing Body] shall approve, approve with conditions or deny the special use permit.
2. In deciding, the [Governing Body] shall consider the recommendation of the Administrator, relevant comments of all interested parties and the review criteria below.
3. The [Governing Body] may attach any condition to the site plan necessary to protect the health, safety and welfare of [Jurisdiction] and minimize adverse impacts on adjacent properties. Such conditions may include, but are not limited to: additional screening or buffering, or limitation in scale, intensity or hours of operation.

E. Review Criteria

The [Governing Body] shall consider the following criteria in approving or denying a special use permit:

1. The proposed special use permit is consistent with the pertinent elements of the [Jurisdiction] comprehensive plan and any other adopted plans;
2. The proposed development meets the requirements of this zoning code;
3. The proposed special use permit will reinforce the existing or planned character of the neighborhood;

4. The special use permit complies with any specific use standards or limitations in [Article 10](#). Use Provisions; and
5. The special use permit will not substantially or permanently injure the appropriate use of adjacent conforming properties.

F. Effect of Denial

The denial of a special use permit application shall ban the subsequent application for the same or similar use for a period of 12 months.

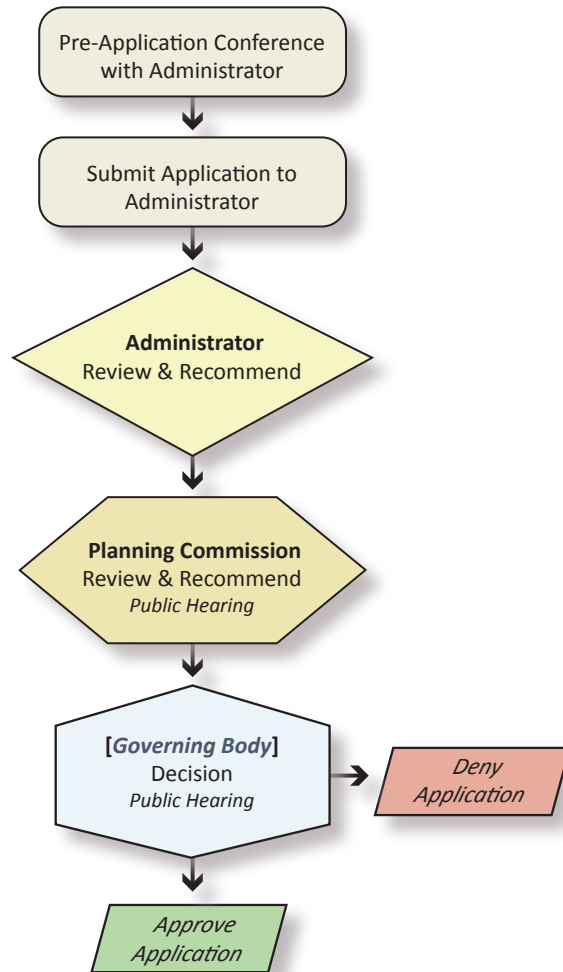
G. Expiration

A special use permit shall expire after one year if a building permit application has not been filed. Once the use is constructed, the special use permit runs with the land and does not expire.

H. Revocation of Special Use Permit

If any conditions of a special use permit or other requirements of this zoning code are violated, the special use permit may be revoked by the *[Governing Body]*.

12.2.8 Zoning Map Amendment



A. When Allowed

The boundaries of zoning districts as shown on the zoning map may, from time to time, be amended or modified, as determined by the **[Governing Body]**.

B. Application and Fees

1. A pre-application conference with the Administrator is required.
2. All applications for a zoning map amendment shall be filed in writing with the Administrator. See [12.2.1, Common Review Procedures](#).

C. Review by Administrator

1. The Administrator may refer the application to other affected or interested agencies for review and comment.
2. The Administrator shall provide notice as set out in [12.2.1, Common Review Procedures](#).
3. The Administrator shall recommend approval, or denial of the zoning map amendment.

D. Review by Planning Commission

1. Following notice and a public hearing as required in [12.2.1, Common Review Procedures](#), the Planning Commission shall recommend approval or denial of the zoning map amendment.
2. In recommending, the Planning Commission shall consider the recommendation of the Administrator, relevant comments of all interested parties and the review criteria below.

E. Public Hearing and Decision by **[Governing Body]**

1. Following notice and a public hearing as required in [12.2.1, Common Review Procedures](#), the **[Governing Body]** shall approve or deny the zoning map amendment.
2. In deciding, the **[Governing Body]** shall consider the recommendations of the Administrator and Planning Commission, relevant comments of all interested parties and the review criteria below.
3. In case of a protest duly signed and acknowledged by the owners of 20 percent or more either of the areas of land (exclusive of streets and alleys) included in a proposed change or within an area determined by lines drawn parallel to and two hundred feet distant from the boundaries of the district proposed to be changed, the amendment shall not

become effective except by the favorable vote of a majority of the members of the entire [*Governing Body*].

F. Review Criteria

The [*Governing Body*] shall consider the following criteria in approving or denying a zoning map amendment:

1. The proposed zoning map amendment is consistent with the pertinent elements of the [*Jurisdiction*] comprehensive plan and any other adopted plans;
2. The proposed zoning map amendment is consistent with the areas designated context;
3. The proposed zoning map amendment will reinforce the existing or planned character of the neighborhood;
4. The site is appropriate for the development allowed in the proposed district;
5. There are substantial reasons why the property cannot be used according to the existing zoning;
6. Public facilities and services including but not limited to schools, roads, recreation facilities, wastewater treatment, water supply and stormwater facilities, police, fire and emergency medical services are adequate for the development allowed in the proposed district; and
7. The zoning map amendment will not substantially or permanently injure the appropriate use of adjacent conforming properties.

G. Effect of Denial

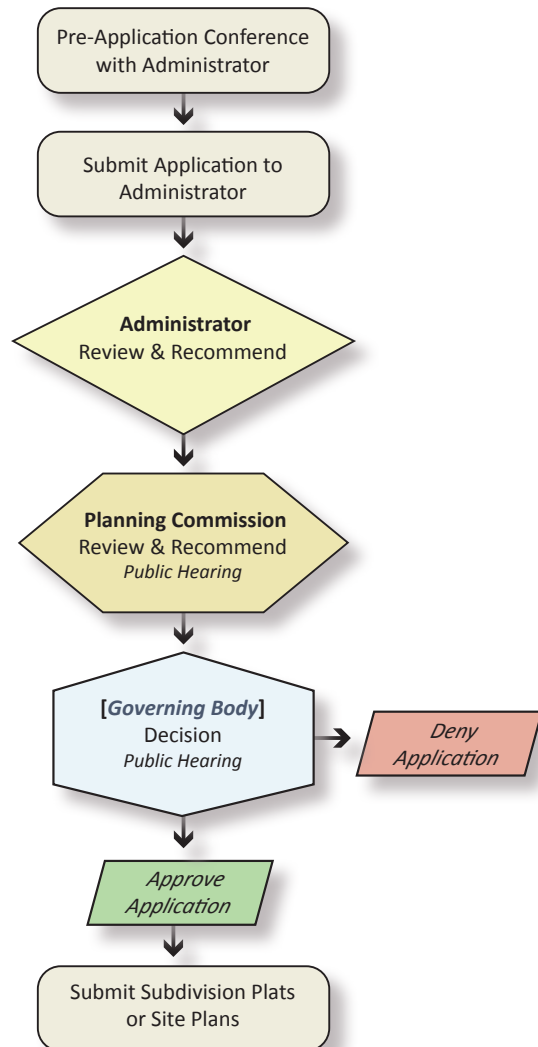
The denial of a zoning map amendment application shall ban the subsequent application for the same or similar district for a period of 12 months.

