

City of Opelousas Zoning Ordinance

September 20, 2007

Prepared for:
THE CITY OF OPELOUSAS

Prepared by:
Billes Architecture, LLC

In Association with:
Helion Consulting, LLC
LucidPlan, Inc.
Sher Garner Cahill Richter Klein & Hilbert, LLC

TABLE OF CONTENTS

PART 1 GENERAL PROVISIONS..... 1-1

ARTICLE 100 ENACTMENT AND SCOPE OF ZONING ORDINANCE..... 1-1

100.01 Title..... 1-1

100.02 Purpose 1-1

100.03 Prohibited Uses and Acts 1-1

100.04 Authority and Jurisdiction 1-1

100.05 Severability 1-2

100.06 Computation of Time 1-2

100.07 Conditions 1-2

100.08 Notices 1-2

100.09 Forms 1-2

100.10 Applicability 1-2

PART 2 DEFINITIONS 2-1

ARTICLE 200 RULES OF CONSTRUCTION, INTENT AND USAGE 2-1

ARTICLE 201 DEFINITIONS OF TERMS 2-1

PART 3 LAND USE AND DEVELOPMENT STANDARDS 3-1

ARTICLE 300 ESTABLISHMENT OF ZONING DISTRICTS AND ZONING MAPS..... 3-1

300.01 Establishment of Zoning Districts 3-1

300.02 Establishment of Zoning Map..... 3-2

300.03 Determination and Interpretation of Zoning District Boundaries 3-2

ARTICLE 301 AUTHORIZED LAND USES 3-2

301.01 Grid of Authorized Land Uses 3-2

301.02 Alternate Grid of Authorized Uses by Zoning District..... 3-4

301.03 Authorized Land Use Grid..... 3-4

ARTICLE 302 SUPPLEMENTAL REGULATIONS PERTAINING TO ALLOWED LAND USE GRID 3-9

302.01 General Supplemental Regulations 3-9

302.02 Supplemental Regulations for Specific Allowed Uses 3-11

ARTICLE 303 DEVELOPMENT STANDARDS..... 3-16

303.01 Lot Provisions, Setbacks, and Building Heights..... 3-16

303.02 Design Standards Table 3-16

303.03 General Exceptions to Design Standards 3-18

303.04 Visibility Triangle 3-18

303.05 Accessory Structures in Residential Zoning Districts..... 3-18

303.06 Encroachment into Setbacks 3-19

303.07 Fences..... 3-20

ARTICLE 304 DEVELOPMENT STANDARDS FOR DMU ZONING DISTRICT 3-21

304.01 Guiding Principles 3-21

301.02	General Rules for the Regulating Plan.....	3-21
305.03	General Requirements for Building Envelope Standards	3-24
305.04	Core Site BES	3-25
305.05	Avenue Site BES.....	3-28
305.06	Local Sites BES.....	3-31
305.07	Architectural Standards.....	3-34
ARTICLE 305 ADDITIONAL REGULATIONS.....		3-41
ARTICLE 306 DEMOLITION.....		3-41
ARTICLE 307 ZONING ANNEXED AREAS.....		3-41
ARTICLE 308 PLANNED UNIT DEVELOPMENT.....		3-42
308.01	General Provisions	3-42
308.02	Requirements for Planned Unit Development.....	3-42
308.03	Procedure for Approval of Planned Unit Development	3-44
308.04	Specific Content of Plans	3-46
308.05	Review Considerations	3-49
308.06	Changes In the Approved Planned Unit Development	3-51
PART 4 ANCILLARY PROVISIONS.....		4-1
ARTICLE 400 PARKING AND LOADING		4-1
400.01	Purpose	4-1
400.02	Scope	4-1
400.03	General Parking Regulations	4-2
400.04	Determining the Number of Spaces Required	4-2
400.05	Required Parking Space Table	4-3
400.06	Drive-through Stacking.....	4-9
400.07	Parking Spaces Accessible to the Disabled.....	4-9
400.08	Off-Site Parking Facilities	4-9
400.09	Parking and Storage of Certain Vehicles	4-10
400.10	Parking Development Standards	4-10
400.11	Loading Requirement.....	4-12
ARTICLE 401 LANDSCAPING.....		4-13
401.01	General Landscaping Requirements.....	4-13
ARTICLE 402 SIGNS		4-13
402.01	Purpose	4-13
402.02	Applicability	4-13
402.03	Effect	4-13
402.04	Rules of Interpretation.....	4-14
402.05	Signs Exempt from Regulations.....	4-14
402.06	Permitted Signs	4-15
402.07	Supplemental Conditions for Permitted Signs	4-15
402.08	Size Restrictions on Permitted Signs	4-19
402.09	Signs Not to Create Traffic Hazard	4-19
402.10	Signs in a Public Right-of-Way.....	4-19
402.11	Sign Permits	4-19

ARTICLE 404	LIGHTING
4-21	
404.01 Purpose	4-21
404.02 Applicability	4-21
404.03 General Provisions and Standards	4-21
404.04 Exemption	4-21
ARTICLE 405 NONCONFORMING PROVISIONS.....	4-22
405.01 Nonconforming Uses.....	4-22
405.02 Nonconforming Structures	4-22
405.03 Nonconforming Parcels.....	4-23
405.04 Burden of Establishing Status.....	4-23
405.05 Nonconforming Signs.....	4-23
PART 5 ADMINISTRATION.....	5-1
ARTICLE 500 GENERAL ADMINISTRATION AND ENFORCEMENT.....	5-1
500.01 Responsibility for Administration & Enforcement.....	5-1
500.02 Zoning Reviews.....	5-1
500.03 Fees	5-1
500.04 Administrative Interpretations.....	5-1
ARTICLE 501 AMENDMENTS TO THE TEXT AND MAP OF THE ZONING ORDINANCE.....	5-2
501.01 General Provisions	5-2
501.02 Procedures for Amending the Zoning Map	5-3
501.03 Procedures for Amending the Zoning Ordinance Text.....	5-4
ARTICLE 502 CONDITIONAL USES	5-4
502.01 General Provisions	5-4
502.02 Application for Conditional Use Approval.....	5-5
502.03 Site Plan Review of Conditional Use Applications	5-5
502.04 Standards for Approval	5-7
502.05 Revocation of Conditional Use Approval.....	5-8
502.06 Expiration	5-8
ARTICLE 503 ZONING VARIANCES.....	5-8
503.01 Standards and Procedures for Variances	5-8
503.02 Application for Variance	5-9
503.03 Procedure for Variance Approval	5-9
503.04 Conditional Approval	5-10
503.05 Expiration	5-11
503.06 Relationship to Subject Property.....	5-11
ARTICLE 504 ADMINISTRATIVE APPEALS.....	5-11
504.01 Authority	5-11
504.02 Initiation	5-11
504.03 Processing.....	5-11
504.04 Public Hearing	5-11
504.05 Decisions.....	5-11

504.06	Appeal of Decisions.....	5-12
ARTICLE 505	SITE PLAN REVIEW.....	5-12
505.01	Site Plans Review Required.....	5-12
505.02	Application.....	5-12
505.03	Design and Improvement Requirements.....	5-12
505.06	Application for Review for Single and Two-Family Residential Structures ...	5-13
505.07	Application for Review for Multi-Family and Non-Residential Structures, and Temporary Uses.....	5-13
505.08	Administrative Review of Site Plans.....	5-14
505.09	Site Plan Review of Planned Unit Developments	5-15
505.10	Additional Planning Commission Review of Major Developments	5-17
505.11	Other Required Submittals.....	5-20
505.12	Resubmittal of Plans	5-20
505.13	Rejection Statement.....	5-20
505.14	Deviation from the Approved Site Plan and Additions to Existing Structures	5-21
505.15	Record Drawings and Certificate of Completion and Compliance.....	5-21
505.16	Expiration Deadlines	5-22
ARTICLE 506	PLANNING COMMISSION.	5-22
506.01	Establishment.....	5-22
506.02	Powers and Duties	5-23
506.03	Judicial Review.....	5-24
ARTICLE 507	REVOCATION OF PERMITS, CERTIFICATES, OR APPROVALS.....	5-24
507.01	Authority to Revoke	5-24
507.02	Revocation Procedure.....	5-24
507.03	Appeal of Revocation	5-25
ARTICLE 508	VIOLATIONS AND ENFORCEMENT	5-25
508.01	Remedies and Penalties	5-25

PART 1 GENERAL PROVISIONS

ARTICLE 100 ENACTMENT AND SCOPE OF ZONING ORDINANCE

100.01 Title

These regulations and all accompanying maps, which are on file in the Planning Department, and all supplemental or amendatory ordinances and regulations comprise and may be cited as the "City of Opelousas Zoning Ordinance."

100.02 Purpose

These regulations are hereby adopted in order to:

- (A) promote the orderly, responsible, and beneficial development and use of land within the City;
- (B) promote the public health, safety, morals, comfort, convenience, and general welfare of the City;
- (C) protect the character and stability of residential, institutional, business, industrial, and natural areas;
- (D) minimize or avoid congestion in the public streets and ensure safe, convenient, and efficient traffic circulation;
- (E) secure adequate light, air, convenience of access, and safety from fire, flood and other danger, which may include providing adequate open spaces for light, air, and outdoor uses;
- (F) preserve and enhance the scenic beauty, aesthetics, and environmental integrity of the City;
- (G) encourage compatibility among different land uses and protect the scale and character of existing development from the encroachment of incompatible uses;
- (H) regulate and restrict the location and intensity of use of buildings, structures, and land for trade, residence, and other uses;
- (I) define the powers and duties of administrative officers and bodies as provided herein, and establish procedures for the implementation and enforcement of these regulations; and
- (J) further such other purposes as may be stated within specific provisions of these regulations.

100.03 Prohibited Uses and Acts

A building, structure, or premises may not be used for any purpose other than those permitted in the zoning district in which the building, structure, or premises is located. No land or lot area may be reduced, diminished, used, or developed except in accordance with all applicable provisions of these regulations. A building or structure may not be altered, erected, constructed, installed, moved, replaced, or maintained except in accordance with all applicable provisions of these regulations.

100.04 Authority and Jurisdiction

These regulations apply to all land use within the incorporated boundaries of the City of Opelousas, Louisiana. All departments, officials, and employees of the City that are vested with the duty or authority to issue permits, certificates, or approvals must

conform to the provisions of this ordinance and may not issue any permit, certificate, or approval for any use, structure, or activity if the same would be in conflict with the provisions of this ordinance. Any permit, certificate, or approval issued in conflict with the provisions of this ordinance does not constitute a waiver of the standards and requirements of these regulations.

100.05 Severability

The provisions of this ordinance are separable. If any part or provision of these regulations or their application to any person or circumstance is adjudged invalid by a court of competent jurisdiction, such judgment is confined in its operation to the part, provision, or application directly involved in the controversy in which the judgment was rendered and does not affect or impair the validity of the remainder of these regulations or their application to other persons or circumstances. The City hereby declares that it would have enacted the remainder of these regulations even without the invalid part, provision, or application.

100.06 Computation of Time

The time within which an act is to be done is computed in the following manner. If the last day would be a Saturday, Sunday, or legal holiday, that day is not counted. When the period of time prescribed is less than seven days, intervening Saturdays, Sundays, and legal holidays are not counted.

100.07 Conditions

The attachment of reasonable conditions to the use and development of land within the City as part of the approval of conditional uses, home occupations, temporary uses, variances, development plans, and amendments, or as otherwise authorized, is an exercise of valid police power delegated to the City by the State. The applicant must comply with reasonable conditions required by the Planning Commission for design, dedication, improvement, and restrictive use of the land in order to conform to the physical and sustainable development of the City and to support the safety and general welfare of present and future landowners and citizens of the City. The failure to comply with any conditions may be cause for denial or revocation of the permits and approvals prescribed by these regulations and may constitute a violation of the zoning ordinance.

100.08 Notices

If written notice is required to be given to any person, the requirement is satisfied by deposit of the written notice in the United States mail, postage pre-paid, addressed to the person or agent thereof, at the last known address or principal place of delivery, as is currently on file with the tax assessor's office.

100.09 Forms

The Department may promulgate whatever forms are required or permitted by these regulations.

100.10 Applicability

This zoning ordinance, unless otherwise noted, applies to all public, private, and institutional development unless otherwise exempted by state or federal law.

PART 2 DEFINITIONS

ARTICLE 200 RULES OF CONSTRUCTION, INTENT AND USAGE

The following rules of construction apply to the text of this ordinance:

- (A) In case of conflict between regulations, the more restrictive will apply.
- (B) Words used in the present tense include the future.
- (C) Words used in the singular number include the plural, and the plural the singular, unless the context indicates the contrary.
- (D) The word “must” is always mandatory and not discretionary.

ARTICLE 201 DEFINITIONS OF TERMS

For the purpose of this ordinance, the following words and phrases have the meanings ascribed to them by this section. If not defined herein, terms used in this ordinance have the meanings provided in any standard dictionary or American Planning Association publication as determined by the Planning Director.

ABUTTING – Having a common border with, or being separated from such a common border only by a right-of-way, alley, or easement.

ACCESS – A means of vehicular or pedestrian entry to, or exit from property.

ACCESSORY STRUCTURE – A subordinate structure detached from but located on the same lot as a principal building and used in a manner that is incidental. Accessory structures include detached garages, carports, sheds, greenhouses, playhouses, and similar structures.

ADDITION – Any increase in the gross floor area of a building or structure, including those in which the building footprint is not enlarged.

ADJACENT – see **ABUTTING**

ADMINISTRATIVE OFFICE – An establishment primarily engaged in overall management and general supervisory functions, such as executive, personnel, finance, legal and sales activities.

ADVERSE IMPACT or EFFECT– A negative consequence for the physical, social, or economic environment resulting from an action or project.

AFFECTED PERSONS – Those owners of record of real property located in whole or in part within 300 feet of a proposed addition, change of use or other development or proposal; for Planned Unit Developments, Annexations, or other large project, the Planning Director may extent the distance.

AGRICULTURAL ACTIVITY – Farming, including plowing, tillage, cropping, seeding, animal and poultry husbandry, cultivating, or harvesting for the production of food and fiber products, but not including commercial logging and timber harvesting.

AIRPORT – Any area of land or water designated, set aside, used, or intended for use, for the landing and take-off of aircraft, and any appurtenant areas designated, set aside, used, or intended for use, for buildings associated with the landing and takeoff of aircraft.

ALLEY - A right-of-way dedicated to public use, designed to provide a secondary means of access to the property it reaches, in addition to the principal access provided by a street, road, crosswalk, or easement.

ALTERATION – Any addition or modification in construction of an existing structure.

AMPHITHEATER - An open air structure devoted primarily to the showing of theatrical or musical productions, with the provision of seating areas for patrons.

AMUSEMENT PARK – See RECREATION FACILITY, COMMERCIAL, OUTDOOR.

ANIMAL GROOMING SERVICE – Any place or establishment whose primary service offered for a fee is to bathe, clip or comb animals for the purpose of enhancing their aesthetic value or health.

ANIMAL SHELTER – A facility that is used to house or contain stray, homeless, abandoned, or unwanted animals and that is owned, operated, or maintained by a public body, an established humane society, animal welfare society, society for the prevention of cruelty to animals, or other nonprofit organization devoted to the welfare, protection and humane treatment of animals.

ANTENNA – Any system of wires, poles, rods, reflecting discs, or similar devices used for the transmission or reception of electromagnetic waves, and external to or attached to the exterior of any building.

APARTMENT – One or more rooms in a building designed and intended for occupancy as a separate dwelling unit.

APPAREL SHOP - An establishment involved in selling clothing or clothing accessories.

APPLIANCE REPAIR – An establishment involved in repairing instruments or devices that are operated by gas or electricity, such as stoves, fans or refrigerators.

APPLIANCE SALES – An establishment involved in selling instruments or devices that are operated by gas or electricity, such as stoves, fans or refrigerators.

ARCHITECTURAL APPURTENANCES – Cornices, eaves, gutters, belt courses, sills, lintels, bay windows, and chimneys.

AREA, BUILDABLE – The area of a lot remaining after the minimum yard and open space requirements of the zoning ordinance have been met.

ART GALLERY – An establishment engaged in the sale, loan, or display of art books, paintings, sculpture, or other creative works.

ARTIST STUDIO – A workspace for artists or artisans, including individuals who are practicing one or more of the fine arts or who are skilled in crafts.

ARTS/CULTURAL CENTER - An establishment that provides visual and performing arts exhibitions, including music, dance and theater.

ASSISTED LIVING FACILITY – An accommodation designed to provide personal assistance or supervision, or both, to four or more residents who are dependent upon the services of others by reason of physical or mental impairment and who may also require nursing care at a level that is not greater than limited and intermittent nursing care. .

ATHLETIC FIELD – Outdoor sites designed for formal athletic competition in field sports that usually require equipment.

AUCTION HOUSE – An establishment, open to the public, at which property or items of merchandise, but not including animals, are sold to the highest bidder.

AUTOMATED TELLER MACHINE (ATM) – An automated device that performs banking or financial functions; considered to be accessory uses in commercial or office zones.

AUTOMOTIVE PAINT SHOP - An establishment primarily engaged in painting and refinishing of passenger cars, trucks, and other such automotive vehicles.

AUTOMOTIVE RENTALS - Establishments involved in renting passenger cars, noncommercial trucks, motor homes or recreational vehicles, including incidental parking and facilities for the servicing of rental vehicles.

AUTOMOTIVE REPAIR SHOP – Any building, structure, improvements, or land used for the repair or maintenance of automobiles, motorcycles, trucks, trailers, or similar vehicles including but not limited to body, fender, muffler or upholstery work, oil change and lubrication, painting, tire service and sales, or installation of CB radios, car alarms, stereo equipment or cellular telephones.

AUTOMOTIVE SALES - Establishments involved in the retail sale of new or used automobiles, noncommercial trucks, motor homes or recreational vehicles, including incidental facilities for storage, maintenance and servicing.

AUTOMOTIVE SUPPLY - An establishment primarily engaged in the retail sale of automotive parts, tires and accessories.

AUTOMOTIVE TIRE REPAIR AND SALES - An establishment primarily engaged in the sale, installation or repair of automotive tires.

AWNING - Any material, such as fabric or flexible plastic, that extends from the exterior wall of a building and is supported by or attached to a frame.

BAKERY, RETAIL – An establishment primarily engaged in the retail sale of baked goods for consumption off-site.

BAKERY, WHOLESALE - An establishment primarily engaged in manufacturing bakery products for sale through non-baking retail outlets.

BAR or TAVERN – An establishment where alcoholic beverages may be purchased and consumed on-site, in compliance with state and local liquor laws and regulations; Incidental sales of food may take place..