H. Expiration

A zoning map amendment does not expire.

12.2.9 Planned Development (PD)

A Planned Development is a zoning district that allows for deviation from the standards of this zoning code in exchange for higher quality development.



A. Components of PD Approval

A PD approval consists of two separate steps:

1. Approval of a rezoning and concept plan by the **[Governing Body]**; and
2. Approval of subsequent subdivision plats and site plans consistent with the PD concept plan.

B. When Allowed

1. A PD is intended for projects that demonstrate a higher quality of site design that is more sensitive to the existing context, both built and natural, than is possible under other available zoning districts.
2. A PD is allowed in the Rural, Suburban, Urban and Center contexts only.

C. Application and Fees

1. A pre-application conference with the Administrator is required.
2. All applications for a PD shall be filed in writing with the Administrator. See [12.2.1, Common Review Procedures](#).
3. The application shall include the following additional materials:
 - a. A narrative explaining and tabulating the land uses by net acre, number of dwelling units by housing type, residential density and square footage of non-residential uses per net acre, open space acreage, the relationship of the proposed development to existing development in the area and other related development features.
 - b. A concept plan establishing the following aspects of the proposed PD:
 - i. The location of all street and alley types, major utilities, access to existing streets, and conceptual drainage plan;
 - ii. The perimeter and block face length of all blocks;
 - iii. The layout and size of all lots with anticipated land use and building types; and
 - iv. The location and type of any open space.
 - c. A specific list of all requested deviations from the provisions of this zoning code.

4. The applicant may provide concurrent applications for site plan or subdivision review.

D. Rezoning and Concept Plan Review by Administrator

1. The Administrator may refer the application to other affected or interested agencies for review and comment.
2. The Administrator shall provide notice as set out in [12.2.1, Common Review Procedures](#).
3. The Administrator shall recommend approval, approval with conditions, or denial of the PD rezoning and concept plan.

E. Rezoning and Concept Plan Review by Planning Commission

1. Following notice and a public hearing as required in [12.2.1, Common Review Procedures](#), the Planning Commission shall recommend approval approval with conditions, or denial of the PD rezoning and concept plan.
2. In recommending, the Planning Commission shall consider the recommendation of the Administrator, relevant comments of all interested parties and the review criteria below.

F. Public Hearing and Decision by *[Governing Body]*

1. Following notice and a public hearing as required in [12.2.1, Common Review Procedures](#), the *[Governing Body]* shall approve, approve with conditions, or deny the PD rezoning and concept plan.
2. In deciding, the *[Governing Body]* shall consider the recommendations of the Administrator and Planning Commission, relevant comments of all interested parties and the review criteria below.
3. In case of a protest duly signed and acknowledged by the owners of 20 percent or more either of the areas of land (exclusive of streets and alleys) included in a proposed change or within an area determined by lines drawn parallel to and two hundred feet distant from the boundaries of the district proposed to be changed, the amendment shall not become effective except by the favorable vote of a majority of the members of the entire *[Governing Body]*.

G. Review Criteria

The *[Governing Body]* shall consider the following criteria in approving or denying a PD rezoning and concept plan:

1. The proposed PD is consistent with the pertinent elements of the *[Jurisdiction]* comprehensive plan and any other adopted plans;
2. The proposed PD is consistent with the standards and uses of the context area within which it is located.
3. The proposed PD meets the requirements of this zoning code;
4. The proposed PD will reinforce the existing or planned character of the neighborhood;
5. The site is appropriate for the development allowed in the proposed PD;
6. The PD demonstrates a higher quality of site design that is more sensitive to the existing context, both built and natural, than is possible under other available zoning districts.
7. Public facilities and services including but not limited to schools, roads, recreation facilities, wastewater treatment, water supply and stormwater facilities are adequate for the development allowed in the proposed PD; and
8. The PD will not substantially or permanently injure the appropriate use of adjacent conforming properties.

H. Allowed Deviations

Unless otherwise expressly approved by the *[Governing Body]* as part of the approved rezoning and concept plan, all planned developments shall be subject to all applicable standards of this zoning code. In order to approve modifications of otherwise applicable standards, the *[Governing Body]* must find that:

1. Requested deviations from applicable building type standards, permitted uses, or other development standards that otherwise would apply are justified by the compensating benefits of the planned development; and
2. The requested deviations do not detract from the established character or form of any surrounding conforming properties.

I. Action Following Approval

Approval of a PD rezoning and concept authorizes the submission of subdivision plats and site plans consistent with the PD approval.

J. Modification of Adopted Concept Plan

The Administrator is authorized to approve minor modifications to an approved concept plan. All modifications not listed as minor below shall be considered by the **[Governing Body]** consistent with the original approval of the PD. The following modifications shall be considered minor:

1. Up to a 10 percent increase or any decrease in gross floor area of a single building.
2. Up to a 10 percent reduction or any increase in the approved setbacks from exterior property lines.
3. Relocation of parking areas, internal streets or structures where such relocation occurs more than 100 feet from exterior property lines.

K. Effect of Denial

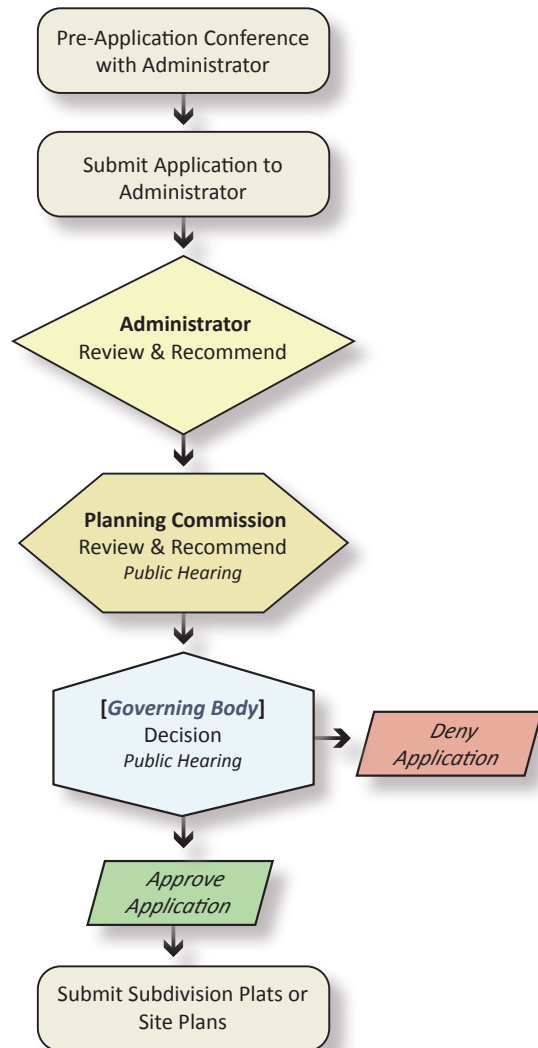
The denial of a PD application shall ban the subsequent application for the same or similar use for a period of 12 months.

L. Expiration

A PD rezoning does not expire. A PD concept plan expires after two years if no preliminary plat, site plan or building permit has been filed. A two year extension may be granted by the **[Governing Body]**.

12.2.10 Planned Industrial Development (PID)

A Planned Industrial Development is a zoning district that is permitted within the Special context consistent with the standards of [Article 8. Special](#). The district allows flexibility in site design and building type standards approved by the [\[Governing Body\]](#).



A. Components of a PID

A PID approval consists of two separate steps:

1. Approval of a rezoning and concept plan, by the [\[Governing Body\]](#); and
2. The subsequent approval of a preliminary subdivision plat or site plan consistent with the PID concept plan by the Planning Commission.

B. When Allowed

1. A PID is intended for industrial projects that demonstrate a higher quality of site design that is more sensitive to the surrounding land uses, both built and natural, than is possible under other available zoning districts.
2. A PID is only allowed in the Special Context provided it meets the requirements of [8.3.1, Planned Industrial Development](#).

C. Application and Fees

1. A pre-application conference with the Administrator is required.
2. All applications for a PID shall be filed in writing with the Administrator. See [12.2.1, Common Review Procedures](#).
3. The application shall include the following additional materials:
 - a. A narrative explaining in detail the uses that will occur on the site, the square footage of structures and uses, open space acreage, the relationship of the proposed development to surrounding land uses in the area and other related development features;
 - b. Concept plan schematically showing all streets, utilities, land uses, access to existing streets, major open space and a conceptual drainage plan; and
 - c. A specific list of all requested deviations from the provisions of this zoning code.
4. The applicant may provide concurrent applications for site plan or subdivision review.

D. Rezoning and Concept Plan Review by Administrator

1. The Administrator may refer the application to other affected or interested agencies for review and comment.
2. The Administrator shall provide notice of the public hearing before the Planning Commission as set out in [12.2.1, Common Review Procedures](#).

3. The Administrator shall recommend approval, approval with conditions, or denial of the PID rezoning and concept plan.

E. Rezoning and Concept Plan Review by Planning Commission

1. Following notice and a public hearing as required in [12.2.1, Common Review Procedures](#), the Planning Commission shall recommend approval, approval with conditions, or denial of the PID rezoning and concept plan.
2. In recommending, the Planning Commission shall consider the recommendation of the Administrator, relevant comments of all interested parties and the review criteria below.

F. Public Hearing and Decision by the [Governing Body]

1. Following notice and a public hearing as required in [12.2.1, Common Review Procedures](#), the [Governing Body] shall approve, approve with conditions, or deny the PID rezoning and concept plan.
2. In deciding, the [Governing Body] shall consider the recommendations of the Administrator and Planning Commission, relevant comments of all interested parties and the review criteria below.
3. In case of a protest duly signed and acknowledged by the owners of 20 percent or more either of the areas of land (exclusive of streets and alleys) included in a proposed change or within an area determined by lines drawn parallel to and two hundred feet distant from the boundaries of the district proposed to be changed, the amendment shall not become effective except by the favorable vote of a majority of the members of the entire [Governing Body].

G. Review Criteria

The Planning Commission and the [Governing Body] shall consider the following criteria in approving, approving with conditions, or denying a PID rezoning and concept plan:

1. The proposed PID is consistent with the pertinent elements of the [Jurisdiction] Comprehensive Plan and any other adopted plans;
2. The proposed development meets the requirements of this zoning code or is granted a specific deviation by the [Governing Body];
3. The proposed PID will reinforce the existing or planned character of the area;

4. The site is appropriate for the uses and site design allowed in the proposed PID concept plan;
5. The PID demonstrates a higher quality of site design that is more sensitive to the surrounding lands, both built and natural, than is possible under other available zoning districts;
6. Public facilities and services including but not limited to schools, roads, recreation facilities, wastewater treatment, water supply and stormwater facilities are adequate and will not be detrimentally impacted by the development or uses in the proposed PID; and
7. The PID will not substantially or permanently injure the appropriate use of adjacent properties.

H. Action Following Approval

Approval of a PID rezoning and concept authorizes the submission of subdivision plats and site plans consistent with the PID approval.

I. Modification of Adopted Concept Plan

The Administrator is authorized to approve minor modifications to an approved concept plan. All modifications not listed as minor below shall be considered by the [Governing Body] consistent with the original approval of the PID. The following modifications shall be considered minor:

1. Up to a 10 percent increase or any decrease in gross floor area of a single building;
2. Up to a 10 percent reduction or any increase in the approved setbacks from exterior property lines; and
3. Relocation of parking areas, internal streets or structures where such relocation occurs more than 100 feet from exterior property lines.

J. Effect of Denial

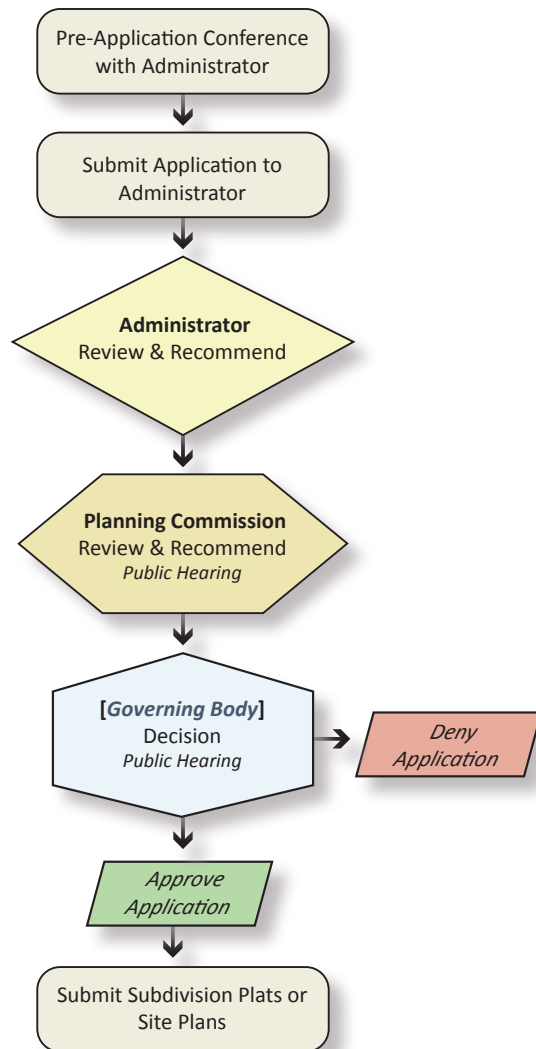
The denial of a PID application shall ban the subsequent application for the same or similar district for a period of 12 months.