BARBER SHOP/BEAUTY SALON – An establishment where hair-cutting or cosmetology services are offered on a regular basis for compensation.

BASEMENT – The part of a building that is wholly or partly below ground level. If any portion of any basement wall is above grade, then the basement shall be calculated in the building height.

BED AND BREAKFAST INN – A private residence that offers, for a fee, transient sleeping accommodations to visitors in up to five (5) rooms of an owner-occupied single-family dwelling; and provides, at no extra charge, breakfast to the guests. For purposes of this definition,

transient shall mean that a room is rented for not more than 30 days to any one visitor in any given calendar year.

BIKEWAY – A pathway designed in whole or in part to be used for bicycling, walking and other recreation.

BILLIARD or POOL HALL – See RECREATION FACILITY, COMMERCIAL, INDOOR

BINGO HALL – See RECREATION FACILITY, COMMERCIAL, INDOOR

BLOCK - Property having frontage on both sides of a street, and lying between the two nearest intersecting or intercepting streets, or nearest intersecting or intercepting street and railroad right-of-way, waterway, or other barrier, including an alley between zoned areas.

BLOOD BANK -- A facility where blood or blood products are collected, stored, prepared or processed.

BOARDING HOUSE – See LODGING OR ROOMING HOUSE.

BOWLING ALLEY – See RECREATION FACILITY, COMMERCIAL, INDOOR

BREW PUB – A restaurant that manufactures up to 5,000 barrels of fermented malt beverages per year for consumption on premises, or for sale directly to the consumer in sealed containers.

BUILDING - A structure having a roof supported by columns or walls, for the shelter, support, enclosure, or protection of persons, animals, chattels, or property. When separated by party walls without an opening through such walls, each portion is considered a separate structure.

BUILDING ENVELOPE – The area formed by the front, side and rear setback lines of a lot within which the principal building must be located.

BUILDING FOOTPRINT – The outline of the total area of a lot covered by a building's perimeter. Where a building has a recessed ground floor, the footprint shall be construed to be the outline of the largest perimeter of the building, excluding architectural appurtenances or features as defined herein.

BUILDING HEIGHT – The vertical distance measured from the ground level to the highest point of the roof for a flat roof, to the deck line of a mansard roof, and to the mean height between eaves and ridges of gable, hip, and gambrel roofs. On lots with topographic elevation changes, ground level means the halfway point between the highest and lowest elevations of the building footprint.

BUILDING LINE – The line, parallel to the street line, that passes through the point of the principal building nearest the front lot line.

BUILDING MATERIALS SUPPLIER – An establishment selling lumber, roofing, siding, shingles, wallboard, paint, and cement to the general public, including incidental storage of such items on the premises.

BUILDING WALL - An exterior vertical structure that encompasses the area between the final grade elevation and eaves of the building and that encloses the space within the building. A porch, balcony or stoop is part of the building structure and may be considered as a building wall.

BUILDING, ACCESSORY – See ACCESSORY STRUCTURE.

BUILDING, DETACHED - A building having no structural connection with another building.

BUILDING, NONCONFORMING – The lawful use of a building or structure, or portion thereof, existing at the time this ordinance or amendments thereto take effect, that does not conform to the height, area, yard, distance, or other regulations prescribed for the district in which it is located.

BUILDING, PRINCIPAL - A building in which is conducted the main or principal use of the lot on which said building is situated.

BUS SHELTER – A small, roofed structure, usually having three walls, located near a street and designed primarily for the protection and convenience of bus passengers.

BUS TERMINAL - See PASSENGER STATION, RAILROAD, MOTOR BUS

BUSINESS, TRADE, or VOCATIONAL TRAINING SCHOOL – A secondary or post-secondary school, that offers instructions and practical introductory experience in skilled trades such as mechanics, carpentry, plumbing, and construction, or in medical, technological, or business service skills.

CANOPY – A permanently roofed shelter projecting over a sidewalk, driveway, entry, window, or similar area, which shelter may be wholly supported by a building or partially supported by columns, poles, or braces extending from the ground. Any roof overhang extending more than three feet from the face of a building is a canopy, and shall be subject to setback requirements.

CAR WASH/DETAILING – The use of a site for washing and cleaning of passenger vehicles, recreational vehicles, or other light duty equipment.

CARETAKER’S RESIDENCE – A residence located on a premises with a mainly nonresidential use and occupied only by a caretaker or guard employed on the premises.

CASINO – A public or private establishment containing a minimum of 50,000 sq.ft. of floor area in a building where legal gaming is conducted, including ancillary restaurants, theaters, offices and other uses as allowed by state gaming regulations or local regulatory authorities.

CATERING ESTABLISHMENT -- A facility containing a commercial kitchen and other related spaces used for the preparation, but not retail sale, of food that is to be served and consumed elsewhere.

CEMETERY - Land used, or intended to be used, for burying the human dead and dedicated for such purposes, including mausoleums and mortuaries operated in conjunction with and located within the boundary of the cemetery.

CHANGE OF OCCUPANCY or USE - Discontinuation of an existing use and substitution of a use of a different kind or class, but not including a change of tenants or proprietors unless accompanied by a change in the type of use.

CLUB or LODGE, PRIVATE – Buildings and facilities or premises used or operated by a non-profit organization or association for some common purpose, such as, but not limited to a fraternal, social, educational or recreational purposes.

CHURCH or PLACE OF WORSHIP – A building where persons regularly assemble for religious services, including a synagogue, temple, mosque, or other such place for worship and religious activities, that is controlled and maintained by a religious body organized to sustain said

religious practices, together with all accessory buildings and uses customarily associated with the primary religious purpose.

CITY - The City of Opelousas, Louisiana

CITY COUNCIL - The City Council of Opelousas, Louisiana.

CLINIC, MEDICAL - An establishment providing medical, chiropractic, psychiatric, or surgical services, including emergency treatment and diagnosis, operated exclusively on an outpatient basis.

CO-LOCATION - Locating wireless communication equipment for more than one provider on a single structure.

COMMON AREA – Any portion of a development that is designed for the shared usage of the development, including open spaces, parking lots, and pedestrian walkways. Maintenance of such areas must be set forth by the development association in the form of covenants, which shall guarantee the upkeep of these areas.

COMMUNICATIONS EQUIPMENT BUILDING - An unmanned building or cabinet containing equipment required for the operation of one or more antennae and covering an area on the ground not greater than 250 feet.

COMMUNITY CENTER – A building or buildings owned or operated by public or private entities, and used for activities that benefit the general public, including meeting space for civic groups, clubs, or organizations; spaces for the provision of daycare services; cultural or recreational activities, whether self-directed or organized; space for performing arts, artisans, and crafters; and educational or instructional programs.

COMMUNITY GARDENS – A facility for cultivation of fruits, flowers, vegetables, or ornamental plants by more than one person or family.

COMPOSTING OPERATION - A solid waste processing facility specifically designed and operated for the express purpose of converting yard and kitchen waste to produce soil and soil enhancers through the application of natural processes.

CONVENIENCE STORE, A retail establishment with a floor area of less than 3,000 square feet offering for sale a limited line of groceries and household. No fuel sales are permitted on site.

CONTIGUOUS - Lots, parcels, or City boundaries that are next to, abutting and having a boundary, or portion thereof, that is coterminous.

COPY SHOP – An establishment providing copying and reproduction services to the general public using xerographic machines and computer printers; may also stock some office supplies or provide other business support activities such as postal boxes or faxing services.

COVENANT – A restriction on the use of land that runs with the land and is binding upon subsequent owners of the property.

DANCE or SOCIAL CLUB, YOUTH - An establishment that does not sell, serve or allow alcoholic beverages to be consumed on the premises, where dancing and other social activities occur.

DAY CARE FACILITY, HOME – A facility providing care for as many as three children, functionally-impaired adults, or elderly persons within the residence of the primary caregiver.

DAY CARE FACILITY, SMALL – A facility licensed by the State to provide care, but not overnight stays, for four to twelve children, functionally-impaired adults, or elderly persons.

DAY CARE FACILITY, LARGE – A facility licensed by the State to provide care, but not overnight stays, for thirteen or more children, functionally-impaired adults, or elderly persons.

DENSITY – The number of dwelling units situated, or to be developed, on a tract of land, expressed as units per acre, and calculated by dividing the number of units by the acreage of the parcel, less undevelopable areas, such as surface water and wetlands, and the area in rights-of-way for streets and roads.

DEPARTMENT STORE - A retail store carrying a general line of apparel, home furnishings, floor coverings, major household appliances, and housewares, normally arranged in separate sections or departments, integrated under a single management.

DEVELOPMENT, PLANNED UNIT – A tract of land developed as a unit and processed under the Planned Unit Development provisions of this ordinance.

DISTRIBUTION CENTER - A use where goods are received or stored for delivery to the ultimate customer at remote locations.

DOG RUN – An enclosed outdoor area intended for the exercise or containment of dogs and similar animals.

DONATION COLLECTION BIN – A receptacle designed with a door, slot, or other opening that is intended to accept and store donated items, but not including trailers where personnel are present to accept donations.

DORMITORY - A building or a space in a building in which group sleeping accommodations are provided for more than 16 persons, who are not members of the same family, in one room or a series of closely associated rooms under joint occupancy and single management, with or without meals, but without individual cooking facilities.

DRAINAGE – the removal of surface water or groundwater from land by drains, grading or other means which include runoff controls to minimize erosion and sedimentation during and after construction or development.

DRIVE-THROUGH FACILITY – Any portion of a building or structure from which business is transacted, or is capable of being transacted, with customers located in a motor vehicle during such business transactions.

DRIVEWAY – A private roadway providing access for vehicles to a parking space, garage, dwelling, or other structure.

DRIVING RANGE, GOLF - An area typically equipped with distance markers, clubs, balls, and tees for practicing golf shots or putting, that may include a snack-bar or pro-shop, but that does not include miniature golf courses or “putt-putt” courses.

DRUG STORE - An establishment engaged in the retail sale of prescription drugs and patient medicines and which may carry a number of related product lines, such as cosmetics, toiletries, tobacco, and novelty merchandise, and which may also operate a soda fountain or lunch counter.

DRY CLEANING AND LAUNDRY PICK-UP - An establishment providing dry cleaning and laundry pick-up services, but where no dry cleaning and laundering are done on the premises.

DRY CLEANING SERVICE - An establishment providing dry cleaning services where the dry cleaning is done on the premises.

DWELLING UNIT – An area within a building providing complete, independent living facilities for a single household unit with self-contained sanitary facilities and kitchens, but not including motor homes, hotels or motels, automobiles, tents, or portable buildings.

DWELLING, CONDOMINIUM – Real estate, portions of which are designated for separate ownership and the remainder of which is designated for common ownership solely by the owners of those portions.

DWELLING, MULTI-FAMILY – A freestanding building containing three or more dwelling units, whether they have direct access to the outside, or access to a common building entrance, including rental apartment buildings, rental or owner occupied townhouse buildings, and rental or owner occupied condominium buildings.

DWELLING, JOINT USE – A dwelling unit or units located behind or on the upper floors of a building containing a non-residential use on the ground floor, and accessed directly from the outside or through a common building entrance, but not exclusively through the non-residential use on the ground floor.

DWELLING, SINGLE FAMILY – A freestanding building designed for occupancy by a single household for residential purposes.

DWELLING, TOWNHOUSE – A one-family dwelling unit (also called a ROWHOUSE) with a private entrance, part of a structure whose dwelling units are attached horizontally in a linear arrangement, and having exposed front and rear walls used for access, light, and ventilation.

DWELLING, TWO-FAMILY – A freestanding building containing two dwelling units, each of which has direct access to the outside.

ELECTRICAL REPAIR SHOP - An establishment primarily engaged in repairing electrical and electronic equipment, such as electrical household appliances, television and audio equipment, and the like, but not including offices for electrical contractors.

ELEVATION – (1) A vertical distance above or below a fixed reference level; or (2) a flat scale drawing of the front, rear or side of a building.

EMERGENCY SHELTER – A residential facility that provides room and board for a temporary period, and provides protection, counseling, and pre-placement screening for abused, displaced or transient adults or children.

EQUIPMENT OR FURNITURE RENTAL ESTABLISHMENT - An establishment involved in renting small tools and equipment, janitorial equipment, and small furniture and appliances, such as baby beds, chairs and tables, televisions, and audio equipment and similar items.

ESSENTIAL UTILITIES AND EQUIPMENT – Underground or overhead electrical, natural gas, water and sewage systems, and communication systems not regulated by the Federal Communications Commission, including towers, pole structures, wires, lines, mains, drains, sewers, conduits, cables, fire alarm boxes and police call boxes, public telephone structures, traffic signals, hydrants, regulating and measuring devices and the structures in which they are housed, and other similar equipment accessories in connection therewith.

ESTABLISHMENT – An economic unit, generally at a single physical location, where business is conducted or services or industrial operations are performed.

EXCAVATION – Removal or recovery by any means whatsoever of soil, rock, minerals, mineral substances, or organic substances other than vegetation, from water or land on or beneath the surface thereof, or beneath the land surface, whether exposed or submerged.

EXTRACTIVE INDUSTRY – All or any part of an enterprise involved in the extraction of minerals, including solids, such as coal and ores; liquids, such as crude petroleum; and gasses, such as natural gas, and also including quarrying; well operation; milling, such as crushing, screening, washing, and flotation; and other preparation customarily done at the extraction site or as a part of the extractive activity.

FAÇADE – That portion of any exterior elevation on a building extending from grade to top of the parapet, wall, or eaves and along the entire width of the building elevation.

FAÇADE, NONPRINCIPAL – Any exterior wall of a structure that does not face a public right-of-way.

FAÇADE, PRINCIPAL – One or more exterior wall(s) of a building that are adjacent to or front on a public street, park, or plaza.

FAIRGROUNDS – An area of land use including, but not limited to agricultural related office buildings, animal shows and judging, carnivals, circuses, community meeting or recreational buildings and uses, concerts, food booths and stands, games, rides, rodeos, sales, and auctions, storage, theaters located on the premises.

FAMILY - One or more persons occupying a single dwelling unit, but containing not more than three persons who are unrelated by blood, marriage, or legal adoption.

FARMER’S MARKET – An establishment offering for sale fresh agricultural products directly to the consumer at an open-air facility.

FENCE – A barrier of wood, masonry, stone, wire, metal, or other manufactured material or combination of materials erected to enclose, screen, or separate areas.

FENCE, OPAQUE – A fence that has on average less than seventy percent open in the square footage of the fence panels.

FENESTRATION RATIO – The percent of a building facade that is comprised of window area, calculated as the total square feet of windows in the façade divided by the total area of the façade in square feet.

FILL – Sand, gravel, earth or other materials of any composition whatsoever placed or deposited by humans, for purposes of creating a new elevation of the ground.

FINANCIAL SERVICES - An establishment primarily engaged in providing financial and banking services. Typical uses include banks, savings and loan institutions, stock and bond brokers, loan and lending activities and similar services.

FLAG - Any fabric or bunting containing distinctive colors, patterns or symbols, used as a symbol of a government, political subdivision, corporation, lodge, fraternity or sorority, political party, nonprofit organization, charity, club, association or other entity.

FLAG, BUSINESS – A flag displaying the name, insignia, emblem, or logo of a profit-making entity.

FLAG, PUBLIC – A flag displaying the name, insignia, emblem, or logo of any nation, state, municipality, or noncommercial organization.

FLEA MARKET – An occasional or periodic market held in an open area or structure where goods are offered for sale to the general public by individual sellers from open or semi-open facilities or temporary structures. Flea markets shall not be construed to be Farmers Markets.

FLOOR AREA – The sum of the gross horizontal areas of all floors, including basements, of a building measured from the exterior faces of the exterior walls or from the centerline of walls separating two buildings. The floor area of enclosed required off-street parking areas shall not be included. Floor area for outdoor display of merchandise or customer seating, whether uncovered or covered by a tent or canopy, shall mean the smallest rectangular area encompassing the display or customer seating area.

FLOOR AREA, GROSS LEASABLE – The total floor area designed for tenant occupancy and exclusive use, including basements, mezzanines, and upper floors, if any; expressed in square feet and measured from the centerline of joint partitions and from outside wall faces.

FLOOR AREA, NET – The gross area of a floor or several floors of a building or structure, excluding those areas not directly devoted to the principal or accessory use of the building or structure, such as storage areas or stairwells, measured from the exterior faces of exterior walls or interior walls. Examples of areas to subtract from the gross floor area include stairways, storage rooms, mechanical equipment rooms, and other areas generally not accessible to the public.

FLORIST SHOP – A retail establishment engaged in the selling of flowers and flower arrangements to the public either on-site or via delivery to the customer's home.

FRATERNAL ORGANIZATION – See "CHARITABLE, FRATERNAL OR SOCIAL ORGANIZATION."

FRONTAGE – The front lot line and boundary of a lot fronting on a public street

FRONTAGE BUILDOUT – The length of a front building façade compared to the length of the front lot line, expressed as a percentage.

FUNERAL HOME – An establishment used for human funeral services, containing facilities for embalming and other services used in the preparation of the dead for burial, performance of autopsies, cremation of human remains, storage of caskets, funeral urns, and other funeral supplies, and parking for funeral vehicles.

FURNITURE SALES – An establishment where furniture is the main item offered for sale; however, these places of business may also sell home furnishings, major appliances and floor coverings.

GARAGE, PUBLIC - A building or part thereof for the parking or storage of motor vehicles and in which no other use is conducted, which is available for public use. (See also PARKING STRUCTURE).

GARDEN CENTERS - An establishment primarily engaged in selling containerized trees, shrubs, other plants, seeds, bulbs, mulches, soil conditioners, fertilizers, pesticides, garden tools and other garden supplies to the general public and where no trees, shrubs or plants are grown on the premises.

GAS STATION MINIMART – A place where gasoline, motor oil, lubricants, or other minor accessories are retailed directly to the public on the premises in combination with the retailing of items typically found in a convenience store or supermarket.

GASOLINE SERVICE STATION – A building, place of business, land area, or other premises, or portion thereof, used or intended to be used for the retail dispensing of gasoline, oil and grease, and other vehicle fuels, and including, as an accessory use, the sale and installation of batteries, tires, lubricants, and other automobile accessories and retail items. Minor repair service may also be rendered.

GOLF COURSE – A tract of land laid out with at least nine holes for playing a game of golf and improved with tees, greens, fairways, and hazards. A golf course may include a clubhouse, restrooms, a driving range and shelters as accessory uses.

GOVERNMENT FACILITY – A building or structure owned, operated or occupied by a governmental agency or entity to provide a governmental service to the public. Such facilities are generally exempt from municipal zoning; except when they are sold or leased to a private firm or person for purposes of conducting a non-governmental use therein.