K. Expiration

A PID rezoning does not expire. A PID concept plan expires after two years if no preliminary plat, site plan or building permit has been filed. A two year extension may be granted by the [Governing Body].

12.2.11 Planned Neighborhood Development (PND)

A Planned Neighborhood Development (PND) is a process to apply multiple context areas and zoning districts to a tract of land with the purpose of building complete neighborhoods. Rather than rezoning a tract of land in individual applications, a package of context areas and zoning districts available under this zoning code may be applied to a tract of land and certain deviations from this zoning code may be granted by the *[Governing Body]* in an approved concept plan.



A. Purpose of a PND

A PND allows an applicant to build quality neighborhoods that provide a desirable mix of uses and building types, a more connected and walkable development pattern, and reduce the impact on surrounding properties and infrastructure by promoting an alternative to conventional residential development patterns.

B. Components of a PND Approval

A PND approval consists of two separate steps:

1. Approval of a concept plan and rezoning, by the *[Governing Body]*; and
2. The subsequent approval of a preliminary subdivision plat and site plan consistent with the PND concept plan approved by the Planning Commission.

C. When Allowed

1. A PND is allowed on any tract of land that is larger than 20 acres and less than 200 acres. Tracts larger than 200 acres will be required to submit applications for separate planned PNDs.
2. A PND is allowed only in areas designated as Anticipated Growth Sectors and Infill Sectors on the Official Regional Growth Sector Map.

D. Application and Fees

1. A pre-application conference with the Administrator is required.
2. All applications for a PND shall be filed in writing with the Administrator. See [12.2.1, Common Review Procedures](#).
3. The application shall include the following additional materials:
 - a. A narrative explaining and tabulating the land uses by net acre, number of dwelling units by building type, residential density and square footage of non-residential uses per net acre, open space acreage, the relationship of the proposed development to existing development in the area and other related development features.
 - b. A neighborhood concept plan establishing the following aspects of the proposed PND:
 - i. The location of at least three context areas to be applied within the proposed PND;
 - ii. The location of all zoning districts requested to be applied within the proposed PND;

- iii. The location of all street and alley types, major utilities, access to existing streets, and conceptual drainage plan;
 - iv. The perimeter and block face length of all blocks;
 - v. The layout and size of all lots with anticipated land use and building types; and
 - vi. The location and type of any open space.
- c. A specific list of all requested deviations and whether they are classified under this zoning code as:
- i. Administrative adjustment;
 - ii. Variance; or
 - iii. Waiver of a subdivision standard.

Editor's Note: *If only using the Zoning Code module, then review your existing subdivision ordinance to ensure that your ordinance allows for the waiver of certain subdivision requirements. If it does not, then consider either including such a process or removing the subdivision waiver from the PND process.*

4. The applicant may provide concurrent applications for site plan or subdivision review.

E. Rezoning and Concept Plan Review by Administrator

1. The Administrator may refer the application to other affected or interested agencies for review and comment.
2. The Administrator shall provide notice as set out in 12.2.1, Common Review Procedures.
3. The Administrator shall recommend approval, approval with conditions, or denial of the PND rezoning and concept plan.

F. Rezoning and Concept Plan Review by Planning Commission

1. Following notice and a public hearing as required in 12.2.1, Common Review Procedures, the Planning Commission shall recommend approval, approval with conditions, or denial of the PND rezoning and concept plan.

2. In recommending, the Planning Commission shall consider the recommendation of the Administrator, relevant comments of all interested parties and the review criteria below.

G. Public Hearing and Decision by the [Governing Body]

1. Following notice and a public hearing as required in 12.2.1, Common Review Procedures, the [Governing Body] shall approve, approve with conditions, or deny the PND rezoning and concept plan.
2. In deciding, the [Governing Body] shall consider the recommendations of the Administrator and Planning Commission, relevant comments of all interested parties and the review criteria below.
3. In case of a protest duly signed and acknowledged by the owners of 20 percent or more either of the areas of land (exclusive of streets and alleys) included in a proposed change or within an area determined by lines drawn parallel to and two hundred feet distant from the boundaries of the tract proposed to be changed, the amendment shall not become effective except by the favorable vote of a majority of the members of the entire [Governing Body].

H. Review Criteria

The [Governing Body] shall consider the following criteria in approving or denying a PND rezoning and concept plan:

1. The proposed PND is consistent with the pertinent elements of the [Jurisdiction] Comprehensive Plan and any other adopted plans;
2. The proposed PND meets the requirements of this zoning code or is granted a specific deviation consistent with an administrative adjustment, variance, or waiver of subdivision standard by the [Governing Body];
3. The proposed PND contains a neighborhood center with either formalized open space or a vertically mixed use node and an identifiable edge to the neighborhood;
4. The proposed PND contains a mix of uses and a mix of at least four building types;
5. The proposed PND has an average maximum block perimeter of 2,400 feet;

Editor's Note: *If adopting the Subdivision Code module replace paragraph 5 above with "The proposed PND meets the block perimeter standards of [insert citation to Sec. 3.2, Block and Cul-de-sac Standards]."*

6. The proposed PND contains at least three different context areas with no single context occupying more than 70 percent of the PND tract;
7. The tract is appropriate for the development allowed in the proposed PND;
8. The proposed PND will complement and reinforce the existing or planned character of the area;
9. The PND will not substantially or permanently injure the appropriate use of adjacent conforming properties;
10. Public facilities and services including schools, roads, recreation facilities, wastewater treatment, water supply and stormwater facilities are adequate and will not be negatively impacted by the proposed PND;
11. The PND demonstrates a higher quality of site design that is more sensitive to the surrounding lands, both built and natural, than is possible under any single zoning district.

I. Action Following Approval

Approval of a PND neighborhood plan and package rezoning authorizes the submission of subdivision plats consistent with the PND approval.

J. Modification of Adopted Concept Plan

The Administrator is authorized to approve minor modifications to an approved concept plan. All modifications not listed as minor below shall be considered by the **[Governing Body]** consistent with the original approval of the PND. The following modifications shall be considered minor:

1. Up to a 10 percent increase or any decrease in gross floor area of a single building;
2. Up to a 10 percent reduction or any increase in the approved setbacks from exterior property lines; and
3. Relocation of parking areas, internal streets or structures where such relocation occurs more than 100 feet from exterior property lines.

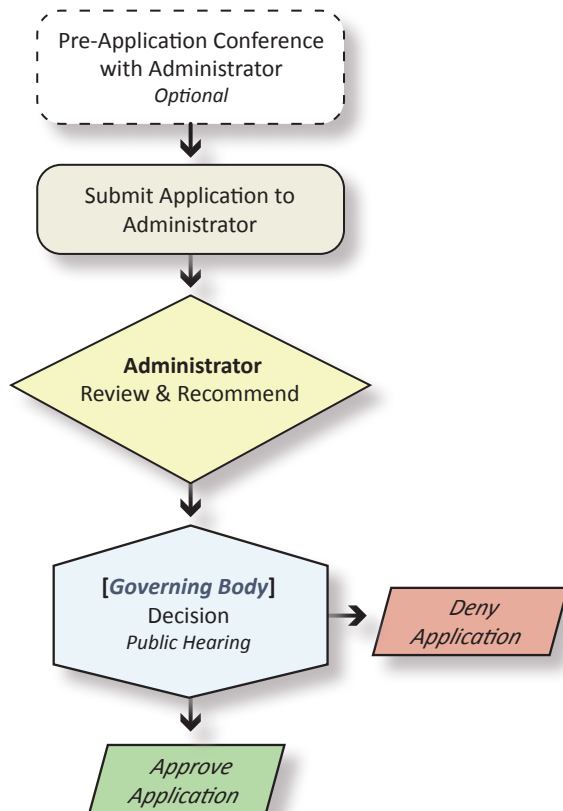
K. Effect of Denial

The denial of a PND application shall ban the subsequent application for the same or similar PND for a period of 12 months.

L. Expiration

A PND rezoning does not expire. A PND concept plan expires after two years if no preliminary plat, site plan or building permit has been filed. A two year extension may be granted by the **[Governing Body]**.

12.2.12 Text Amendment



A. When Allowed

The regulations of this zoning code may, from time to time, be amended, supplemented, changed, modified or repealed, as determined by the **[Governing Body]**.

B. Application and Fees

1. A pre-application conference is optional.
2. All applications for a text amendment shall be filed in writing with the Administrator. See [12.2.1, Common Review Procedures](#).

C. Review by Administrator

1. The Administrator may refer the application to other affected or interested agencies for review and comment.
2. The Administrator shall provide notice as set out in [12.2.1, Common Review Procedures](#).

D. Public Hearing and Decision by **[Governing Body]**

1. Following notice and a public hearing as required in [12.2.1, Common Review Procedures](#), the **[Governing Body]** shall approve or deny the text amendment.
2. In deciding, the **[Governing Body]** shall consider the recommendations of the Administrator, relevant comments of all interested parties and the review criteria below.

E. Review Criteria

The **[Governing Body]** shall consider the following criteria in approving or denying a text amendment:

1. The proposed text amendment is consistent with the pertinent elements of the **[Jurisdiction]** comprehensive plan and any other adopted plans;
2. The extent to which the text amendment is consistent with the remainder of this zoning code;
3. The extent to which the text amendment represents a new idea not considered in the existing code, or represents revisions necessitated by changing conditions over time; whether or not the text amendment corrects an error in this zoning code; and
4. Whether or not the text amendment revises this zoning code to comply with state or federal statutes or case law.

F. Expiration

A text amendment does not expire.

12.2.13 Development Agreements

A. When Allowed

The [*Jurisdiction*] may enter into a development agreement in accordance with this section.

B. Contents

A development agreement shall specify the duration of the agreement, the permitted uses of the property, the density or intensity of use, the maximum height and size of proposed buildings, and provisions for reservation or dedication of land for public purposes. The development agreement may include conditions, terms, restrictions, and requirements for subsequent discretionary actions, provided that such conditions, terms, restrictions, and requirements for subsequent discretionary actions shall not prevent development of the land for the uses and to the density or intensity of development set forth in the agreement. The agreement may provide that construction shall be commenced within a specified time and that the project or any phase be completed within a specified time. The agreement may also include terms and conditions relating to financing of necessary public facilities by the applicant and subsequent reimbursement of the applicant over time.

C. Rules, Regulations and Official Policies

Unless otherwise provided by the development agreement, the rules, regulations and official policies governing permitted uses of the land, density, and design, improvement, and construction standards and specifications applicable to development of the property subject to a development agreement shall be those rules, regulations, and official policies in force at the time of execution of the agreement. A development agreement shall not prevent the [*Jurisdiction*], in subsequent actions applicable to the property, from applying new rules, regulations, and policies which do not conflict with those rules, regulations, and policies applicable to the property as set forth herein, nor shall a development agreement prevent the [*Jurisdiction*] from denying or conditionally approving any subsequent development project application on the basis of such existing or new rules, regulations, and policies.

D. Public Hearing; Notice of Intention

A public hearing on an application for a development agreement shall be held by the Planning Commission and by the [*Governing Body*]. Notice of intention to consider adoption of a development agreement shall be published at least three times in a newspaper of general circulation and at least 10 days shall elapse between the first publication and the date of the hearing.

E. Approval by Ordinance

A development agreement shall be approved by ordinance of the [*Governing Body*].

F. Amendment or Cancellation; Notice of Intent

A development agreement may be amended or cancelled in whole or in part by mutual consent of the parties to the agreement or their successors in interest. Notice of intention to amend or cancel any portion of the agreement shall be given in the manner provided by [12.2.1, Common Review Procedures](#).

G. Recording Copy of Agreement; Effect

No later than 10 days after [*Jurisdiction*] enters into a development agreement, the clerk shall record in the parish a copy of the agreement, which shall describe the land subject to the agreement. From and after the time of such recordation, the agreement shall impart such notice to all persons as is afforded by the recording laws of the state. The burdens of the agreement shall be binding upon and the benefits of the agreement shall inure to all successors in interest to the parties to the agreement.

H. Modification or Suspension

In the event that state or federal laws or regulations, enacted after a development agreement has been entered into, prevent or preclude compliance with one or more provisions of the development agreement, such provisions of the agreement shall be modified or suspended as may be necessary to comply with such state or federal laws or regulations.

I. Periodic Review; Termination or Modification

Any development agreement shall provide for periodic review at least every twelve months, at which time the applicant or his successor in interest shall be required to demonstrate good faith compliance with the terms of the agreement. If, as a result of such periodic review, the **[Governing Body]** finds and determines, on the basis of substantial evidence, that the applicant or successor in interest has not complied in good faith with terms or conditions of the agreement, the **[Governing Body]** may terminate or modify the agreement.

J. Enforcement

Unless amended, cancelled, modified or suspended, a development agreement shall be enforceable by any party to the agreement notwithstanding any change in any applicable general or specific plan, zoning, subdivision, or building regulation adopted by the **[Jurisdiction]** entering the agreement which alters or amends the rules, regulations, or policies specified in this zoning code.

K. Restrictions on Authority

Nothing in this procedure shall be construed to authorize property use contrary to existing zoning classifications or to authorize the reclassification of such zones.

Sec. 12.3 Nonconformities

12.3.1 In General

A. Continuation

A nonconformity may be continued in accordance with this section.