GRADE – The average level of the finished surface of the ground adjacent to the exterior walls of the building.

GRANDFATHERED –The status accorded certain properties, structures, uses, and activities (grandfathered condition(s)) that existed legally prior to the adoption of this ordinance and amendments to it; the grandfathered condition is allowed to continue until such time as the property, structure, use or activity is modified, as which point the grandfathered condition(s) must cease and be brought into compliance with the regulations of this ordinance.

GREEN AREA – Land shown on a development plan, master plan, or official map as designated for preservation, recreation, landscaping, or park.

GREENHOUSE, COMMERCIAL – A building or structure constructed chiefly of glass, glasslike or translucent material, cloth or lath, which is used for the growing of plants, all or part of which are sold at retail or wholesale.

GROCERY STORE - A building used for the sale of primarily food products in a space larger than 2,000 square feet.

GROUND FLOOR – The first floor of a building other than a cellar or basement.

GROUP RESIDENTIAL FACILITY – A facility licensed by the state of Louisiana, owned or leased by a behavioral health service provider to provide residential services and supervision for individuals who are developmentally or behaviorally disabled.

GROUP RESIDENTIAL HOME – A building owned or leased by developmentally disabled or behaviorally disabled persons for purposes of establishing a personal residence in compliance with relevant provisions of the Code of the State of Louisiana.

GUEST HOUSE – An attached or detached building located on a residential lot, clearly subordinate to the principal residence on the lot, that provides sleeping quarters for personal guests and for the use of which the owners receive no compensation.

FIREARMS STORE – An establishment devoted to dealing in firearms as a regular course of trade or business with the principal objective of livelihood and profit through the repetitive

purchase and resale of firearms. Such establishments must comply with all federal, state and local laws and regulations related to the purchase and resale of firearms

HALFWAY HOUSE – A place for transitional group living arrangements for persons discharged from hospitals, correctional facilities, or in lieu of hospitalization, characterized by the presence of such live-in staff, emphasizing the development of skills necessary for more independent living. The facility shall be licensed and operated in accordance with all applicable laws.

HARDWARE STORE - A facility of 30,000 or fewer square feet gross floor area, primarily engaged in the retail sale of various basic hardware lines, such as tools, builders' hardware, plumbing and electrical supplies, paint and glass, housewares and household appliance, garden supplies and cutlery. If the facility is larger than 30,000 square feet, then it is a **HOME IMPROVEMENT CENTER**.

HEALTH/SPORTS CLUB – A building or portion of a building designed and equipped for the conduct of sports, exercise, or other customary and usual recreational activities, operated for profit or not-for-profit. The sale of sports nutrition products, non-alcoholic beverages, packaged health foods, exercise clothing, and sports videos and magazines is permitted as an accessory use to such facilities.

HEAVY MACHINERY SALES - An establishment primarily engaged in marketing heavy machinery, such as used for road construction and maintenance, mining, agriculture, and industry.

HEIGHT – The vertical distance of a building measured from the average grade level at the base of the building to the highest point of the roof if the roof is flat or mansard, or to the average level between the eaves and the highest point of the roof if the roof is of any other type. Height calculation shall not include chimneys, spires, towers, elevator and mechanical penthouses, water tanks, radio antennas, and similar projections.

HELIPORT or HELIPAD – An area designed to be used for the landing or takeoff of helicopters including operations facilities, such as maintenance, loading and unloading, storage, fueling, or terminal facilities.

HELISTOP – An area designed to be used for the landing or takeoff of one helicopter, the temporary parking of one helicopter, and other facilities as may be required by federal and state regulations, but not including operation facilities such as maintenance, storage, fueling, or terminal facilities.

HISTORIC DISTRICT – The geographic area of Opelousas defined by the Historic District Ordinance, as amended

HISTORIC DISTRICT ORDINANCE – The Historic District Ordinance of the City of Opelousas, adopted by the Opelousas City Council November 13, 2001, as amended.

HOLIDAY DECORATIONS - Displays erected on a seasonal basis in observance of religious, national or state holidays, which are not intended to be permanent and contain no advertising material.

HOME FURNISHING SALES – An establishment where furniture home furnishings, major appliances and floor coverings are sold.

HOME IMPROVEMENT CENTER – A facility of more than 30,000 square feet gross floor area, engaged in the retail sale of various basic hardware lines, such as tools, builders hardware,

paint and glass, house wares and household appliances, garden supplies, lumber, plumbing and electrical supplies, etc.

HOME OCCUPATION - Any business activity conducted entirely within the owner's primary residence which requires a business license issued by the State of Louisiana and the City of Opelousas; and is clearly incidental to or secondary to the residential use of the dwelling. Home occupations are divided into two classes, as follows:

HOME OCCUPATION, CLASS 1: An accessory use intended to allow businesses that rely solely on electronic or off-premise transactions, with no client or customer visitation to, and no product display or sales from, the business location. Types in this category include, but are not necessarily limited to:

1. Businesses where all work and communication is conducted over the Internet, telephone, or electronic mail, or where a service is provided off-premises to a client or customer and the business location is used solely for bookkeeping and electronic or telephone communication with clients and customers.
2. Businesses where the owner produces a product at the business location and offers it for sale over the Internet or transports the product(s) to off-premise merchants, trade shows, flea markets, and the like for sale.

HOME OCCUPATION, CLASS 2: A conditional use intended to allow businesses that generate limited quantities of customer visitation or merchandise deliveries. Any Home Occupation that is not clearly of type Class 1 shall be deemed to be Class 2.

HOSPITAL – An institution specializing in giving clinical, temporary, or emergency services of a medical or surgical nature to human patients and injured persons, and licensed by state law to provide facilities and services in surgery, obstetrics, and general practice.

HOTEL - A building in which lodging is provided and offered to the public for compensation, and which is open to transient guests and is not a rooming or boarding house.

HOTEL, FULL-SERVICE – A hotel consisting of a building or a group of buildings in which lodging and meals prepared on-premises are provided and offered to guests for compensation; and which is open to transient guests and provides additional accessory services, which may include any of the following: restaurants, meetings rooms, convention or conference rooms, catering facilities.

HOUSEHOLD – A family living together in a single dwelling unit with common access to, and common use of, all living and eating areas and all areas and facilities for the preparation and storage of food within the dwelling unit.

IMPROVEMENT – Any man-made, immovable item that becomes part of, placed on, or is affixed to real estate.

INDUSTRIAL EQUIPMENT REPAIR ESTABLISHMENT- An establishment primarily engaged in repairing industrial equipment, including repairing heavy-construction and earth-moving equipment.

INDUSTRIAL PARK - A planned, coordinated development of a tract of land designed to contain two or more separate industrial buildings. Such development is planned, designed, constructed and managed on an integrated and coordinated basis with special attention given to on-site vehicular circulation, parking, utility needs, building design and orientation, and open space.

INDUSTRIAL SUPPLIES - An establishment primarily engaged in marketing industrial supplies, such as bearings, boxes, gaskets, bottles, rubber goods, welding supplies, metal containers, and so forth.

INDUSTRY, HEAVY - A heavy industrial use is one that requires both buildings and open area for manufacturing, fabricating, processing, extraction, repairing, dismantling, storage, or disposal of equipment, raw materials, manufactured products, or wastes, and that conform to the following performance standards:

- (a) **Smoke:** No smoke is emitted of a density greater than No. 2 according to the Ringlemann's Scale, except that smoke of a greater density is permitted for a period not to exceed six minutes in any one hour.
- (b) **Fly Ash:** No particles from any flue or smokestack may exceed 0.3 grains per cubic foot of flue gas at a stack temperature of 500 degrees Fahrenheit.
- (c) **Dust:** No dust of any kind produced by the industrial operations is permitted to escape beyond the limits of the property being used.
- (d) **Odor:** No noxious odor of any kind is permitted to extend beyond the lot lines.
- (e) **Gases and Fumes:** No gases or fumes toxic to persons or injurious to property are permitted to escape beyond the building in which they occur.
- (f) **Glare:** No glare may be visible from any street or any residential area.
- (g) **Vibration:** No intense earth-shaking vibration may be created or maintained by any industry beyond the property on which it is located.
- (h) **Noise and Sound:** A maximum of 70 decibels at the property line is permitted. Noise must be muffled so as not to become objectionable due to intermittence, beat frequency, or shrillness. Sound may equal but not exceed street traffic noise in the vicinity during a normal day shift work period.

INDUSTRY, LIGHT – A light industrial use is one that ordinarily uses only light machinery; is conducted entirely within enclosed substantially-constructed buildings; does not use the open area around such buildings for storage of raw materials or manufactured products or for any other industrial purpose; and conforms to the following performance standards:

- (a) **Smoke:** No smoke is emitted of a density greater than No. 1 according to the Ringlemann's Scale, except that smoke of a density not in excess of No. 2 of Ringlemann's Scale is permitted for a period not to exceed six minutes in any hour.
- (b) **Fly Ash:** No particles from any flue or smokestack are permitted to escape beyond the confines of the building in which they are produced.
- (c) **Dust:** No dust of any kind produced by industrial operations is permitted to escape beyond the confines of the building in which it is produced.
- (d) **Odor:** No noxious odor of any kind is permitted to extend beyond the lot line.
- (e) **Gases and Fumes:** No gases or fumes toxic to persons or injurious to property are permitted to escape beyond the building in which they occur.
- (f) **Glare:** No glare may be visible from any street or any residential area.

- (g) Vibration: No intense earth-shaking vibration may be created or maintained by any industry beyond the property on which it is located.
- (h) Noise and Sound: A maximum of 70 decibels at the property line is permitted. Noise must be muffled so as not to become objectionable due to intermittence, beat frequency, or shrillness. Sound may equal but may not exceed street traffic noise in the vicinity during a normal day shift work period.

INSTRUCTIONAL STUDIO - A facility offering educational instruction, having regular sessions with regularly employed instructors, but not a school as defined by the State.

JUNK YARD - Any space for storage, abandonment or sale of junk, scrap material or similar waste, including the dismantling, demolition or abandonment of automobiles, other vehicles, machinery or parts. Junkyard shall be synonymous with salvage yard.

KENNEL, COMMERCIAL - Any lot or premises on which four (4) or more dogs, or small animals, at least four (4) months of age, are kept.

KITCHEN – Any room principally used, intended or designed to be used for cooking or the preparation of food. The presence of a range or oven, or utility connections suitable for servicing a range or oven, shall normally be considered as establishing a kitchen.

LABORATORIES - Facilities equipped for experimental study in a science or for testing and analysis; facilities providing opportunity for research, experimentation, observation or practice in a field of study.

LAND DEVELOPMENT – The development of one or more lots, tracts or parcels of land by any means and for any purpose, but does not include easements, rights-of-way or construction of private roads for extraction, harvesting or transporting of natural resources.

LANDSCAPED AREA - A portion of the site or property containing vegetation intended to exist after construction is completed. Landscaped areas include, but are not limited to, natural areas, buffers, streetscapes, lawns and plantings.

LANDSCAPED BUFFER – An area of landscaping separating two distinct land uses, or a land use and a public right-of-way, and acts to soften or mitigate the effects of one land use on the other.

LANDSCAPING – The bringing of the soil surface to a smooth finished grade, installing sufficient trees, shrubs, ground cover and grass to soften building lines, provide shade and generally produce a pleasing visual effect of the premises.

LANDSCAPING PLAN -- A site plan intended to demonstrate compliance with the landscaping section of this Ordinance.

LAUNDROMAT – An establishment providing coin-operated or similar self-service laundry (washing, drying), dry cleaning equipment, or ironing machines for hire, to be used by customers on the premises.

LIBRARY - A building containing printed and pictorial material for public use for purposes of study, reference and recreation.

LIQUOR STORE – A retail establishment where more than fifty percent of floor area is devoted to the sale of packaged liquor and alcoholic beverages for off-premises consumption in

compliance with all state and local liquor laws. If less than fifty percent of the floor area is devoted to the sale of liquor, such sales are Accessory Uses.

LOADING DOCK/SPACE – A space or berth available for the loading or unloading of goods from commercial vehicles.

LOGO - The graphic or pictorial presentation of a message, including, but not limited to, the use of shapes, designs, decorations, emblems, trademarks, symbols or illustrations, or the superimposition of letters or numbers or any other use of graphics or images other than the sequential use of letters and numbers.

LOT - See LOT OF RECORD.

LOT AREA – The total area within the lot lines of a lot, excluding any public rights-of-way.

LOT, BUILDING - A parcel of land that was legally existing at the time of adoption of this Ordinance, or is legally created through subdivision thereafter, upon which a building or structure may be erected in accordance with all relevant provisions in this Ordinance (including variance provisions, if applicable). Parcels of land that are created in violation of any provision of the Subdivision Regulations shall not be eligible for the issuance of permits to build any structure thereupon.

LOT, CORNER - A lot located at the intersection of two or more streets (see Figure 2-1).

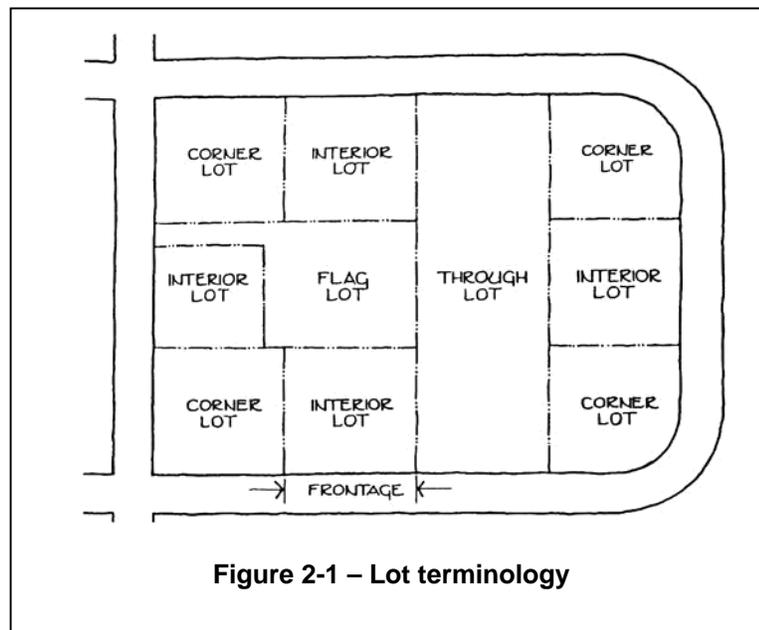


Figure 2-1 – Lot terminology

LOT COVERAGE RATIO – The percent of total lot area covered by all principal and accessory buildings on a lot, measured from the outside of the exterior walls, as a percent of the Lot Area. Open porches, decks, balconies and similar features that are not covered by a roof are excluded from the calculation.

LOT DEPTH – The distance measured from the front lot line to the rear lot line. Where the front and rear lot lines are not parallel, the lot depth shall be measured by drawing lines from the front to rear lot lines at right angles to the front lot line, every ten feet and averaging the length of these lines.

LOT, FLAG – A polygonal-shaped lot with the appearance of a frying pan or flag and staff in which the handle is most often used as the point of access (see Figure 2-1). The handle, when less than the minimum width for a building lot in the zoning district in which it is located, is not to be used in computing the minimum required lot area or delineating the minimum required building envelope.

LOT FRONT – The side of a lot that abuts a public street is the front of the lot. For corner lots, the shortest side fronting upon a street shall be considered the front of the lot. Where buildings exist on the lot, the frontage may be established by the orientation of the building, or of the principal entrance, if building orientation does not clearly indicate lot frontage. Where no other method determines conclusively the front of a lot, the Planning Director shall select one frontage on the bases of traffic flow on adjacent streets, so that the lot is considered to front on the street with the greatest traffic flow.

LOT OF RECORD - A lot that is part of a subdivision or a parcel of land, the map or plat of which has been legally recorded with the Office of the County Clerk, or, a lot or parcel of land, described by metes and bounds, the deed of which has been recorded with the Office of the County Clerk. No building permits shall be issued for any parcel created by metes and bounds description, unless said parcel conforms to all requirements herein or contained within the Subdivision Regulations.

LOT, IRREGULAR - A lot of such shape or configuration that technically meets the area and frontage requirements of the Ordinance but has unusual elongations, angles or curvilinear lines.

LOT, NONCONFORMING – A lot or parcel of land that was of record and lawfully established and maintained by which, because of the enactment of this code, no longer conforms to the land-use standards or use regulations of the zone in which it is located.

LOT, THROUGH - A lot other than a corner lot with frontage on more than one street. Through lots abutting two streets may be referred to as double frontage lots.

MARINE EQUIPMENT REPAIR – An establishment primarily engaged in the maintenance and repair of motorboats and other watercraft, marine supplies, and outboard motors, including no more than incidental storage.

MARINE SUPPLIES - An establishment primarily engaged in the retail sale of motorboats and other watercraft, marine supplies, and outboard motors, including no more than incidental storage.

MARQUEE - A roof-like structure that cantilevers from the wall of a building over its principal entrance, that has no vertical supports other than the wall from which it cantilevers, and that provides a wall surface at least four feet high, generally constructed for purposes of containing a sign.

MIXED-USE DEVELOPMENT – A single development of more than one building and use, where the different types of land uses are in close proximity, planned as a unified complementary whole, and functionally integrated to the use of shared vehicular and pedestrian access and parking areas, but not a joint-use dwelling as defined in this Ordinance.

MOBILE HOME – A structure, transportable in one or more sections, built on a permanent chassis with axels and wheels, and designed to be used as a dwelling with or without a permanent stand, when connected to the required utilities. (Same as Trailer.)

MOBILE HOME LOT– A plot of land within a designated mobile home park designed for the accommodation of one mobile home, its accessory buildings or structures, and accessory equipment for the exclusive use of the occupants.

MOBILE HOME PARK – A tract of land at least two acres in size, designated and improved in accordance with the terms of this ordinance, that contains five or more mobile home lots available to the general public for the placement of mobile homes for personal residency or rental.

MODULAR STRUCTURE - A residential or non-residential structure constructed at a factory or other location, transported in two or more pieces to the tract of land upon which it is to be situated on a flat-bed tractor-trailer, and assembled on a permanent foundation at the site. Modular structures are not built on a transportation chassis and, once installed, are intended to remain on the site permanently. Modular structures are designed and constructed so that, once erected on a permanent foundation, they are certified to meet the State Building Code

MOTEL - An establishment providing transient lodging in which the guest rooms are usually accessible from an outdoor parking lot.

MOTION PICTURE, AUDIO, VIDEO PRODUCTION – An establishment which develops, equips and maintains a controlled environment for the making of film, video, or audio recordings, or is engaged in the production, editing or distribution of such.

MOTORCYCLE SALES - An establishment primarily engaged in the retail sale of new or used motorcycles, motor scooters, clothing and accessories, and personal watercraft, including incidental storage, maintenance and servicing.

MOVIE THEATER, LARGE - A building for showing motion pictures or for live dramatic, dance, musical, or other productions, which is usually commercially operated. Consists of five (5) or more screens, audience seating and auditorium, and a lobby and refreshment stand.

MOVIE THEATER, SMALL – A building for showing motion pictures or for live dramatic, dance, musical, or other productions, which is usually commercially operated. Consists of four (4) or fewer screens, audience seating and auditorium, and a lobby and refreshment stand.

NEWSSTAND – A temporary structure, manned by a vendor, that sells newspapers, magazines, and other periodicals.

NON-PROFIT ORGANIZATION – A corporation established as a non-profit organization pursuant to the Code of the State of Louisiana and recognized as a non-profit organization by the U.S. Internal Revenue Service.

NURSERY, PLANT – An establishment for the growth, display, and sale of plants, shrubs, trees and materials used in indoor or outdoor planting, conducted within or without an enclosed building.

NURSING HOME – A use providing bed care and in-patient services for persons requiring regular medical attention but excluding a facility providing surgical or emergency medical services and excluding a facility providing care for alcoholism, drug addiction, mental disease, or communicable disease.

OFFICE – A room or suite of rooms or portion of a building used for the practices of a profession or for the conduct of a business that involves the accessory sale of goods from the premises.

OFFICE BUILDING – A building used primarily for offices that may include ancillary services for office workers, such as a restaurant, coffee shop, newspaper, or candy stand.

OFFICE EQUIPMENT REPAIR ESTABLISHMENT- An establishment involved in repairing office equipment, such as typewriters, copying machines, computers, calculators, and so forth.

OFFICE, MEDICAL – An office for medical providers including doctor, surgeons and dentists.

OFFICE PARK – A development that contains a number of separate office buildings, supporting uses and open space designed, planned, constructed, and managed on an integrated and coordinated basis, and located on one or more parcels under single ownership.

OFFICE SUPPLIES ESTABLISHMENT - Places of business where stationery and other supplies typically used in offices are the main items offered for sale.

OIL CHANGE FACILITY – Operations that provide lubrication or checking, changing, or additions of those fluids and filters necessary to the maintenance of a vehicle. It is intended that these services will be provided while customers wait, generally within a 15 to 30 minute time period. Rotation of tires is also permitted. If the establishment offers tire sales, tune-ups or other mechanical servicing and repair, then the facility shall be deemed an **AUTOMOBILE REPAIR FACILITY**.

OPEN SPACE – Any land or area devoid of buildings or structures, preserved for any of the following reasons: (1) conserve or enhance natural or scenic resources; or (2) promote protection of streams or water supply; or (3) promote conservation of soils, or wetlands; or (4) enhance the value to the public of abutting or neighboring parks, forests, wildlife preserves, nature reservations, or sanctuaries; or (5) enhance recreational opportunities.

OPEN SPACE, IMPROVED – Parks, playgrounds, swimming pools, ball fields, plazas, landscaped green spaces, and other areas that are created or modified by man. Improved open space shall not include spaces belonging to schools, community centers or other similar areas in public ownership

OPEN SPACE, NATURAL – Areas of natural vegetation, water bodies, or other landforms that are to be left undisturbed. Creation of a graded and surfaced walking trail through areas of natural open space shall constitute disturbance of the area in the amount of the length of the walking trail multiplied by its approximate average width. Natural open space shall not include schools, community centers or other similar areas in public ownership.

OUTDOOR FLEA MARKET – An open-air market for secondhand articles or antiques, often operated on an occasional or seasonal basis.

OUTDOOR STORAGE – The storage of any material for a period of greater than 24 hours, including items for sale or, lease, processing, and repair (including vehicles) not in an enclosed building.

OUTDOOR STORAGE, SEASONAL – Outdoor storage of items for retail sale that are, by their nature, sold during a peak season, including such items as fruits, vegetables, Christmas trees, pumpkins, lawn accessories, bedding plants, etc. and in conjunction with existing commercial establishments.

OVERLAY DISTRICT – A zoning district that extends on top of a base zoning district and is intended to protect certain critical features and resources. Unlike with a planned unit development, overlay districts govern only development standards. The uses permitted in the underlying zoning district remain the same.

PARAPET – The portion of a wall which extends above the roofline.

PARCEL – A single lot, or a grouping of old lots acquired by a single deed and considered as one buildable lot for zoning purposes. Parcels that consist of a grouping of old city lots acquired by a single deed may be subdivided for purposes of creating more buildable parcels, provided all regulations contained within this ordinance and the Subdivision Regulations are adhered to.

PARK – Any area that is predominately open space, used principally for active or passive recreation, and not used for a profit-making purpose. Any area designated by the City as a park.

PARK AND RECREATION FACILITIES – An establishment or area owned and operated by or under contract to a governmental entity designed to serve the recreation needs of community residents, including neighborhood, regional and city parks, special use facilities, gymnasiums, and outdoor facilities for baseball, football and soccer.

PARKING AISLE – The clear space for either one or two-way traffic movement or maneuvering between rows of parking stalls.

PARKING LOT, COMMERCIAL - A private parking lot that is the stand-alone use of a parcel, and whose stalls are leased to individuals for any length of time.

PARKING LOT, PRIVATE - An open area, other than a street or alley, designed to be used for the temporary parking of more than four motor vehicles, whether free or for compensation, and available for private use or as an accommodation for clients or customers.

PARKING STRUCTURE – A structure designed to accommodate vehicular parking spaces that are fully or partially enclosed or located on the deck surface of a building. This definition includes parking garages, deck parking and underground or under building parking areas.

PARKING, PUBLIC - A publicly owned or operated open area or parking garage, other than a street or alley, designed to be used for the temporary parking of more than four motor vehicles, whether free or for compensation, and available for public use or as an accommodation for clients or customers.

PASSENGER STATION, RAILROAD, MOTOR BUS - A facility designed to accommodate passengers who arrive and depart on commercial buses, or rail which may include management offices, bus parking or storage areas and personal services for passengers.

PAWNSHOP – Any business that loans money on deposit of personal property or deals in the purchase or possession of personal property on condition of selling the same back again to the pledger or depositor, or loans or advances money on personal property by taking chattel mortgage security thereon, and takes or receives such personal property.

PENAL/CORRECTIONAL INSTITUTION – A facility for the confinement or safe custody of persons so confined as the result of a legal process and includes attendance centers established for persons sentenced to serve periods of community service.

PERSON - Any individual, association, company, corporation, firm, organization or partnership singular or plural, of any kind.

PLANNING COMMISSION – The Opelousas Planning Commission, as the officially constituted body appointed to carry out planning duties and responsibilities in accordance with the Louisiana Revised Statutes.

PLANNING DIRECTOR – The Director of the Department of Planning for the City of Opelousas or his or her designee.

PLAT – A map of a land development.

PORCH – A covered but unenclosed projection from the main wall of a building that may or may not use columns or other ground supports for structural purposes. If a porch is uncovered it is considered to be a deck.

POSTER BOX - A box installed on a wall for the purpose of displaying posters of movies at a theater.

PRINTING, PUBLISHING ESTABLISHMENT, LARGE – An establishment engaged in printing and publishing of written materials at a large scale using off-set printers and other large volume machines; services are typically provided to businesses as opposed to the general public.

PUBLIC IMPROVEMENT – Any improvement, facility, or service together with its associated public site or right-of-way necessary to provide transportation, drainage, public utilities, cable television, or similar essential services.

PUBLIC PLACE – Any lots, tracts or parcels of land, structures, buildings or parts thereof owned or leased by a governing body or unit of government.

RECREATION FACILITY, INDOOR – A privately-owned commercial establishment designed and equipped for the conduct of leisure activities and other recreational activities wholly within an enclosed building. Examples of such uses include but are not limited to indoor play areas, training studios for martial arts, gymnastics and dance, bowling alleys, shooting ranges and skating – skateboard rinks.

RECREATION FACILITY, OUTDOOR – A privately-owned commercial establishment designed and equipped for the conduct of sports, leisure activities and other recreational activities wholly or partially outside of any building or structure. Examples of such uses include but are not limited to swimming pools, miniature golf courses, amusement parks, skateboard facilities and go-cart tracks.

RECREATIONAL VEHICLE (RV) – A vehicle built on a single chassis, containing 400 square feet or less when measured at the largest horizontal projections and designed to be self propelled or towed by another vehicle. A recreational vehicle is not designed or intended for use as a permanent dwelling, but as temporary living quarters for recreational camping, travel, or seasonal use. This definition includes vehicles such as travel trailers, motor homes, boats, house- boats, and campers.

RECYCLABLE COLLECTION CENTER/ SOLID WASTE TRANSFER STATION - A facility for the collection, separation, compaction, processing and storage of solid waste or recyclable materials until said waste can be transported or transferred to a sanitary landfill or other facility approved and licensed for the disposal of solid wastes or the recycling of materials by the State of Louisiana.

RECYCLING CENTER - An accessory use, structure, or enclosed area that serves as a neighborhood drop-off point for temporary storage of recyclable materials. A recycling collection point may also include a facility for the temporary collection of used clothing and household goods.

REPAIR OR MAINTENANCE – An activity that restores the character, scope, size, or design of a serviceable area, structure, or land use to its previously existing, authorized, and undamaged condition. Activities that change the character, size or scope of a project beyond the original

design and drain, dredge, fill, flood, or otherwise alter additional regulated wetlands are not included in this definition.

REPAIR SHOP, SMALL ENGINE OR MOTOR - An establishment primarily engaged in the repair or refurbishment of engines and motors, excluding passenger and marine vehicles.

RESEARCH AND DEVELOPMENT CENTER – Research, development, and testing laboratories that do not involve the mass manufacture, fabrication, processing, sale of products, or, a structure or complex of structures designed or used primarily for research development functions related to industry and similar fields of endeavor.

RESTAURANT, LARGE – A commercial establishment of more than 3,000 gross square feet where food and beverages are prepared, served, and consumed primarily within the principal building and where food sales constitute more than sixty (60) percent of the gross sales receipts. The sale of Liquor for on-site consumption is subject to state liquor laws and additional regulations by this Ordinance.

RESTAURANT, SMALL – An establishment engaged in the preparation of food and beverages containing no more than 3,000 gross square feet and characterized primarily by table service to thirty (30) or fewer customers in non-disposable containers, such as cafes, coffee shops, diners, delis, etc, Generally these establishments do not have a liquor license. Drive through or pick-up windows are subject to additional regulations by this Ordinance

RESTAURANT, FAST-FOOD – Restaurants where most customers order and are served their food at a counter or in a motor vehicle in packages prepared to leave the premises, or able to be taken to a table or counter to be consumed. This facility may or may not include a drive-through facility.

RETAIL SALES ESTABLISHMENT – A business having as its primary function the supply of merchandise or wares to the end consumer. Such sales constitute the “primary function” of the business when such sales equal at least eighty (80) percent of the gross sales of the business.

RETAINING WALL – A wall or terraced combination of walls used to retain more than eighteen (18) vertical inches of material.

RIGHT-OF-WAY – A strip of land acquired by reservation, dedication, prescription, or condemnation and intended to be occupied by a street, trail, waterline, sanitary sewer, or other public utilities or facilities.

ROOMING HOUSE – A building or portion thereof that does not qualify as a one- or two-family dwelling, that provides sleeping accommodations for no more than 16 people on a transient or permanent basis, without personal care services, with or without meals, but without separate cooking facilities for individual occupants. Also called a **BOARDING HOUSE**.

SALVAGE YARD – A facility or area for storing, keeping, selling, dismantling, shredding, compressing, or salvaging scrap or discarded material or equipment. Scrap or discarded material includes, but is not limited to, metal, paper, rage, tires, bottles, motor vehicle parts, machinery, structural steel, equipment and appliances. The term includes facilities for separating trash and debris from recoverable resources, such as paper products, glass, metal cans, and other products that can be returned to a condition in which they may again be used for production.

SCHOOL K-12 - A school offering educational instruction in grades kindergarten (K) through twelve (12), licensed by the Louisiana Department of Education.

SELF-SERVICE STORAGE FACILITY – A building or group of buildings consisting of individual, self-contained units leased to individuals, organizations, or businesses for self-service storage of personal property. Also commonly referred to as mini-warehouses.

SETBACK – The minimum distance by which any building or structure must be separated from a street right-of-way or lot line.

SETBACK, FRONT – The shortest distance from the street right-of-way line to the closest point of the foundation of a building or projection thereof.

SETBACK, FRONT, ON CORNER LOTS – The front setback of a corner lot shall be measured from the side of the lot designated as the “front.” On a corner lot, only one street line shall be considered a front line, which shall be the shorter street frontage.

SETBACK, REAR – The shortest distance between the building line and the rear lot line.

SETBACK, SIDE – The shortest distance between the building line and the side lot line.

SEXUALLY-ORIENTED BUSINESS – Shall include “adult book store”, “adult motion picture theatre”, “adult videotape store”, and “adult entertainment.”

ADULT BOOK STORE - An establishment having more than 10 square feet of floor area devoted to stock in trade, books, magazines, and other periodicals which are distinguished or characterized by their emphasis on matter depicting, describing or relating to “Specified Sexual Activities” or “Specified Anatomical Areas”, as defined in this ordinance.

ADULT ENTERTAINMENT - An establishment used for presenting persons depicting, showing, or relating to "Specified Sexual Activities" or "Specified Anatomical Areas", as defined in this ordinance.

ADULT MOTION PICTURE THEATER – An establishment used for presenting motion picture 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 ordinance, for observation by patrons thereto.

ADULT VIDEO STORE - An establishment having more than 10 square feet of floor area devoted to offering videos which are distinguished or characterized by their emphasis on matter depicting, describing, or relating to "Specified Sexual Activities" or "Specified Anatomical Areas", as defined in this ordinance, or an establishment with a segment or section devoted to the sale or display of such material.

SPECIFIED ANATOMICAL AREAS – (1) Less than completely and opaquely covered human genitals, pubic region, buttocks, or female breast below a point immediately above the top of the areola; or (2) human male genitals in a discernable turgid state, even if completely or opaquely covered.

SPECIFIED SEXUAL ACTIVITIES – (1) Human genitals in a state of sexual stimulation or arousal; (2) acts of human masturbation, sexual intercourse or sodomy; or (3) fondling, erotic display or erotic touching of human genitals, pubic region, buttocks or breasts, even if completely and opaquely covered.

SHOOTING RANGE, INDOOR – The use of a structure for archery or the discharging of firearms for the purposes of target practice or temporary competitions. See also, **RECREATION FACILITY, COMMERCIAL, INDOOR**.

SHOPPING CENTER – A group of retail and other commercial establishments that are planned, owned, and managed as a single property.

SHOPPING CENTER, LARGE-SCALE – A group of buildings larger than 30,000 square feet of gross floor area engaged in the sale or rental of goods for consumer or household use.

SHOPPING CENTER, SMALL-SCALE – A group of buildings of less than 30,000 square feet of gross floor area, engaged in the sale or rental of goods for consumer or household use.

SIGN - Any device, fixture, placard or structure that uses any color, form, graphic, illumination, symbol or writing to advertise, announce the purpose of, or identify the purpose of a person or entity, or to communicate information of any kind to the public.

SIGN, ABANDONED – A sign or supporting structure which no longer identifies a bona fide business conducted or product sold on the premises. A sign shall be deemed abandoned when these conditions have been in existence for a period exceeding ninety (90) calendar days.

SIGN, ANIMATED - Any sign that uses movement or change of lighting to depict action or create a special effect or scene, except LED displays on restaurant menu boards.

SIGN AREA - The entire face of a sign including the advertising surface and any framing, trim, or modeling, but not including the supporting structure.

SIGN, AWNING - A sign located on an awning. See CANOPY SIGN.

SIGN, BANNER - A sign with or without characters, letters, illustrations, or ornamentations applied to cloth, paper, flexible plastic, or fabric of any kind with only such material for backing. All banners are temporary signs.

SIGN, BUILDING MARKER - Any sign indicating the name of a building and date and incidental information about its construction. Such sign typically is cut into a masonry surface or made of bronze or other permanent material, and is not regulated under this Ordinance.

SIGN, BUILDING - Any sign attached to any part of a building, as contrasted to a ground sign.

SIGN, CANOPY - Any sign that is a part of or attached to a structural protective cover over a door, entrance, window or outdoor service area. A marquee is not a canopy sign.

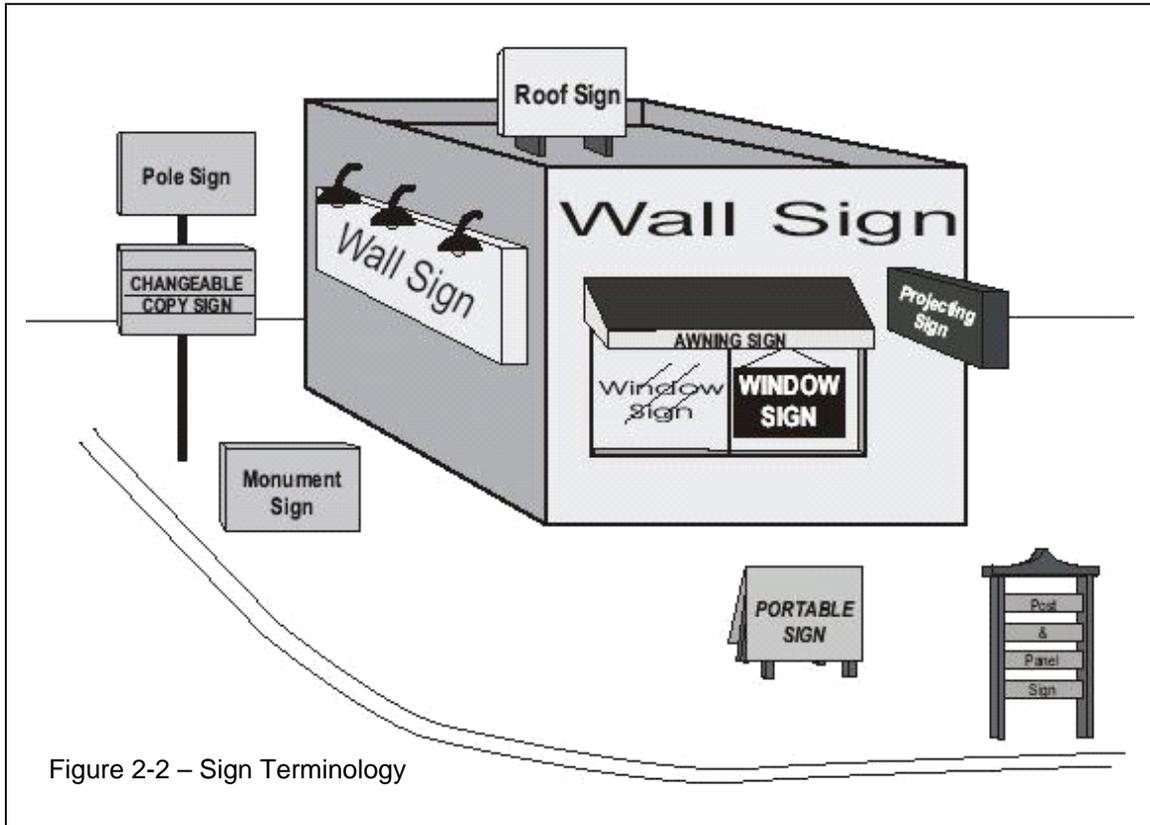


Figure 2-2 – Sign Terminology

SIGN, CHANGEABLE COPY - Any sign designed so that letters or numbers attached to the sign can be periodically changed to indicate a different message.