B. Types of Nonconformity

There are several types of nonconformities that may exist, as follows:

1. Nonconforming uses (see [12.3.2, Nonconforming Uses](#)).
2. Nonconforming structures (see [12.3.3, Nonconforming Structures](#)).
3. Nonconforming sites (see [12.3.4, Nonconforming Sites](#)).
4. Nonconforming lots of record (see [12.3.5, Nonconforming Lots of Record](#)).

C. Evidence of Status

Evidence of the status of a nonconforming use shall be supplied by the owner of the property upon request of the Administrator.

D. Time Extensions

The Board of Adjustment may permit one extension of up to 12 additional months to the time periods for abandonment, obtaining a building permit or completing construction, provided the applicant can demonstrate circumstances out of his or her control have prevented a good faith attempt to reestablish or rebuild the nonconformity. Such circumstances may include the health of the applicant, court proceedings, failure to reach an insurance settlement, acts of God, or similar hardships.

12.3.2 Nonconforming Uses

A. Continuation

A lawful use made nonconforming by the adoption of this zoning code or other ordinances may continue only for so long as such use is not expanded, increased or changed.

B. Change of Use

No use shall be changed to a conforming use until the Administrator has determined that the requirements of the applicable district will be met. The Board of Adjustment may approve a different nonconforming use, provided such use is

deemed by the Board to be less intense than the existing use. No change to a more intense nonconforming use is allowed.

C. Abandonment

A nonconforming use that has been discontinued for any 12 month period for whatever reason shall be considered to be abandoned and shall not be reestablished. Any use on the property after that time shall conform with all provisions of this zoning code. Evidence of intent to abandon the use is not required.

D. Destruction

A nonconforming use that is damaged may be rebuilt following approval by the Board of Adjustment in accordance with the following:

1. A nonconforming use may only be reestablished within a conforming structure.
2. All restorative and other work must be within adopted building codes.
3. A building permit must be issued within one year from the date of the damage.
4. The certificate of occupancy (or other final inspection) must be issued as provided by adopted codes.

E. Special Standards for Residential Uses

As used in this paragraph, a “nonconforming residential use” is a structure which contains more dwellings than allowed by the district or a dwelling located in a district that does not permit residential uses.

1. Abandonment

- a. A nonconforming residential use other than a single family dwelling that has not been occupied for a continuous period of 12 months, for whatever reason, shall be considered to be abandoned and shall not be reoccupied except in conformance with all applicable provisions of this zoning code. Evidence of intent to abandon the nonconforming use is not required.
- b. A nonconforming single-family dwelling that has not been occupied for a continuous period of 12 months or longer shall not be considered to be abandoned and may be reoccupied at any time, provided the struc-

ture has not been changed, legally or illegally, to a nonresidential use or multiple-unit residential use.

- c. Removal of a nonconforming mobile home or manufactured home, not in a mobile home park, from its foundation or pad for a continuous period of 12 months shall constitute abandonment of the use and placement of a new unit must comply with the provisions of this zoning code. Evidence of intent to abandon the nonconforming mobile home or manufactured home use is not required.

2. Destruction

Nonconforming residential uses that are damaged may be rebuilt in accordance with the following:

- a. All portions of the structure being restored are not and were not on or over a property line;
- b. The number of dwelling units does not increase;
- c. All construction is in compliance with current construction codes, such as the fire and building codes;
- d. A building permit is obtained within one year from the date of the damage; and
- e. The certificate of occupancy (or other final inspection) is issued within two years of the issuance of the building permit.

12.3.3 Nonconforming Structures

A. Continuation

A lawful structure existing as of the effective date of this zoning code or any amendment to this zoning code may continue to be used for any purposes permitted in the district provided it is in conformance with the provisions of this section.

B. Maintenance and Restoration

A nonconforming structure may be maintained or restored provided no expansion of the nonconformity occurs.

C. Expansion

A nonconforming structure may be expanded, provided that no increase in the nonconformity occurs.

D. Change of Use

Changes of use that require an increase in the number of parking spaces shall be required to provide the difference between the required parking for the prior use and that required for the proposed use in accordance with [11.1.2, Parking Requirements](#). Where this calculation results in the addition of less than five spaces, no additional spaces shall be required. Any additional parking area shall comply with all associated landscaping and drainage requirements of [11.1.3, Parking Area Design Standards](#).

E. Destruction

1. A nonconforming residential structure which is damaged may be restored within the existing footprint provided that all portions of the structure being restored are not and were not on or over a property line; all construction is in compliance with current construction codes, such as the Fire and Building Codes; a building permit is obtained within one year from the date of the damage; and the certificate of occupancy (or other final inspection) is issued within two years of the issuance of the building permit.
2. A nonconforming nonresidential structure which is damaged to 50 percent or less of its fair market value, based on a market appraisal performed by a certified appraiser, may be restored within the existing footprint provided that all portions of the structure being restored are not and were not on or over a property line; all construction is in compliance with current construction codes, such as the Fire and Building Codes; a building permit is obtained within one year from the date of the damage; and the certificate of occupancy (or other final inspection) is issued within two years of the issuance of the building permit. If damage exceeds 50 percent or more, restoration or improvement shall not be permitted unless the restoration results in a structure and site conforming to all applicable requirements of this zoning code.

12.3.4 Nonconforming Sites

A. Continuation

A site existing as of the effective date of this zoning code that is nonconforming due solely to failure to meet the site development standards of this zoning code may be used for any purposes permitted in the district provided the use is in conformance with the provisions of this section.

B. Maintenance and Restoration

A nonconforming site may be maintained or restored provided no expansion of the nonconformity occurs.

C. Expansion

Additions to structures, additional paving, or parking on nonconforming sites shall require correction of existing nonconforming parking, landscaping and screening.

1. Complete redevelopment or expansions that result in a 25 percent or greater increase of the gross square footage of the existing structure require the entire property to meet all of the landscaping and screening requirements of this zoning code.
2. Expansions that result in less than a 25 percent increase of the gross square footage of the existing structure require a corresponding percentage increase in compliance for landscaping and screening requirements of this zoning code until the site achieves 100 percent compliance.
3. Expansions that require an increase in the number of parking spaces shall be required to provide 100 percent of the required parking spaces for the additional floor area in accordance with this zoning code. The additional parking area shall comply with all associated landscaping and drainage requirements of this zoning code.
4. Properties that are physically constrained from complying with these provisions shall comply to the maximum extent practicable as determined by the Administrator.

D. Change of Use

Changes of use that require an increase in the number of parking spaces shall be required to provide the difference between the required parking for the prior use and that required for the proposed use in accordance with 11.1.2, Parking Requirements. Where this calculation results in the addition of less than five spaces, no additional spaces shall be required. Any additional parking area shall comply with all associated landscaping and drainage requirements of 11.1.3, Parking Area Design Standards.