SIGN, COMMERCIAL MESSAGE - Any sign, wording, logo or other representation, except for the actual name of the business, that, directly or indirectly, names, advertises or calls attention to a business, product, service or other commercial activity.

SIGN, CONSTRUCTION - Any sign bearing the names of contractors, architects, engineers and the like, or advertising, promotions, price ranges and similar information, that is placed at a construction site that has received development plan approval.

SIGN COPY – Any word, letter, number or emblem affixed to the sign surface either permanently or in removable form.

SIGN, DIRECTIONAL – An on premise sign that includes information assisting in the flow of pedestrian or vehicular traffic such as enter, exit, and one-way. A directional sign excludes commercial messages and logos but may include information, that has a purpose secondary to the use of the site on which it is located, such as “no parking,” “entrance,” “loading only,” “telephone,” and similar information and directives. A directional sign may also include information stating the hours of operation of a business, emergency telephone numbers, credit card usage, or other information of a similar nature.

SIGN, DIRECTORY - A ground or building sign that lists tenants or occupants of a building or project, with unit numbers, arrows or other directional information.

SIGN, ELECTRONIC SCROLLING MESSAGE – A sign with a fixed or changing display/message composed of a series of lights, wherein the sequence of message and the rate of change is electronically programmed and can be modified by electronic processes.

SIGN, EXTERNALLY ILLUMINATED - A sign illuminated primarily by light directed toward or across it or by backlighting from a source not within it. Sources of illumination for such signs may be in the form of gooseneck lamps, spotlights, or luminous tubing.

SIGN FACE – The area of a sign on which the copy is placed.

SIGN FLAG, FLAGPOLE - See **FLAG, BUSINESS FLAG AND PUBLIC FLAG** definitions.

SIGN, FLASHING - A sign, the illumination of which is not constant in intensity when in use, and which exhibits sudden or marked changes in lighting effects. LED displays on restaurant menu boards are not considered flashing signs.

SIGN, FREESTANDING – A sign that is attached to, erected on, or supported by some structure (such as a post, mast, frame, or other structure) that is not itself an integral part of or attached to a building or other structure whose principal function is something other than support.

SIGN, GROUND - Any sign attached to the ground, as contrasted to a building sign; a freestanding sign.

SIGN HEIGHT – The vertical distance measured from the lowest adjacent grade to the highest point of the sign or sign structure.

SIGN, IDENTIFICATION - A sign bearing the address of the premises or name of occupant, but containing no logo or commercial message.

SIGN, ILLUMINATED - A sign that is illuminated by electrical or other artificial devices.

SIGN, INTERNALLY ILLUMINATED – A sign whose light source is either located in the interior of the sign so that the rays go through the face of the sign, or which is attached to the face of the sign and is perceived as a design element of the sign. Such signs may not be located in any residential, office, or neighborhood services district.

SIGN, MARQUEE - A sign attached to or mounted on top of a marquee.

SIGN, MENU BOARD - An accessory sign providing items and prices associated with a drive-thru window.

SIGN, MONUMENT – A freestanding sign where the base of the sign structure is on the ground or a maximum of twelve (12) inches above the adjacent grade. The width of the top of the sign structure can be no less than 90 and no more than 120 percent of the width of the base.

SIGN, NEON – A sign containing glass tube lighting in which gas and phosphors are used in combination to create a colored light.

SIGN, OFF-PREMISE – A sign that directs attention to a business, commodity, service, or entertainment not exclusively related to the premises where such a sign is located or to which it is affixed. Such signs may or may not be of the pole sign variety.

SIGN, ON-PREMISE – Any sign identifying or advertising a business, person, activity, goods, services, or products, located on the premises where the sign is installed and maintained.

SIGN, POLE – A sign that is mounted on a freestanding pole(s) or other support so that the bottom edge of the sign face is six feet or more above the grade. Such signs are prohibited within the City, except within 500 feet of a Federal Interstate Highway. Also called a **PYLON SIGN**.

SIGN, POLITICAL - A sign attracting attention to political candidates or issues, expressing support for a candidate for public office or another position regarding a public figure or issue, but bearing no commercial message.

SIGN, PORTABLE - Any sign not permanently attached to the ground or other permanent structure or a sign designed to be transported, including, but not limited to, signs designed to be transported by means of wheels; signs made as A-frames or T-frames; and balloons used as signs. Such signs are prohibited within the City.

SIGN, POST AND PANEL – A sign consisting of one or more panels which are supported between two posts permanently anchored in the ground.

SIGN, PROJECTING - Any sign attached to a building wall and extending laterally more than 18 inches from the face of such wall.

SIGN, PUBLIC EVENT BANNER – A banner sign advertising or announcing a special community wide event or activity conducted by, or sponsored by, or on behalf of a unit of local government, a charitable organization, or a not-for-profit corporation. A special community wide event or activity is one that occurs not more than twice in any twelve (12) month period and seeks to attract donations, participants, or customers throughout the city.

SIGN, PUBLIC INFORMATION – Any sign erected and maintained by public officials or public agencies, or approved and authorized for use by state or local government authorities.

SIGN, PYLON – See **SIGN, POLE**.

SIGN, REAL ESTATE - A sign advertising real property for sale or for lease.

SIGN, ROOF – A sign erected above the eaves of a building.

SIGN, SANDWICH BOARD - A sign not permanently attached to the ground or some type of permanent structure; a sign connected to or located on A or T frames; a two-sided sign attached to boards.

SIGN, SHINGLE – A sign suspended from and located entirely under a covered porch, covered walkway, or an awning. See **SIGN, SUSPENDED**.

SIGN, SPECIAL EVENT – A sign advertising or announcing a special community wide event or activity conducted by, or sponsored by, or on behalf of a unit of local government, a charitable organization, or a nonprofit corporation. A special community wide event or activity is one that occurs not more than twice in any twelve (12) month period and seeks to attract donations, participants, or customers throughout the City.

SIGN, SUSPENDED - A sign that is suspended from the underside of a horizontal plane surface and supported by such surface.

SIGN, TEMPORARY - Any sign that is used only temporarily and is not permanently mounted, and that can be used only for a designated period of time.

SIGN, TRAFFIC - A sign indicating federal, state, or municipal regulations for automobile, truck, bicycle or pedestrian movement.

SIGN, V-TYPE – A type of sign with two faces connected at one end, but facing away from each other at angles that impart a “V” shape to the sign. For purposes of computing surface area, such signs are two separate signs if the angle between the two outer surfaces is less than 60 degrees; otherwise the wings shall be considered one sign.

SIGN, WALL - Any sign painted on or attached to and extending not more than six (6) inches from an exterior wall in a parallel manner.

SIGN, WINDOW - Any sign that is applied to the inside of glassed areas of a building. Such signs shall be treated as wall signs.

SITE - A lot, tract or parcel of land considered as one land-unit for purposes of this ordinance. For a single-family residence, the site shall be the subdivided lot on which it is located. For multi-family projects, the site shall be all land occupied by the buildings in the project and adjoining such property and under common ownership with it. For vacant land, the site shall be all of the adjoining vacant land under single ownership. For single-occupancy, non-residential properties, the site shall be the subdivided lot that is occupied. For multiple-occupancy properties, the site shall be all land included under the original “site plan” or “subdivision plan” approval under the Zoning Ordinance.

SITE PLAN - A plan depicting the proposed development of a property, in terms of the location, scale and configuration of buildings and other features containing all the required information under the site plan review section of this Ordinance.

SNACK BAR/ SNACK SHOP – An establishment similar to a restaurant, but limited to the extent that no food is cooked on the premises other than heating by a microwave oven, no drive-through windows exist on the premises, and seating for customers does not exceed twelve (12).

SOUVENIR SHOP – An establishment primarily engaged in selling souvenirs, including T-shirts but excluding books, magazines or maps, which serve as a token of remembrance of the City and which bear the name of the City or geographic areas or streets thereof, or of events associated with the City.

SPA – A facility offering therapeutic baths, massages, and saunas.

SPORTING GOODS - An establishment primarily engaged in selling sporting goods, sporting equipment and accessories.

STACKING LANE – An area for temporary queuing of motor vehicles.

STAFF – Employees of the Opelousas Planning Department, or other City of Opelousas department if specifically referenced.

STATE - The State of Louisiana, unless otherwise specified.

STEALTH TECHNOLOGY - Towers designed with alternative design structures such as clock towers, artificial trees and similar non-traditional structures that are compatible with the surroundings and camouflage or partially conceal the presence of telecommunications towers. Antennae erected on alternative structures such as ball field light poles, electric utility poles, water towers and similar existing structures.

STORAGE, OUTSIDE – The storage, collection or display for more than three (3) consecutive days, or any part of a day for three consecutive days, of any products, materials, equipment, appliances, vehicles not in service, and/ or personal property of any kind on an unenclosed, uncovered area.

STORMWATER MANAGEMENT – Any storm water management technique, apparatus, or facility that controls or manages the path, storage, or rate of release of storm water runoff. Such facilities may include storm sewers, retention or detention basins, drainage channels, drainage swales, inlet or outlet structures, or other similar facilities.

STORY – That portion of a building included between the upper surface of any floor and the upper surface of the floor next above, except that the topmost story shall be that portion of a building included between the upper surface of the topmost floor and the ceiling or roof above.

STREET, ARTERIAL – A street designated for large volumes of traffic movement. Certain arterial streets may be classed as limited access highways to which entrances and exists are provided only at controlled intersections and access is denied to abutting properties.

STREET, COLLECTOR – A street which primarily collects traffic from local streets and feeds it to an arterial street. Collector streets provide circulation within neighborhood areas.

STREET ENCLOSURE – An urban design principle whereby street space is semi-enclosed by placing building facades and/or street trees close to the curbs on both sides of the street, with as few gaps as possible. It is understood that this type of enclosure promotes pedestrian comfort, safety and visual interest. An ideal ratio for enclosure is 3:1, whereby the front facades of buildings on opposite sides of the streets are separated by not more than three (3) times their average height. Any ratio smaller than 6:1 is generally regarded as ineffective in achieving enclosure.

STREET FRONTAGE - The distance for which a lot line adjoins a public or private street from one lot line intersecting said street to the furthest lot line intersecting the same street.

STREET, PRIVATE - Any road or street that is not publicly owned and maintained, used for access by the occupants of the development, subdivision, or mobile home park and their guests

STREET, RESIDENTIAL – A street used primarily for access to abutting properties, usually residential.

STREET WALL – The wall or part of the building nearest to the street line.

STRUCTURAL ALTERATION, BUILDING – Any change in the supporting members of a building, such as bearing walls or partitions, columns, beams or girders, or any rebuilding of the roof or exterior walls.

STRUCTURAL ALTERATION, SIGN -- A change in the supportive structure of a sign such as support beams or poles, uprights or braces, cabinet supports, or any rebuilding of the supportive elements of a sign or any action that changes the height, size or shape of a sign or any action that affects the structural supports of a sign so as to prolong the life of a sign.

STRUCTURE - A combination of materials forming an edifice or building of any kind, or any piece of work artificially built up or comprised of parts joined together in some definite manner, but excluding the following: retaining walls; fences not over six feet high; platforms or decks not more than thirty inches above grade and not over any basement or story below; utility mains, lines, and underground facilities; and yard and play equipment. Structure does not include vehicles, recreational vehicles or campers.

STRUCTURE, PERMANENT -- A structure built of materials or constructed in a manner that would commonly be expected to remain useful for a substantial period of time;

STRUCTURE, TEMPORARY -- A structure built of materials or constructed in a manner that would commonly be expected to have relatively short useful life, or built for a purpose that would be expected to be relatively short-term in duration.

STRUCTURE, DETACHED – A structure with no vertical common or party wall with another structure.

SUBDIVISION – The division of a lot, tract or parcel of land into two or more lots, tracts or parcels, or the recombination of existing lots, tracts, or parcels.

SUBDIVISION REGULATIONS - The Subdivision Regulations of the City of Opelousas, Louisiana, effective December 1, 2002 and as amended.

SWIMMING POOL – A pool or tub constructed either above or below grade and having a capacity of 1,000 or more gallons.

TANNING STUDIO – Any business that uses artificial lighting systems to produce a tan on an individual's body. The use specifically excludes spas, gymnasiums, athletic clubs, health clubs, and any exercise equipment.

TATTOO PARLOR/ BODY-PIERCING STUDIO – An establishment whose principle business activity, either in terms of operation or as held out to the public, is the practice placing of designs, letters, figures, symbols, or other marks upon or under the skin of any person, using ink or other substances that result in the permanent coloration of the skin by means of the use of needles or other instruments designed to contact or puncture the skin or the creation of an opening in the body of a person for the purpose of inserting jewelry or other decoration.

TAXI – Any motor vehicle other than a limousine offered to the public by a taxicab service for the purpose of carrying or transporting passengers for a charge or a fee.

TAXICAB SERVICE – A service that offers transportation in passenger automobiles or vans to persons for compensation.

TELECOMMUNICATIONS, CLASS I -- Facilities such as television antennas, ham radio antennas, am/fm reception. No Class I facility may be utilized for cell phone reception.

TELECOMMUNICATIONS, CLASS II -- Facilities such as antennae and associated electronic equipment designed expressly for use by cell phone companies, as regulated under the Federal Telecommunication Act of 1996, that are not intended to be supported by or attached to a new telecommunications tower, as defined. They may be attached to existing, permitted tower structures, as provided for in this Ordinance.

TELECOMMUNICATIONS, CLASS III -- Facilities such as antennae and associated electronic equipment that is supported by or attached to a new telecommunications tower, as defined herein, and is designed expressly for use by cell phone companies, as regulated under the Federal Telecommunications Act of 1996.

TEMPORARY LIGHTING - Lighting installed or erected for a specific purpose or activity and on a non-permanent basis. Temporary lighting must be removed once the purpose or activity is discontinued.

TERMINAL, TRUCK or TERMINAL, MOTOR FREIGHT – Any premises used by a motor freight company regulated by the public utility commission and/ or the Interstate Commerce Commission as a carrier of goods, which is the origin and / or destination point of goods being transported, for the purpose of storing, transferring, loading, and unloading goods.

THEATER, OUTDOOR DRIVE-IN - An open-air lot devoted primarily to the showing of motion pictures for patrons in automobiles. These uses frequently include parks, playgrounds, recreational facilities and open spaces.

THEATER - An establishment offering to the public movies or live performances.

TOWING SERVICE – Establishment that provides for the removal and temporary storage of vehicles but does not include disposal, permanent disassembly, salvage, or accessory storage of inoperable vehicles.

TRAFFIC IMPACT ANALYSIS – A formal analysis prepared by a traffic engineer or transportation planner, on the effect of traffic generated by a development on the capacity, operations, and safety of the public street and highway system.

TRAILER – A structure, transportable in one or more sections, built on a permanent chassis with axels and wheels, and designed to be used as a dwelling with or without a permanent stand, when connected to the required utilities. (Same as Mobile Home.)

TRAILER PARK – A tract of land at least two acres in size, designated and improved in accordance with the terms of this ordinance, that contains five or more mobile home lots available to the general public for the placement of trailers for personal residency or rental.

TRANSIENT AMUSEMENT ENTERPRISE – Bazaars, carnivals, circuses or other similar transient amusement enterprise.

TREE - A plant having at least one well defined stem or trunk and normally attaining a mature height of at least ten (10) feet, with an average mature spread of ten (10) feet, and having a trunk that shall be kept clear of leaves and branches at least six (6) feet above grade at maturity.

UNNECESSARY or UNDUE HARDSHIP – A hardship by reason of exceptional shape of a lot, exceptional topographic conditions, or other exceptional physical conditions of a parcel of land. Unnecessary hardship shall not include personal or financial hardship or any other hardship that is self-imposed.

UPHOLSTERY/INTERIOR DECORATING SERVICE - An establishment offering re-upholstery and repair services and specific upholstery materials for sale.

USE, ACCESSORY – A land-use that is subordinate in area, extent and purpose to the principal use; contributes to the comfort, convenience, or necessity of the principal use; and is located on the same lot and in the same zoning district as the principal use.

USE, CONDITIONAL – A use listed in the Grid of Allowed Uses as a conditional use, which because of special requirements or characteristics may be allowed in a particular zoning district subject to supplemental regulations only after a public hearing and approval by the Planning Commission and the City Council.

USE, EXISTING – The use of land, buildings or activity permitted or in existence prior to the adoption of this ordinance and subsequent amendments.

USE, PERMITTED – A use listed in the Grid of Allowed Uses as a permitted use, subject to the design standards and other restrictions applicable to that zoning district.

USE, PRINCIPAL – The primary use of any lot. Only one principal use may be permitted on a lot, unless authorized specifically by this ordinance.

USE, PUBLIC – A use by an agency or department of the city, county, state, or federal government. This shall also include public utilities or uses by any organization that receives funding either all or in part from any agency or department of the city, county, state, or federal government. This shall also include buildings and premises used in the operation of the public use.

UTILITY – A public or private distribution service to the public that is regulated by the Louisiana Public Service Commission.

VARIANCE - A deviation from the minimum standards of this ordinance that is authorized by the Planning Commission. A variance cannot permit a land use that is otherwise prohibited in the zoning district and cannot change the zoning classification of a parcel of land.

VETERINARY CLINIC - A use or structure intended or used primarily for the testing and treatment of animals on an emergency or outpatient basis. Veterinary clinic shall not include the boarding or training of animals, except for medical purposes and shall not provide outdoor runs or kennels. Also includes veterinary hospital.

VIDEO GAMING or LOTTERY – A lottery that allows a game to be played utilizing an electronic computer and an interactive terminal device, equipped with a video screen and keys, a keyboard or other equipment allowing input by an individual player, into which the player inserts coins or currency as consideration in order for play to be available, and through which terminal device, the player may receive free games or a voucher that can be redeemed for a cash or non-cash prize, or nothing, determined wholly or predominantly by chance. "Video lottery" does not include a lottery game that merely utilizes an electronic computer and a video screen to operate a lottery game and communicate the results of the game and which does not utilize an interactive electronic terminal device allowing input by one or more players. Video gaming or lottery shall be regulated in accordance with all applicable State and other regulations.

VIDEO GAMING or LOTTERY ESTABLISHMENT – An establishment at which any form of gambling of chance is permitted or played, including "video lottery" machines licensed by the appropriate Louisiana Codes and Commissions, but excluding establishments that only sell lottery tickets.

VIDEO RENTAL STORE – An establishment primarily engaged in the retail rental or lease of videotapes, films, CD-ROMs, DVDs, electronic games, cassettes or other electronic media. Sale of film, videotapes, laser discs, CD-ROMs, DVDs, and electronic merchandise associated with VCRs, video cameras, and electronic games are permitted accessory uses.

WALL, EXTERIOR - A vertical, structural component of a building which encloses habitable or usable space; a parapet extending not more than twelve inches above a flat roof shall be considered part of the exterior wall for purposes of determining signage.

WAREHOUSE - Facilities characterized by extensive warehousing, frequent heavy trucking activity, open storage of material, or nuisances such as dust, noise and odors, but not involved in manufacturing or production.

WAREHOUSING AND DISTRIBUTION - An establishment involved in storing, stocking or distributing of merchandise or commodities.

WELLNESS CENTER - An establishment in which any combination of the following activities are provided: stress management, aerobics and other exercise programs, nutrition counseling, complementary medicine, physical therapy, cardiac rehabilitation therapy and other similar non-invasive health-related activities.

WHOLESALE ESTABLISHMENT - The sale of commodities to retailers or jobbers and shall include the sale of commodities for the purpose of carrying on any trade or business even if the said trade or business is the consumer or end user of the commodity.

WRECKER SERVICE - A service for towing wrecked, illegally parked, or disabled automobiles or freeing automobiles stalled in snow or mud.

ZONING – The division of a municipality into districts or zones which specify permitted and conditional uses and development standards for real property within the districts or zones.

ZONE or ZONING DISTRICT – A specifically delineated area or district within the corporate limits of the city for which the requirements governing use, placement, spacing, size, lot dimensions, and bulk of buildings and premises are uniform.

ZONING MAP – The map or maps that geographically illustrate all zoning district boundaries within the City of Opelousas, as described within this Ordinance, and which is certified as the official zoning map for the City.

PART 3 LAND USE AND DEVELOPMENT STANDARDS

ARTICLE 300 ESTABLISHMENT OF ZONING DISTRICTS AND ZONING MAPS

300.01 Establishment of Zoning Districts

The City is classified into the following zoning districts, whose boundaries are shown on the Official Zoning Map:

- (A) R-1: Single Family Residential District – provides single family neighborhoods for residents who prefer larger lot sizes and generally do not desire to live in close proximity to other types of uses, preserves the desirable character of existing low density neighborhoods, protects such neighborhoods from change and intrusion that may cause deterioration, and provides for adequate light, ventilation, quiet, and privacy for neighborhood residents.
- (B) R-2: Single and Two-Family Residential District – provides for single and two-family neighborhoods on smaller lots, preserves the desirable character of existing medium density family neighborhoods, protects such areas from change and intrusion that may cause deterioration, and provides for adequate light, ventilation, quiet, and privacy for neighborhood residents.
- (C) R-3: Mixed Housing Residential District – provides for a variety of housing density and types and for customary accessory uses at a density higher than in other residential neighborhoods, preserves the desirable character of existing higher density residential neighborhoods, and provides for adequate light, ventilation, quiet, and privacy for neighborhood residents.
- (D) NMU: Neighborhood Mixed Use District – provides for areas with a mixture of residential and commercial uses that meet the daily shopping and service needs of the residents of the neighborhood, encourages pedestrian-oriented, human-scaled construction designed to be compatible with the surrounding neighborhood character, preserves the desirable character of these mixed use neighborhoods, protects them from intrusion that may cause deterioration, and provides for adequate light, ventilation, quiet, and privacy for neighborhood residents.
- (E) DMU: Downtown Mixed Use District – addresses the needs of the existing downtown area and for future development within and adjacent to the existing downtown area by promoting a pedestrian friendly environment and acknowledging a development pattern established prior to the influence of the automobile on land use patterns.
- (F) C-1: General Commercial District – provides areas appropriate for most commercial, retail, office, and service businesses, typically located on arterials.
- (G) C-2: Large Scale Commercial District – provides areas appropriate for large-scale business, retail, and service facilities, both as individual buildings and for areas developed and managed as a total entity, all typically located along major thoroughfares.

- (H) MED: Medical District – provides focused areas where medical facilities, including hospitals, laboratories, and medical offices, may be located and grow, while protecting surrounding residential and mixed-use neighborhoods from change and intrusion that may cause deterioration
- (I) P: Parks District – designates and protects green space, both developed and undeveloped, and specifies uses allowed on these for public access spaces.
- (J) LI: Light Industrial District – provides areas where research and industrial parks, wholesale businesses, light manufacturing, and similar uses may develop while protecting adjacent residential and commercial districts from change and intrusion that may cause deterioration or adversely impact the health and safety of area residents, typically located with ready access to major highways so that truck traffic does not disrupt local streets.
- (K) HI: Heavy Industrial District – provides areas where industrial parks, manufacturing, and similar industrial uses may develop, protecting the health and safety of area residents, located well away from residential uses, with ready access to major highways so that truck traffic does not disrupt local streets.
- (L) PUD: Planned Unit Development District – are developed under the guidelines set forth in Article 308 of this ordinance.

300.02 Establishment of Zoning Map

The Official Zoning Map adopted with this ordinance and as amended from time to time hereafter designates the boundaries of zoning districts in the City of Opelousas.

300.03 Determination and Interpretation of Zoning District Boundaries

- (A) In determining the boundaries of districts and establishing the provisions applicable to each district, due and careful consideration has been given to existing conditions, the character of buildings erected in each district, the most desirable use for which the land in each district may be adapted, and the conservation of property values throughout the City.
- (B) Where uncertainty exists as to the exact boundaries of any district as shown on the Official Zoning Map, the following rules apply:
 - (1) Unless otherwise indicated, the zoning district boundary lines are the center lines of streets or such lines extended; and
 - (2) In the case of further uncertainty, the Planning Commission is authorized to interpret the intent of the Official Zoning Map regarding the location of the boundary in question.

ARTICLE 301 AUTHORIZED LAND USES

301.01 Grid of Authorized Land Uses

- (A) The Authorized Land Use Grid identifies the types of land uses that are permitted within the City and any applicable conditions and limitations. The uses listed in the Authorized Land Use Grid are defined in Part 2, References, of this ordinance. The Supplemental Regulations are provided in Article 302.

- (B) The list of uses along the left-hand side of the Authorized Land Use Grid apply within the Zoning Districts identified at the top of each column in accordance with the following legend:

- PPermittedUse is permitted by right in the Zoning District.
AAccessory.....Use is permitted only as an accessory to another use in the Zoning District
CConditionalUse is allowed only as a conditional use in the Zoning District, and is subject to both the general Conditional Use filing requirements and to the Supplemental Regulations specific to that use in the Zoning District.

- (C) Land uses authorized within zoning districts have been placed in the following categories in the Grid of Authorized Uses according to commonalities or similarities among the land uses. The use of categories is for convenience of reference only and shall not affect in any manner the substantive regulations or standards applicable to particular uses listed within the category, except as expressly stated in these regulations. Land use categories used in the Grid of Authorized Uses are defined as follows:

- (1) Residential – Places designed and constructed for daily living, with spaces for preparing and eating food and sleeping for members of a household.
- (2) Food and Beverage Services – Places engaged in the preparation, sale, and consumption of food, such as restaurants or banquet halls.
- (3) Health Services – Services to prevent or treat illness or injury, including laboratories and cemeteries.
- (4) Retail Services – Places engaged in the display, sale at retail, and limited repair of goods such a clothing, jewelry, electronics, or household appliances.
- (5) Lodging – Rent of habitable areas for overnight, but not long-term, used by persons not owning the property.
- (6) Office – Places at which work is generally conducted at desks or their equivalent in enclosed buildings.
- (7) Places of Assembly and Entertainment – Meeting places where people gather to be with others and to participate in a shared activity that usually involves large numbers of people arriving on specific schedules.
- (8) Educational – Public or private educational facilities in which instruction occurs within a classroom, laboratory, or practice space.
- (9) Vehicular Sales and Service – Sales, service and rental of cars, trucks, and motorcycles, as well as fuel for vehicles.
- (10) Parking and Transit Facilities – Structures or tracts of land that provide areas for storage of automotive vehicles while visiting or utilizing another use, or uses involving the staging of persons or vehicles for transport.

- (11) Industrial Services and Manufacturing – General industrial, warehousing and storage uses, including both open and enclosed storage of products, materials and vehicles.
- (12) Utility and Governmental Services – Facilities which provide infrastructure useful to the public such as electric power, gas, water, sewer, telephone, and electronic mass media, and governmental facilities, such as police and fire stations.

301.02 Alternate Grid of Authorized Uses by Zoning District

From time to time the staff of the Planning Commission may prepare an Alternate Grid of Authorized Uses by Zoning District, listing authorized uses for each Zoning District. The Alternate Grid is subsidiary to the Grid of Authorized Uses, and in case of conflict, the Grid of Authorized Uses prevails.

301.03 Authorized Land Use Grid

See the Grid of Authorized Land Uses below:

ASSEMBLY AND ENTERTAINMENT												
Authorized Uses	R-1	R-2	R-3	NMU	DMU	C-1	C-2	MED	P	LI	HI	Suppl Reg*
Amphitheater (open air theater)						P			P			
Amusement Park							C			C		10
Arts/Cultural Center/Museum			C	C	P	P						
Conference Center						P	P	P		P		
Auditorium / Lecture / Assembly Hall					P	P	P					
Club or Lodge, Private			C	C	P	P	P					10
Churches, Places of Worship	C	C	C	C	C	C	C	C				11
Community Center	P	P	P	P	P	P						
Community Gardens	P	P	P	P	P			P	P			
Dance or Social Club			C			P	P					
Drive-in Theatre/Outdoor						P	P					
Driving Range Golf						P	P			P		
Fairgrounds										P		
Golf course	C	C	C			P	P		P	P		
Greenways/ Bikeways	C	C	C	C	C	C	C	C	C			
Health/Sports Club		C	C	C	P	P	P	P				10
Indoor Recreational Facilities				C	C	P	P					10
Movie Theater Large							P					
Movie Theater Small				C	P	P	P					
Outdoor Recreation Facilities	C	C	C	C		P	P		P	P		10
Park and Recreational Facilities	C	C	C	C	P	P		P	P			10
Shooting Range (Indoor or Outdoor)						C	C			C		
Video Gaming / Lottery Establishment						C	C			C		12
Zoo									C	C		

* Supplemental Regulations are located in Article 302, below.

City of Opelousas Zoning Ordinance

EDUCATIONAL SERVICES												
Authorized Uses	R-1	R-2	R-3	NMU	DMU	C-1	C-2	MED	P	LI	HI	Suppl Reg*
Business, Professional School					C	P	P	P				
Daycare Facility - Home Based	P	P	P	P	P							16
Daycare Facility - Large			C	C	C	P	P	P				15
Daycare Facility - Small		C	C	C	C	P	P	P				15
Industrial, Vocational, Trade School							P			P		
Instructional Studio		C	C	C	P	P	P					
Preschool/Nursery Schools	C	C	C	C	C	P	P					15
School (K-12)	C	C	C	C	C	P	P					
University, College			C			C	P					
* Supplemental Regulations are located in Article 302, below.												
FOOD & BEVERAGE SERVICES												
Authorized Uses	R-1	R-2	R-3	NMU	DMU	C-1	C-2	MED	P	LI	HI	Suppl Reg*
Bakery Retail		C	C	P	P	P	P					
Brew Pub				C	C	C	C					
Catering Kitchen				P	P	P	P					
Restaurant Fast Food			C		P	P	P	C		P		
Restaurant, Large			C	P	P	P	P	C		P		
Restaurant, Small		C	C	P	P	P	P	C		P		
Snack Bar/Snack Shop			P	P	P	P	P	P	C	P		
Snow Ball Stand		C	P	C	C	P	P		C			
Tavern/Bar				C	C	C	C			C		
* Supplemental Regulations are located in Article 302, below.												
HEALTH SERVICES												
Authorized Uses	R-1	R-2	R-3	NMU	DMU	C-1	C-2	MED	P	LI	HI	Suppl Reg*
Blood bank						P	P	P				
Cemetery			C	C		C		C				
Half-way House			C			C		C				
Hospital						C	C	P				
Laboratory (Medical/Dental)						P	P	P		P		9
Medical Clinic			C		P	P	P	P				
Medical Office				C	P	P	P	P				
Nursing Home/ Assisted Living/ Rehabilitative Center			P			P		P				
Veterinary Clinic				C	P	P	P					7
Wellness Center			C	C	P	P	P	P				
* Supplemental Regulations are located in Article 302, below.												
INDUSTRIAL USES												
Authorized Uses	R-1	R-2	R-3	NMU	DMU	C-1	C-2	MED	P	LI	HI	Suppl Reg*
Agricultural Activity									C	P	P	
Bakery Wholesale						P	P			P		
Composting Operation							P			P		3
Distribution Center										P		
Heavy Machinery Sales							P			P	P	
Industrial Equipment Repair										P	P	9

City of Opelousas Zoning Ordinance

INDUSTRIAL USES -- CONTINUED												
Authorized Uses	R-1	R-2	R-3	NMU	DMU	C-1	C-2	MED	P	LI	HI	Suppl Reg*
Industrial Supply Sales/Rental										P	P	
Industry Light							C			P	P	9, 22
Industry/Manufacturing Heavy											P	22
Junkyard										C	P	14
Laboratories (non-medical)						P	P			P		9
Manufactured Housing Sales										P		
Marine Supply Sales/Rental						P	P			P		9
Mineral Extraction/Oil & Gas										P	P	
Audio/ Video/ Movie Production				C	C	P	P			P		
Printing/ Publishing: Large						C	P			P		
Solid Waste Transfer Station										C	C	6, 14
Recycling /Donation Collection			C	C	C	C	C	C		C		6
Research & Development						C	P	P		P		
Salvage Yard										C	C	14
Self Storage/Outdoor Storage						C	C			P	P	13
Trailer, Heavy Truck Sales, Repair										P	P	
Warehousing / Distribution										P	P	
Wholesale Sales							P			P		
* Supplemental Regulations are located in Article 302, below.												
LODGING SERVICES												
Authorized Uses	R-1	R-2	R-3	NMU	DMU	C-1	C-2	MED	P	LI	HI	Suppl Reg*
Bed and Breakfast Inn			C	C	C	P						5
Hotel					P	P	P	P				1
Motel			C			P	P					
RV Park						C	C			C		
Timeshare/ Vacation Rental					C	C	C					
* Supplemental Regulations are located in Article 302, below.												
OFFICE												
Authorized Uses	R-1	R-2	R-3	NMU	DMU	C-1	C-2	MED	P	LI	HI	Suppl Reg*
Automated Teller Machines			C		C	C	C	C		C		17
Financial Services / Banks			C	C	P	P	P	P				17
General Business, Administrative, Professional Offices			C	C	P	P	P	P				
Labor Pool						P	P					
Utility Customer Service Center					P	P	P	P				
* Supplemental Regulations are located in Article 302, below.												
PARKING AND TRANSIT USES												
Authorized Uses	R-1	R-2	R-3	NMU	DMU	C-1	C-2	MED	P	LI	HI	Suppl Reg*
Airport										C	C	
Bus Shelter	C	C	C	C	C	C	C	C	C	C	C	
Garage, Public Access					C	P	P	P				
Heliport or Helipad					C	C	C	C		C	C	
Parking Lot			C	C	C	P	P	P	P	P	P	
Passenger Station: Bus, RR					P	P	P			P		

City of Opelousas Zoning Ordinance

PARKING AND TRANSIT USES -- CONTINUED												
Authorized Uses	R-1	R-2	R-3	NMU	DMU	C-1	C-2	MED	P	LI	HI	Suppl Reg*
Passenger Station: Bus, RR					P	P	P			P		
Taxicab Service/ Parking						C	C			P		19
Terminal Truck or Motor Freight Transit/ Bus Garage, Repair Facility										P	P	
Truck Stop										C	C	19
Wrecker Service / Storage							C			C	C	19
* Supplemental Regulations are located in Article 302, below.												
RESIDENTIAL												
Authorized Uses	R-1	R-2	R-3	NMU	DMU	C-1	C-2	MED	P	LI	HI	Suppl Reg*
Caretaker's Residence						A	A	A	A	A		
Dormitory, Rooming House			P					P				
Dwelling Joint-use				P	P							
Dwelling Multi-family			P		C			P				
Dwelling Single family	P	P	P	P	P			P				
Dwelling Townhouse		P	P	C	P			P				18
Dwelling Two-family		P	P	P	P			P				
Emergency Shelter			C		C	C		C				
Modular Homes	P	P	P	P								20
Group Residential Facility			C			P		P				
Group Residential Home			C					P				
Guest House	A	A	A	A								
Home Occupation class 1	P	P	P	P	P							2
Home Occupation class 2	C	C	C	C	C							2
Mobile Home Park/Trailer Park			C									20, 21
* Supplemental Regulations are located in Article 302, below.												
RETAIL SERVICES												
Authorized Uses	R-1	R-2	R-3	NMU	DMU	C-1	C-2	MED	P	LI	HI	Suppl Reg*
Animal Grooming Service			C	C	P	P	P					
Animal Shelter						P	P			P		7
Apparel Shop				C	P	P	P					
Appliance Repair			C	C	P	P	P					4
Appliance Sales					P	P	P					
Art Gallery			C	C	P	P	P					
Artist Studio		C	C	C	P	P						
Auction House						P	P					4
Barber Shop/ Beauty Salon			C	C	P	P	P					
Printing/ Copying Small				C	P	P	P	P				
Convenience Store			C	C	P	P	P					
Department Store					P	P	P					
Drug Store			C	C	P	P	P	P				
Dry Cleaning / Laundry, Pick up			C	C	P	P	P	P				
Dry Cleaning Service					P	P	P					
Electrical Repair Shop				C	P	P	P					4
Equipment / Furniture Rental						P	P					4

City of Opelousas Zoning Ordinance

RETAIL SERVICES – Continued												
Authorized Uses	R-1	R-2	R-3	NMU	DMU	C-1	C-2	MED	P	LI	HI	Suppl Reg*
Farmer's Market				C	C	C						
Florist Shop			C	C	P	P	P	P				
Funeral Home			C	C	P	P	P	P				
Furniture Sales: New, Used,				C	P	P	P					4
Garden Center						P	P					
Greenhouse Commercial							P			P		
Grocery Store				C	P	P	P					
Gun Store						C	C			C		
Hardware Store				C	P	P	P					4
Home Improvement/ Building Material Sales						P	P			P	P	
Jewelry Store/ Repair				C	P	P	P					
Kennel Commercial						P	P					7
Laundromat			C	C	P	P	P	P				
Liquor Store					P	P	P					
Newsstand		C	C	C	P	P	P	P				
Nursery, Plant						P	P					
Office Equipment Repair				C	P	P	P					4
Office Supplies/ Stationery				C	P	P	P					
Outdoor Flea Market						C	C					
Pawnshop						P	P					
Small Engine Repair Shop					P	P	P			P		4, 9
Sexually / Adult Oriented						C	C			C		
Shoe Repair/Tailor			C	C	P	P	P	P				
Shopping Center: Large							P					
Shopping Center: Small						P	P					
Souvenir Shop					P	P	P					
Spa					P	P	P					
Sporting Goods Sales					P	P	P					
Tattoo/ Piercing						C	C			C		
Upholstery / Interior Decorating Service				C	P	P	P					4
Video Rental/Sales				C	C	P	P					

* Supplemental Regulations are located in Article 302, below.