E. Destruction

1. A nonconforming residential structure which is damaged may be restored within the existing footprint provided that all portions of the structure being restored are not and were not on or over a property line; all construction is in compliance with current construction codes, such as the Fire and Building Codes; a building permit is obtained within one year from the date of the damage; and the certificate of occupancy (or other final inspection) is issued within two years of the issuance of the building permit.
2. A nonconforming nonresidential structure which is damaged to 50 percent or less of its fair market value, based on a market appraisal performed by a certified appraiser, may be restored within the existing footprint provided that all portions of the structure being restored are not and were not on or over a property line; all construction is in compliance with current construction codes, such as the Fire and Building Codes; a building permit is obtained within one year from the date of the damage; and the certificate of occupancy (or other final inspection) is issued within two years of the issuance of the building permit. If damage exceeds 50 percent or more, restoration or improvement shall not be permitted unless the restoration results in a structure and site conforming to all applicable requirements of this zoning code.

12.3.5 Nonconforming Lots of Record

A. Residential Lots of Record

1. All undeveloped lots of record in an agricultural or residential district that were recorded prior to the effective date of this zoning code that do not meet the minimum zoning district lot standards shall be allowed one single-family house.
2. The building type standards of the closest applicable zoning district as determined by the Administrator shall be applied to qualifying lots.

B. Other Lots of Record

All undeveloped lots of record in a non-residential district that were recorded prior to the effective date of this zoning code that do not meet the minimum zoning district lot standards as to width or area may be used for any purpose permitted in the district provided the use meets all other regulations prescribed for the district.

Sec. 12.4 Enforcement

12.4.1 Violations

In case any building or structure is erected, structurally altered, or maintained, or any building, structure or land is used in violation of this zoning code, the proper local authorities of the municipality, in addition to other remedies, may institute any appropriate action or proceedings to prevent such unlawful erection, structural alteration, maintenance, or use, to restrain, correct, or abate such violation, to prevent the occupancy of the building, structure, or land, or to prevent any illegal act, conduct, business, or use in or about such premises.

12.4.2 Enforcement Powers

This zoning code shall be enforced by the Administrator, who is empowered to:

- A. Cause any building, structure, place or premises to be inspected and examined; and
- B. Order in writing the remedying of any condition found to exist in violation of any provision of this zoning code.

12.4.3 Notice of Violation

If the Administrator finds that any of the provisions of this zoning code are being violated, the Administrator shall notify in writing the person responsible for such violations, indicating the nature of the violation and ordering the action necessary to correct it.

12.4.4 Enforcement Actions

The Administrator shall order discontinuance of illegal use of land, buildings or structures; removal of illegal buildings or structures or of illegal additions, alterations or structural changes; discontinuance of any illegal work being done; or shall take any other action authorized by this statute to ensure compliance with or to prevent violation of its provisions.

12.4.5 Penalties

Whenever in this zoning code or in any ordinance or resolution of [Jurisdiction] any act or omission is prohibited or is made or declared to be unlawful or a misdemeanor, or whenever in such code or ordinance the doing of any act or the failure to do any act is declared to be unlawful or a misdemeanor or is prohibited, and no specific penalty is provided therefor, and state law does not

provide otherwise or for a greater penalty, the violation of any such provision of this zoning code or any ordinance shall be a misdemeanor punishable by a term of imprisonment of up to 30 days in the Parish jail or a fine of up to \$500, or both. Unless specifically provided otherwise, or the context thereof so dictates, each day any violation of any provision of this zoning code or any ordinance shall continue shall constitute a separate offense.

ARTICLE 13. DEFINITIONS

Sec. 13.1 General. 13-2

Sec. 13.2 Defined Terms 13-2

Editor's Note: If adopting the Subdivision Code module, then this Article must be reconciled with Article 5 of the Subdivision Code module. The definitions in these two articles should be combined to create one consistent set of definitions.

Sec. 13.1 General

Unless specifically defined below, words or phrases in this code shall be interpreted giving them the same meaning as they have in common usage and so as to give this code its most reasonable application.

Sec. 13.2 Defined Terms

Abutting - The property directly touches another piece of property.

Accessory Dwelling Unit - A dwelling that exists as part of a principal dwelling or on the same lot as the principal dwelling and is subordinate in size to the principal dwelling.

Accessory Use or Structure - A use or structure on the same lot with and of a nature customarily incidental and subordinate to the principal use or structure.

Addition - Any act or process which changes one or more of the exterior architectural features of a structure by adding to, joining with or increasing the size or capacity of the structure.

Adjacent - see Abutting.

Adult Day Care - A facility, operated for profit or not, in which care basic services are provided through its ownership or management for part of a day to three or more persons who are 18 years of age or older, not related to the owner or operator by blood or marriage, and who require such services.

Adult Oriented Establishment - Includes, but is not limited to, an adult bookstore, adult motion picture theater, adult mini-motion picture establishment, adult cabaret, escort agency, sexual encounter center, adult massage parlor or rap parlor; further, "adult entertainment establishment" means any premises to which the public patrons or members are invited or admitted and that are so physically arranged as to provide booths, cubicles, rooms, compartments or stalls separate from the common areas of the premises for the purpose of viewing adult-oriented motion pictures, or wherein an entertainer provides adult entertainment to a member of the public, a patron or a member, when such adult entertainment is held, conducted,

operated or maintained for a profit, direct or indirect. "Adult entertainment establishment" further includes, without being limited to, any adult entertainment studio or any premises that is physically arranged and used as such, whether advertised or represented as an adult entertainment studio, rap studio, exotic dance studio, encounter studio, sensitivity studio, model studio, escort service, escort or any other term of like import.

Adult Bookstore - A business that offers, as its principal or predominate stock or trade, sexually oriented material, devices, or paraphernalia, whether determined by the total number of sexually oriented materials, devices or paraphernalia offered for sale or by the retail value of such materials, devices or paraphernalia, specified sexual activities, or any combination or form thereof, whether printed, filmed, recorded or live, and that restricts or purports to restrict admission to adults or to any class of adults. The definition specifically includes items sexually oriented in nature, regardless of how labeled or sold, such as adult novelties, risqué gifts or marital aids.

Adult Cabaret - An establishment that features as a principal use of its business, entertainers, waiters, or bartenders who expose to public view of the patrons within such establishment, at any time, the bare female breast below a point immediately above the top of the areola, human genitals, pubic region, or buttocks, even if partially covered by opaque material or completely covered by translucent material, including swim suits, lingerie, or latex covering. "Adult cabaret" includes a commercial establishment that features entertainment of an erotic nature, including exotic dancers, strippers, male or female impersonators, or similar entertainers.

Adult Entertainment - Any exhibition of any adult-oriented motion picture, live performance, display or dance of any type, that has as a principal or predominant theme, emphasis, or portion of such performance, any actual or simulated performance of specified sexual activities or exhibition and viewing of specified anatomical areas, removal of articles of clothing or appearing unclothed, pantomime, modeling, or any other personal service offered customers.

Adult Massage Parlor - An establishment or place primarily in the business of providing massage or tanning services where one or more of the employees exposes to public view of the patrons within such establishment, at any time, the bare female breast below a point immediately above the top of the areola, human genitals, pubic region, or buttocks, even if partially covered by opaque material or completely covered by translucent material.

Adult Mini-Motion Picture Theater - An enclosed building with a capacity of fewer than 50 persons regularly used for presenting material distinguished or characterized by an emphasis on matter depicting, describing or relating to specified sexual activities or specified anatomical areas as defined in this section, for observation by patrons in the building.

Adult Motion Picture Theater - An enclosed building with a capacity of 50 or more persons regularly used for presenting material having as a dominant theme or presenting material distinguished or characterized by an emphasis on matter depicting, describing or relating to specified sexual activities or specified anatomical areas as defined in this section, for observation by patrons in the building.

Alley - A public way, or approved private way, that provides a secondary means of access to abutting property, normally located behind the building.

Animal Boarding - The use of land for boarding, selling, training or breeding cats or dogs for compensation, or the keeping of more than 12 dogs or cats in combination for any purpose.

Animal Shelter - A structure that is owned, operated or maintained by a public body, established humane society or other private or nonprofit organization used for the care of lost, abandoned or neglected pets.

Apartment - A building type containing three or more dwelling units consolidated in a single structure. An apartment contains common walls. Dwelling units may be situated either wholly or partially over or under other dwelling units. The building often shares a common entrance.

Arterial Street - Any street carrying more than 10,000 vehicles per day.

Assisted Living Facility - Any group housing and services program for two or more unrelated adults, by whatever name it is called, that makes available, at a minimum, one meal a day and housekeeping services and provides personal care services directly or through a formal written agreement with one or more licensed home care or hospice agencies.

Attached House - A building type containing two principal dwelling units on a single lot with private yards on all four sides. Each unit has its own external entrance. Unit can be located on separate floors, side-to-side, or back-to-back.

Bed and Breakfast - A transient accommodation that is a house, or portion of a house, where lodging rooms and meals are provided.

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 and other nuisances.

Building - Any structure created for the support, shelter or enclosure of persons, animals or property of any kind and which is permanently affixed to the land.

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

Camps - Small clusters of structures on large tracts of land that are intended to provide shelter on a seasonal basis and accompany activities such as hunting, fishing or trapping.

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.

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.

Common Lot Line - A lot line shared between two private lots, which does not abut public or private right-of-way.

Drive-Through, Drive-In - An establishment that by design, physical facilities, service, or by packaging procedures encourages or permits customers to receive services, or obtain goods while remaining in their motor vehicles.

Dwelling Unit - A building, or portion thereof, providing complete and permanent living facilities for one household.

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

Egress - A grant of property rights by the owner to, or for use by, the public, a corporation, or another person or entity to use as an exit from a specific parcel of land.

Entertainment - Entertainment shall include live vocalists, musicians, disc jockeys (whether speaking or not), comedians, karaoke, performers (paid or otherwise, including contestants) and the like, provided at a bar, restaurant, nightclub or other similar commercial establishment also providing food or beverages. Entertainment shall not include "Adult Entertainment."

Erected - Means built, constructed, reconstructed, moved upon, or any physical operation in the premises required for building. Evacuation, fill drainage, demolition of an existing structure, and the like shall be considered part of erection.

FAA - Federal Aviation Administration.

Family - One or more persons living as a single housekeeping unit.

Flag - Any fabric or other material containing distinctive colors, patterns or symbols, used as a symbol of government, political subdivision, corporation, lodge, fraternity or sorority, political party, nonprofit

organization, charity, club, association or other entity designed to be flown from a flagpole or similar device.

Floodplain - Any normally dry land area that is susceptible to being inundated by waters of the one percent annual chance flood, that is, the 100-year flood.

Floodway - The channel of a river or other watercourse and the adjacent land area that must be reserved in order to discharge the velocity waters of the regulatory flood.

Home Occupation - An occupation carried on in a dwelling unit by a resident of the unit; provided that the use is limited in extent and incidental and secondary to the use of the dwelling unit for residential purposes and does not change the character of the dwelling unit.

Household - One or more persons occupying a single dwelling unit. No such household shall contain more than four members not related by law, blood, adoption, marriage, or judicial order for foster care. A household consisting of individuals protected by the federal Fair Housing Act shall not contain more than six persons.

Livestock - One or more domesticated animals raised to produce commodities such as food or fiber. For the purposes of this zoning code livestock does not include the raising of hens for non commercial purposes.

Lot - A lot is a parcel of land of at least sufficient size to meet minimum requirements for use, coverage and area.

Manufactured Home - A factory-built structure constructed after June 15, 1976 and under the authority of 42 U.S.C. § 5403 on an integral chassis and designed for residential occupancy when connected to the required utilities. For the purposes of this zoning code, a manufactured home is a single-family home.

Military Installation - Any base, military airport, camp, post, station, yard, center, home port facility for a ship, or any other military activity center that is under the jurisdiction of the United States Department of Defense.

Mobile Home - A factory-built home on an integral chassis that is 1) built before June 15, 1976, and 2) not built to a uniform construction code. A mo-

mobile home is designed to be transported for installation or assembly at the building site.

Mobile Home Park - A parcel of land under single ownership which has been planned and improved for the placement of two or more mobile homes or manufactured homes on sites available for lease.

Modular Home - A structure designed for residential occupancy, built to the standards of the Louisiana State Uniform Construction Code, which is manufactured in one or more sections in a factory for installation on a permanent foundation at its final location. For the purposes of this zoning code, a modular home is a single-family home.

Nonconformities - Uses, sites, signs or other structures which were legally established, but because of the application of this code, or changes to the code, are no longer in compliance.

Open Space - An area unobstructed by buildings from the ground upward, except for walks, paths, landscaping or other site features in public, common or other private ownership. Yards of individual lots occupied by dwellings shall not constitute open space.

Owner of Record - The person, corporation, or other legal entity listed as owner on the records of the Parish Recorder of Deeds.

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.

Plat - A map or plan of a parcel of land which is to be or which has been subdivided.

Primary Structure - A building or structure in or on which the main use of the lot takes place.

Private Street - A privately owned and maintained thoroughfare, avenue, road, highway, boulevard, parkway, way, drive, lane or court, built to public street standards and generally providing the primary means of ingress and egress from the property abutting along its length to the public street network.

Rowhouse - A building type with three or more attached units consolidated into a single structure. Each unit shares a common side wall or a common floor or ceiling. Units may be stacked vertically, however, no more than one unit is permitted above another unit. Each ground floor unit has its own external street-facing entrance.

Single-Family House - A building type containing one principal dwelling unit located on a single lot with private yards on all four sides.

Story - A floor of a structure where 50 percent or more of the floor area of the enclosed space is greater than 7½ feet in clear height; measured from the finished floor to the finished ceiling.

Structure - Anything constructed or erected, the use of which requires permanent or temporary location on or in the ground, including buildings, fences, gazebos, signs, radio and television antennae (including supporting towers), swimming pools, satellite dishes, solar panels and wind generation equipment.

Structural Change - Any change or repair in the supporting members of a building, structure, roof or exterior walls which would expand the building in height, width or bulk.



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