UTILITIES AND GOVERNMENTAL SERVICES												
Authorized Uses	R-1	R-2	R-3	NMU	DMU	C-1	C-2	MED	P	LI	HI	Suppl Reg*
Communications Equipment	C	C	C	C	C	P	P	P		P	P	
Essential Utilities & Equipment	P	P	P	P	P	P	P	P	P	P	P	
Fire, Police Station	P	P	P	P	P	P	P	P	P	P	P	
Penal/Correctional Institution										C		
Sewage treatment plant										P	P	
Telecommunications class I	P	P	P	P	P	P	P	P	P	P	P	23
Telecommunications class II	C	C	P	C	P	P	P	P		P	P	23
Telecommunications class III						C	C	C		P	P	23
Water Tower/ Storage Tank	C	C	C	C	C	C	C	C	C	P	P	

* Supplemental Regulations are located in Article 302, below.

VEHICULAR SERVICES												
Authorized Uses	R-1	R-2	R-3	NMU	DMU	C-1	C-2	MED	P	LI	HI	Suppl Reg*
Automotive Paint Shop						C	P			P	P	4, 9
Automotive Rentals						P	P					
Automotive Repair Shop					C	C	C			P	P	4, 9
Automotive Sales						P	P			P		
Automotive Supply					C	P	P			P		
Automotive Tire Repair/Sales						P	P			P	P	4, 9
Boat Repair Shop							P			P	P	9
Car Wash/Detailing				C	C	P	P			P		
Gas Station Mini-Mart			C	C		P	P	C		P		8
Gas Station with Vehicle Repair			C	C		P	P	C		P		8
Motorcycle Sales						P	P			P		9
Oil Change Facility			C			P	P					4, 9
RV and Camper Sales, Repair							C			P		9

* Supplemental Regulations are located in Article 302, below.

ARTICLE 302 SUPPLEMENTAL REGULATIONS PERTAINING TO ALLOWED LAND USE GRID

302.01 General Supplemental Regulations

- (A) The **SALE OF ALCOHOL**, whether for consumption on the premises or package sales for consumption off-premises, is a conditional use in all zoning districts. All establishments selling alcohol must comply with all state and local laws and regulations governing the sale of alcohol. Further, as part of issuing a conditional use permit authorizing the sale of alcohol, the Planning Department shall consider the impact of such a use on all Affected Persons, and shall impose such conditions as are reasonable to minimize the adverse effect of such a permit, including limitations on hours of operation, proximity to other licensed liquor outlets, and proximity to community facilities, such as churches and schools.
- (B) **DRIVE-THROUGH FACILITIES** are allowed only as an accessory use to a fixed structure, and must be approved as a conditional use. Drive through facilities are not allowed in an NMU or DMU zoning district.
- (C) **NON-RESIDENTIAL FACILITIES** in an NMU district are subject to the following requirements, in addition to any supplemental regulations for a specific use and any conditions placed on the issuance of a conditional use permit by the Planning Department:
 - a) Non-residential facilities located in an NMU zoning district are limited to 2,000 sq.ft. of gross floor area open to the public, and no more than 1,000 sq.ft. of storage or back-of-house operations; except that community centers, recreational facilities and other places of assembly may contain up to 10,000 sq.ft.
 - b) Non-residential facilities located in an NMU zoning district are restricted to operating between the hours of 7:00 a.m. to 9:00 p.m. from Sunday through Thursday. Non-residential facilities may remain open until 11:00 p.m. on Friday and Saturday night. The Planning Commission may

establish alternative hours of operation as part of any conditional use Permit, based on its investigation of the impact of a use on affected persons.

(D) **TEMPORARY USES** are permitted in all Zoning Districts by the grant of a Temporary Use Permit issued by the Planning Director, in accordance with the requirements of this section.

(a) General Provisions

- (i) The duration of the temporary period is stated hereinafter, provided, however, renewal of such permit may be requested. The Planning Director is not obligated to renew such permits.
- (ii) Temporary Uses are subject to all the regulations of the applicable Zoning District in which they are located.
- (iii) Temporary Use permit applications are categorized as Site Plan Submissions and require a public hearing before the Planning Commission.

(b) Permitted Temporary Uses

- (i) Temporary office, model home, or model apartment, and incidental signs thereof, both incidental and necessary for the sale, rental, or lease of real property in the Zoning District. Maximum time permitted: eighteen months.
- (ii) Bazaars, carnivals, and similar temporary uses. Maximum time permitted: ten days.
- (iii) Sale of Christmas trees, outdoor tent theater, sale of seasonal fruits and vegetables from roadside stands, tent sales. Maximum time permitted: sixty days and no more than four sales events per year.
- (iv) Freestanding canopies or awnings used to enclose permitted outdoor seating areas of restaurants or private clubs and taverns. Maximum time permitted: four and one-half months between April 15 to September 1. Such canopies or awnings must be designed to withstand a wind load of thirty pounds per square foot.
- (v) Other similar uses deemed temporary by the Planning Commission and attached with such time period, conditions, and safeguards as the Commission may deem necessary.

(c) Standards

- (i) Adequate access and off-street parking facilities must be provided and must not interfere with traffic movement on adjacent streets.
- (ii) Any flood lights or other lighting must be directed upon the premises and must not be detrimental to adjacent properties.

- (iii) No commercial banners are permitted in a residential Zoning District.
- (iv) The lot must be put in clean condition devoid of temporary use remnants upon termination of the temporary period.

302.02 Supplemental Regulations for Specific Allowed Uses

The numbers in this Section refer to numbers in the last column of the Authorized Land Use Grid, and these supplemental regulations are legally applicable to the Authorized Uses within Zoning Districts as indicted by the Grid.

- (1) A **HOTEL** with ten (10) or more separate guest rooms that also has an accessory restaurant within the same building may have bar or lounge within the establishment, subject to all zoning and other regulations applicable to bars and lounges.
- (2) **HOME OCCUPATION, CLASS 1 and CLASS 2** are both considered conditional uses. They are both personal to the applicant, not transferable to any other person, and do not apply to any other business of the applicant; Both Class 1 and Class 2 Home Occupations are subject to the following supplemental regulations:
 - (a) A home occupation must register as a business with the City of Opelousas and pay applicable business and occupation taxes.
 - (b) A HOME OCCUPATION, CLASS 1 conditional use permit may be issued by the Planning Director on the basis of information submitted in the Application; A HOME OCCUPATION, CLASS 2 application requires review by the Planning Commission before the conditional use permit may be issued.
 - (c) A home occupation must be compatible with residential uses of the dwelling, must not change the residential character of the dwelling, and must not detract from the residential character of the neighborhood.
 - (d) A home occupation must produce no detectable fumes, odors, dust, heat, noise, vibration, glare, electro-magnetic field, electrical interference, or other effects outside the dwelling, including transmittal through vertical or horizontal party walls.
 - (e) A home occupation must not require fixed installation of equipment or machinery that substantially changes the residential character of the dwelling.
 - (f) A home occupation must occupy not more than twenty-five percent of the floor area of the principal structure, and must not require internal or external alterations or construction features that are not customary to a residential dwelling.
 - (g) A home occupation must be conducted entirely within the principal building. No home occupation may be conducted outdoors or in any accessory building or garage, except that parking of a vehicle used in conducting the business or simple storage of materials or goods used in association with the business may be permitted in such buildings.
 - (h) Vehicles used in association with the business may not exceed 6000 lbs. gross vehicle weight. Trailers used to transport equipment, goods, and materials used in association with the business may not exceed sixteen feet in length, measured from the tongue to the farthest rear extension of the trailer.

- (i) Except as required by state law, no exterior indication of the home occupation, no exterior signs, nor any other on-site advertising may be visible from the exterior.
 - (j) A home occupation must not involve on-site employment of persons not residing in the dwelling, except as otherwise provided in this ordinance.
 - (k) Retail sales must not occur on the premises on a regular basis or in substantial volume resulting in customer visits to the premises exceeding three customers per day.
 - (l) If the applicant is not the owner of the property at which the home occupation will be conducted, the applicant must verify that written notice of intention to conduct the home occupation has been given to the owner of the property, and the application must be accompanied by a copy of the letter by which notice was provided to the owner of the property.
 - (m) No sexually oriented business, as defined herein, may be permitted as a home occupation.
 - (n) Merchandise delivery or pick-ups to and from the premises that are associated with the home occupation and that utilize a commercial delivery service or the United States Postal Service, may not exceed two per day.
 - (o) If any resident living within 300 feet of either Class of Home Occupation believes that the Home Occupation is being conducted in violation of the imposed conditions, the resident may submit a petition for revocation of the conditional use permit. If the Planning Director is unable to resolve the problem informally, it will be placed on the agenda of the Planning Commission for a public hearing. On the basis of evidence introduced at this hearing, the Commission may suspend or revoke the conditional use permit temporarily or permanently, or impose additional restrictions on the conduct of the business.
 - (p) If the holder of a Home Occupation Class 1 or Class 2 permit wishes to make any change in the conduct of the business that departs from the description in the application or from any other conditions or restrictions imposed by the Planning Commission, the holder of the permit must obtain prior permission of the Commission on the basis of a new application.
- (3) **COMPOSTING OPERATION SITES** must be screened with landscaping or with an opaque fence or wall to a height of at least six feet.
- (4) All **STORAGE** associated with these uses must be indoors.
- (5) In all residential zoning districts, the proposed **BED AND BREAKFAST INN** must be compatible with the architectural orientation and forms characteristic of the surrounding neighborhood, and must be located only in existing homes.
- (6) **SOLID WASTE TRANSFER STATION** and **RECYCLING COLLECTION CENTER** is permitted subject to the following conditions:
- (a) Unloading areas for materials must be at least 50 feet from any adjoining property, unless unloading is conducted entirely within a building.

- (b) Portions of a site used for truck maneuvering or the storage, bailing, processing, or other handling of materials must be enclosed by an opaque fence or wall with a non-glare finish not less than 8 feet in height.
 - (c) Loading and unloading areas must be paved.
 - (d) The site must be kept clear of litter, scrap paper, or other refuse matter.
 - (e) Chemical or heating processes may not be conducted on materials.
- (7) Outdoor **KENNEL** and storage areas must not be visible from streets or adjacent properties.
- (8) Fuel dispensing pumps at **GAS STATIONS** must be located at least twelve feet from any property line.
- (9) All **REPAIR** operations must be conducted within buildings or structures on the site, except when located in an Industrial Zoning District.
- (10) **RECREATIONAL** activities, such as miniature golf, go-cart tracks, swimming pools and so forth, are not permitted in residential zoning districts unless owned and operated by a public or non-profit agency.
- (11) **CHURCHES AND PLACES OF WORSHIP** may include customary accessory uses such as: a caretaker's residence, a meeting or activity hall, a gymnasium, a playground, the sale of items associated with the practice of religion, etc., but not a medical clinic, homeless shelter, rehabilitation center, etc.
- (12) **VIDEO GAMING OR LOTTERY ESTABLISHMENTS** must comply with all applicable state regulations and the following conditions:
- (a) May locate no closer than 500 feet from another video gaming or lottery establishment. .
 - (b) May locate no closer than 500 feet from a church, school, hospital, nursing home, assisted living facility, or residential uses of any type.
 - (c) Proof that the establishment meets this distancing requirement must be submitted by the applicant.
- (13) **SELF STORAGE and OUTDOOR STORAGE YARD** must be fenced or landscaped to minimize visual contact with the surrounding area, use materials that minimize glare and heat, and avoid colors that unduly attract attention to the structure.
- (14) **JUNKYARDS and SALVAGE YARDS** must comply with the following:
- (a) The area to be occupied by the junkyard must be located at least 300 feet from any residential zoning district.
 - (b) Every junkyard operation must either be conducted wholly within a substantially constructed building or within an area surrounded completely on all sides by a continuous brick or wood fence except for entrances and exits, that is kept in repair to hide from view any part of the junkyard and its contents. The fence must be at least eight feet in height and must be constructed at street corner

intersections so as to permit adequate vision clearance on the street. If the fence is constructed of wood, it must be completely painted.

- (c) No junk may be loaded, unloaded, or placed outside the enclosure fence, temporarily or permanently, either on the property or in the public right-of-way.
 - (d) Every junkyard must be conducted so as not to create a nuisance for reason of noise or disagreeable odors or fumes. The loading or unloading of junk and the use of breakup hammers may be carried on only during daylight hours, unless located in a Heavy Industrial District.
 - (e) All premises used as a junkyard must be maintained in a clean, sanitary, and neat condition so that rats, vermin, and fire hazards are reduced to a minimum, and the accumulation of anything not defined as junk, including waste and foodstuffs and similar materials, is not permitted.
- (15) **SMALL and LARGE DAY CARE FACILITIES and NURSERY/PRE-SCHOOLS** are subject to the following requirements:
- (a) An outdoor recreation area may be approved by the Planning Commission upon consideration of the care provider's operations plan and site-specific circumstances so as to assure personal safety and to minimize off-site impacts upon adjacent properties.
 - (b) There may be no swimming pool on-site.
 - (c) An on-site outdoor recreation area, if provided, must be enclosed by a minimum three-foot high solid wall or fence with self-latching gate.
- (16) **HOME BASED DAY CARE FACILITIES** may have no structural additions or equipment not customary in a residential dwelling except those modifications required under State regulations for Child Care Facilities, Building Code or Fire Code regulations pertaining to this class of day care facilities.
- (17) **AUTOMATIC TELLER MACHINES** are only allowed inside a structure or building, unless installed as an accessory use to a bank or financial services facility.
- (18) In an NMU District, **TOWNHOUSES** are limited to two units per structure.
- (19) **TAXICAB SERVICE, WRECKER SERVICE, and BUS TRANSIT FACILITIES** must comply with the following standards:
- (a) All on-site repair or maintenance of vehicles must be conducted entirely within an enclosed building.
 - (b) All outdoor storage of associated vehicles must be entirely enclosed within a screened area surrounded by a privacy fence not less than six feet in height.
- (20) A **TRAILER or MOBILE HOME** may only be used as a dwelling unit if located in a trailer or mobile home park. All tow bars, axles, and wheels must be removed and the unit must all requirements of the Louisiana State Building Code.
- (21) **TRAILER or MOBILE HOME PARKS** must conform to the regulations specified in Chapter 17 of the Opelousas City Code, known and cited as the "Regulations for Mobile Home Parks and Individual Mobile Home Sites, Opelousas, Louisiana", as amended;

however, where there is conflict between this Zoning Ordinance and the Regulations for Mobile Home Parks..., the more stringent of the requirements shall prevail.

- (a) All mobile home parks shall be at least 2 acres in size and shall contain at least 5 units.
 - (b) All mobile homes or trailers installed must be inspected for compliance with health and safety requirements and receive a certificate of occupancy before being placed in the park. Such inspections and certificates must be provided by a building, home, or fire safety inspector licensed by a recognized governmental certification agency. Certificate must be provided to the Zoning and Permit Department before being issued a permit to move the mobile home or trailer through the streets of Opelousas.
 - (c) The mobile home park shall be enclosed by a fence or wall not less than six feet in height. Ornamental landscaping shall be planted at all entrances to the park, and shall be maintained at all times. Lighting shall be installed on interior streets to provide adequate lighting for safety and security of park residents and visitors.
 - (d) All interior streets shall be paved, and curbs and sidewalks installed.
- (22) **LIGHT AND HEAVY INDUSTRIAL FACILITIES** must comply with the following standards:
- (a) There must be one principal entrance to the industrial site, designed so that there will be adequate vehicular queuing space and appropriate controls for traffic entering and leaving the site.
 - (b) The owner(s) must provide a plan for the installation of adequate facilities for the disposal of human and industrial wastes meeting the approval of the State Department of Health.
 - (c) The owner(s) must establish appropriate organization for the future maintenance of the site, including roads, planting areas, and other improvements.
- (23) **TELECOMMUNICATIONS FACILITIES** must comply with the following standards:
- (a) Standards for Facilities
 - (i) Class I Facilities may not be more than sixty feet above grade; a Standard Building Permit required; and a structural engineer must certify that the structure is designed to that in the event of structural failure, no part of the structure will encroach upon any adjoining property or public right-of-way.
 - (ii) Class II Facilities are reserved for applicants seeking to co-locate antenna or associated electronic equipment on an existing, permitted telecommunications tower, or as an attachment to an existing building, water tank, or other structure. Unless specifically being attached to an existing, permitted telecommunications tower, these facilities must be designed utilizing the latest stealth technologies. Approval must be provided under the standards for a Major Development.
 - (iii) Class III Facilities are reserved for applicants seeking to erect a new tower structure, with associated antennae and electronic equipment.

- 1) Towers must be designed to permit future co-location of other carrier's antennae, rather than construction of additional single-use towers;
 - 2) Applicants must minimize adverse visual impact of towers and telecommunications facilities through careful design, siting, landscaping, and innovative camouflaging techniques;
 - 3) Security fencing must be provided around the equipment shed and a clear perimeter must be established at a distance of 1.5 times the tower height around the base within which there are no existing buildings;
 - 4) Applicants must avoid potential damage to property caused by towers and telecommunications facilities by ensuring that such structures are soundly and carefully designed, constructed, modified, maintained, and removed when no longer used or when determined to be structurally unsound.
- (b) If the erection or installation of a telecommunications facility has the potential to cause an impact on an historic property, as determined by the Planning Director, then the application for the telecommunications facility must include completion of the Section 106 review process of the National Historic Preservation Act.
- (c) Nothing in this section is intended to regulate a home satellite dish, whether the dish is used for television reception or other purposes.

ARTICLE 303 DEVELOPMENT STANDARDS

303.01 Lot Provisions, Setbacks, and Building Heights

- (A) The required lot size, frontage, and coverage ratios, building setbacks, and building heights for buildings in all Zoning Districts are established in the Table of Design Standards
- (B) No building or structure may be erected, enlarged, altered, or otherwise modified unless such building, structure, or modification conforms to the height, bulk, area, and density regulations of the zone in which it is located.
- (C) On a corner lot, the front lot line is the lot line having the shortest dimension along the street right of way line. The required side yard setback on the side facing a street is one and one-half times the normal side setback requirement.
- (D) For purposes of determining setbacks, ALLEY shall be synonymous with street; for determining adjacent properties, parcels separated by an alley shall be considered abutting parcels.

303.02 Design Standards Table

The Design Standards Table is provided on the next page.

Development Standards Table

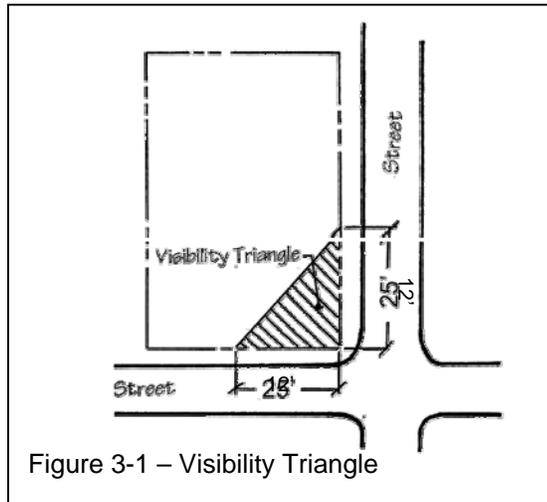
Zoning District	Application	Minimum Lot Area	Minimum Lot Frontage	Minimum Lot Depth	Maximum Height		Maximum Lot Coverage	Setbacks			
					Primary Structure	Accessory Structure		Min. Front	Max. Front	Min. Rear	Min. Side
R-1	All	7,200 sf	70 ft.	--	2.5 stories or 35 ft.	18 ft.	40%	25 ft.	--	25 ft.	10 ft.
R-2	All	3,500 sf	30 ft.	--	2.5 stories or 35 ft.	18 ft.	50%	8 ft.	20 ft.	20 ft.	5 ft.
R-3	All	4,000 sf	40 ft.	--	4 stories or 55 ft.	18 ft.	60%	10 ft.	20 ft.	20 ft.	5 ft.
NMU	Non-residential	3,500 sf	30 ft.	--	2.5 stories or 35 ft.	18 ft.	50%	8 ft.	12 ft.	20 ft.	5 ft.
	Residential	3,500 sf	30 ft.	--	2.5 stories or 35 ft.	18 ft.	50%	8 ft.	20 ft.	20 ft.	5 ft.
DMU	All	1,500 sf	30 ft.	50 ft.	See performance standards in Section *** for DMU District Height and Setbacks						
C-1	All	6,000 sf	60 ft.	100 ft.	6 stories or 72 ft.	20 ft.	60%	15 ft.	30 ft.	40 ft.	5 ft.
C-2	All	0.5 acres	100 ft.	150 ft.	75 ft.	25 ft.	60%	20 ft.	--	30 ft.	30 ft.
MED	Non-residential	6,000 sf	60 ft.	--	6 stories or 72 ft.	20ft.	60%	15 ft.	25 ft.	40 ft.	30 ft.
	Residential	6,000 sf	60 ft.	--	4 stories or 55 ft.	18 ft.	60%	10 ft.	20 ft.	20 Ft.	5 ft.
LI	All	2 acres	--	--	Max. 75 ft.	40%	10 ft.	--	10 ft.	10 ft.	
HI							30 ft. if adjacent to Zoning District boundary				
PP	Lot provision, setbacks, height requirements, parking and landscape provides shall be determined under existing permits and subsequent filings by the City of Opelousas and its Parks Department.										

303.03 General Exceptions to Design Standards

- (A) Chimneys, spires, flag poles, cooling towers, elevator bulkheads, fire towers, penthouses, stacks, tanks, water towers, transmission towers, or essential mechanical appurtenances may be erected to any height not prohibited by other laws or ordinances.
- (B) No yard, open space or lot area required for one building or structure may be occupied by or counted as open space for any other building or structure.
- (C) Driveways, curbs, sidewalks, fences, uncovered decks, and patios may be constructed in any yard, when proper permits are obtained.

303.04 Visibility Triangle

- (A) On any corner lot, a wall, fence, sign, structure, display of merchandise, or plant growth may not be placed or maintained such that it obstructs sight lines at elevations between two and one-half feet and eight feet above the crown of the adjacent roadway within a clear vision triangle of the area of the lot 12 feet along the property line from the street right-of-way at intersections.
- (B) Lots in the DMU zoning district are exempt from the 12-foot visibility triangle, but are to maximize the corner visibility as much as possible.



303.05 Accessory Structures in Residential Zoning Districts

Customary and incidental accessory buildings and uses allowed in residential Zoning Districts are subject to the following regulations:

- (A) In no case may the maximum lot coverage permitted in the Zoning District be exceeded.
- (B) Accessory structures, if detached from a principal structure, must not be placed in the front yard. If placed in a side yard, accessory structures must not be located closer to the street than the required front setback of the principal structure.

- (C) Accessory structures, if detached from a principal structure, must not be located closer than five feet from the rear property line.
- (D) On corner lots, accessory structures must not be located between any portion of the principal structure and either street.
- (E) When an accessory structure is attached to a principal structure, it must comply in all respects with the requirements of this zoning ordinance applicable to the principal structure.
- (F) Any structure connected to another structure by an open breezeway (i.e., without enclosed walls) is deemed to be a separate structure.
- (G) The total square footage of all accessory structures must not exceed fifty percent of the ground floor area of the principal building.
- (H) The square footage of the ground floor of the accessory structure must be included in the computation of lot coverage.
- (I) No accessory structure may be constructed with a cellar or below-grade story.
- (J) No part of any accessory structure may be designed or used for sleeping purposes, and no cooking fixtures may be placed or permitted therein, except as otherwise provided in this ordinance.
- (K) Any accessory structure designed as a poolhouse must be located no farther than ten feet from the swimming pool to which it is accessory. A swimming pool and poolhouse constitute one accessory structure.
- (L) A private garage may be constructed as part of a principal structure, but the garage walls must be regarded as the walls of the principal structure in applying the applicable front, side, and rear setback requirements.
- (M) Unless otherwise noted, the minimum setback for an accessory structure on a lot is five feet from the rear property line and five feet from each side property line. No accessory structures are permitted within the front setback.

303.06 Encroachment into Setbacks

- (A) Architectural features may project into a required setback as provided below:
 - (1) Fire escapes, chimneys, cornices, awnings, canopies, eaves, sills, pilasters, lintels, gutters or other similar architectural appurtenances may extend into a setback a distance not exceeding three feet, but such features must not extend closer than three feet from the property line.
 - (2) Uncovered stairs, landings, and porches must not extend closer than three feet from the property line.
 - (3) Open and covered, but unenclosed front porches attached to single or two-person family dwellings may extend into the required front setback a distance equal to fifty percent of the setback depth. Such porches may not subsequently be enclosed unless the normal setback requirements for the Zoning District are met.

- (4) No permitted encroachment noted above may extend to within three feet of an accessory structure.
- (B) Fences, walls, terraces, steps, or other similar features may encroach into a required setback, except as provided elsewhere in this ordinance. Such appurtenances may not be located within access, drainage, or utility easements.
- (C) HVAC mechanical units may be located no closer than five feet from a side lot line.

303.07 Fences

- (A) Except as otherwise specified:
 - (1) No portion of an opaque fence erected within a visibility triangle may exceed two and one-half (2.5) feet in height.
 - (2) Fences may be erected on a property line (except as provided by (1), above), but the department strongly encourages applicants to set them back slightly, to avoid any possibility of illegal encroachment onto neighboring properties, and to allow for property maintenance. It is the responsibility of the applicant to ensure that the fence will not encroach upon an adjacent lot or within a public right-of-way. If a fence erected after the date of this ordinance is found to encroach onto an adjacent lot, the Planning Director, will order its removal within thirty days of confirmation of the encroachment and receipt of a notice by the fence owner.
 - (3) Fences shall not be constructed with barbed wire, razor wire, concertina wire or electrified wire.
- (B) Fences may be erected, with a building permit, on parcels in R-1, R-2, R-3, and NMU Zoning Districts, provided they meet the following restrictions:
 - (1) Fences may not exceed six and one half feet in height at any point.
 - (2) Fences may be constructed of stone, brick, wood, vinyl, chain link or wire, wrought iron, aluminum, and ornamental concrete block, provided all other requirements herein are met.
- (C) Fences may be erected, with a building permit, on parcels in C-1, C-2, MED, LI, and HI Zoning Districts, provided they meet the following restrictions:
 - (1) Fences may not exceed ten (10) feet in height except for those surrounding industrial uses, in which case they may be up to fifteen (15) feet in height at any point.
 - (2) Fences of at least eight (8) feet in height may have barbed wire placed above the eight (8) foot mark.
- (D) Regulations governing fences in the DMU Zoning District are provided in Section 304.

ARTICLE 304 DEVELOPMENT STANDARDS FOR DMU ZONING DISTRICT

304.01 Guiding Principles

- (A) The Regulating Plan provides standards for the disposition of each lot and how each lot relates to the adjacent properties and streets. The Regulating Plan is the principle tool for implementing the Form Based Standards in the DMU District and identifies the basic physical characteristics of each building site and the Building Envelope Standard (BES) assigned to it.
- (B) The goal of the BES is the creation of a healthy and vital public realm through good street space. The BES set the basic parameters governing building construction, including the building envelope (in three dimensions) and certain required/permitted elements, such as Balconies, Porches and Street Walls.
- (C) The Regulation Plan and the BES are guided by the following basic principles:
 - Buildings are aligned and close to the street. Buildings form the space of the street.
 - The street is a coherent space, with consistent building forms on both sides of the street. This arrangement of buildings facing the street contributes to a clear public space and community identity.
 - Buildings oversee the street with active fronts. This overview of the street contributes to vital and safe public space.
 - Property lines are defined by buildings or street walls. Land is clearly public or private - in public view and under surveillance or private and protected.
 - Buildings are designed for small urban environment. Rather than being simply pushed closer together, buildings are designed for the appropriate urban situation. Views are directed to the street and the garden/courtyard, not toward the neighbors.
 - Garbage and mechanical equipment are kept away from the street.
 - Retail on the ground floor helps make the street active and interesting.
 - Parking (not including on-street parking) is kept away from the streets and shared by multiple owners/users.
 - Structures that have historic character are preserved in some manner or their elements incorporated in the redevelopment of the site.

304.02 General Rules for the Regulating Plan

- (A) Blocks
 - (1) All lots shall share a frontage line with a street.
 - (2) All lots shall be considered to be part of a block for this purpose. No block face shall have a length greater than 400 feet without an alley, common access easement or pedestrian pathway providing through-access to another street, alley or common access easement. Individual lots with less than 75 feet of frontage are exempt from the requirement to interrupt the block face; those with over 250 feet of frontage shall meet the requirement within their lot.

- (3) Where an alley is located on the regulating plan, does not exist and is not constructed at the time of redevelopment of any property, the developer is required to dedicate the alley right of way within the rear setback to the city of Opelousas, and until the city builds the alley, maintain the area within the rear setback by, at a minimum: providing basic landscaping and maintenance to the area and keeping the area clear of debris, stored materials, and vehicles.
 - (4) Curb cuts shall be limited to no more than one per 300 feet of street frontage on Core sites.
- (B) Buildings
- (1) The maximum building footprint is 30,000 square feet, except that grocery stores may have a maximum building footprint of 50,000 square feet.
 - (2) In the case that the BES designation changes along a property frontage, the property owner has the option of applying either BES for a maximum additional distance of 60 feet in either direction along that frontage.
- (C) Allowed Uses
- (1) The uses allowed in the DMU Zoning District are shown in the Grid of Allowed Uses, above.
 - (2) Residential uses are not allowed on the ground floor of buildings in the DMU zoning district, except in single-family dwellings on Local Frontages.
- (D) Parking:
- (1) The goal of parking regulations in the DMU zoning district is to maximize on-street parking and provide flexibility for redevelopment of small sites and for the preservation of historic buildings.
 - (2) Sites with less than 20,000 square feet in land area have no minimum parking requirements
 - (3) Sites with more than 20,000 square feet in land area have the following parking requirements:
 - (a) For Residential developments: A minimum of one parking space per residential unit plus one additional space for every eight units or share thereof. At least one of every 8 required spaces shall be provided as shared parking. There are no maximum limits on shared parking.
 - (b) For Non-residential uses: A minimum of one space per 1,000 square feet of use, to be provided as shared parking. There are no maximum limits on shared parking.
 - (c) Any limitations on the shared parking (time limits or hours of the day) shall be subject to approval by the Planning Director, and shall be subject to a finding that at least 12 hours of public parking are provided in any 24-hour period and that at least 8 of

those hours are provided during either business or nighttime hours depending on whether the Planning Director determines that the primary public use will be for commercial or residential uses.

- (d) A maximum of one space per 1,000 square feet of non-residential space, or two spaces per residential unit may be made available for reserved parking.
 - (e) Reserved parking above the maximum may be provided upon payment to the City of Opelousas. The City shall establish the amount of payment annually based on the approximate cost to build structured parking.
- (4) Parking requirements may be met either on-site or within one-quarter mile of the site.
 - (5) In lieu of minimum parking requirements, the City may accept a one-time payment per each space of shared parking. The City shall establish the amount of payment annually based on the approximate cost to build structured parking. Such payments shall be used by the City exclusively for the establishment and maintenance of public/shared parking facilities
 - (6) Shared parking shall be designated by appropriate signage and markings as required by the City.
- (E) Historic Preservation.
- (1) Certain historic structures and historic facades are viewed as integral to the current and future identity of the city of Opelousas. It is the intention of these development standards for the DMU Zoning District that these historic resources be preserved.
 - (2) When located on any site in the DMU Zoning District that is redeveloped pursuant to this ordinance and development standards, historic structures and historic facades shall be preserved and shall not be subject to the BES prescriptions of this code.
 - (3) In order to better incorporate historic structures and historic facades into redevelopment scenarios in the DMU District, the following are allowable modifications to the form-based standard requirements.
 - (a) Historic structures and historic facade are exempt from minimum parking requirements for that portion of the project that includes the historic property. (redevelopment is not required to obtain this exemption).
 - (b) Siting and element requirements of the BES may be modified for that portion of any redevelopment project that includes a historic structure or historic facade that is preserved.

304.03 General Requirements for Building Envelope Standards

(A) Buildable Area

Buildings shall occupy only the area of the lot specified in the BES as buildable area. Siting diagrams provide sample building footprints. No part of any building except overhanging eaves, BES-permitted balconies, bay windows and stoops shall encroach into the right-of-way beyond the Required Building Line (RBL). No part of any building except overhanging eaves, balconies, stoops and small unroofed garden structures shall occupy the remaining area.

(B) Building Height

Principal building height is measured in stories. These parameters preserve appropriate street space and allow for greater variety in building height.

(C) Alleys

On sites where alley construction is indicated on the Regulating Plan and no alley currently exists, there shall be a 20-foot setback from the rear lot line.

(D) Corner Lots

Corner lots shall be treated as having street frontage on both the front and side streets (or RBLs).

304.04 Core Site BES

(A) Height Specifications (See Figure 3-2)

(1) Building Height

Each building shall be between 2 and 5 stories in height, except where otherwise noted.

(2) Ground Story Height

(a) The ground story floor elevation shall be between 6 inches below and 24 inches above the sidewalk elevation at the front of the building. The maximum floor-to-floor story height limit for the ground floor is 24 feet.

(b) The ground floor shall have at least 12 feet clear (floor to ceiling) height for at least 1/3 of its area contiguous to RBL frontage.

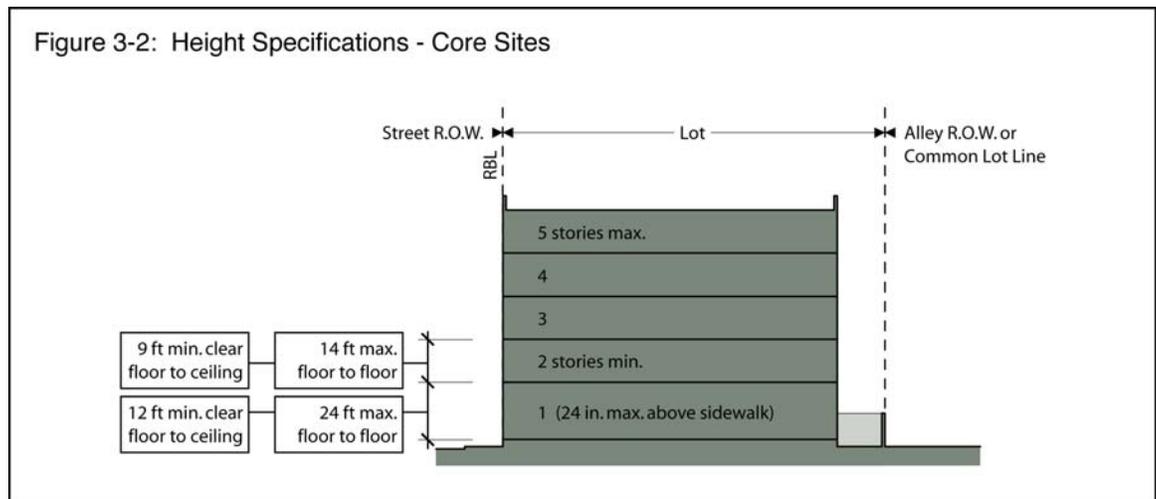
(3) Upper Stories Height

(a) The maximum floor-to-floor story height limit for stories other than the ground floor is 14 feet.

(b) At least 80 percent of the upper stories shall each have at least 9 feet clear (floor to ceiling) height.

(4) Mezzanines and Podiums

Mezzanines and podiums greater than 2/3 of the floor area footprint shall be counted as full stories.



(B) Siting Specifications (See Figure 3-3)

(1) Street Facade

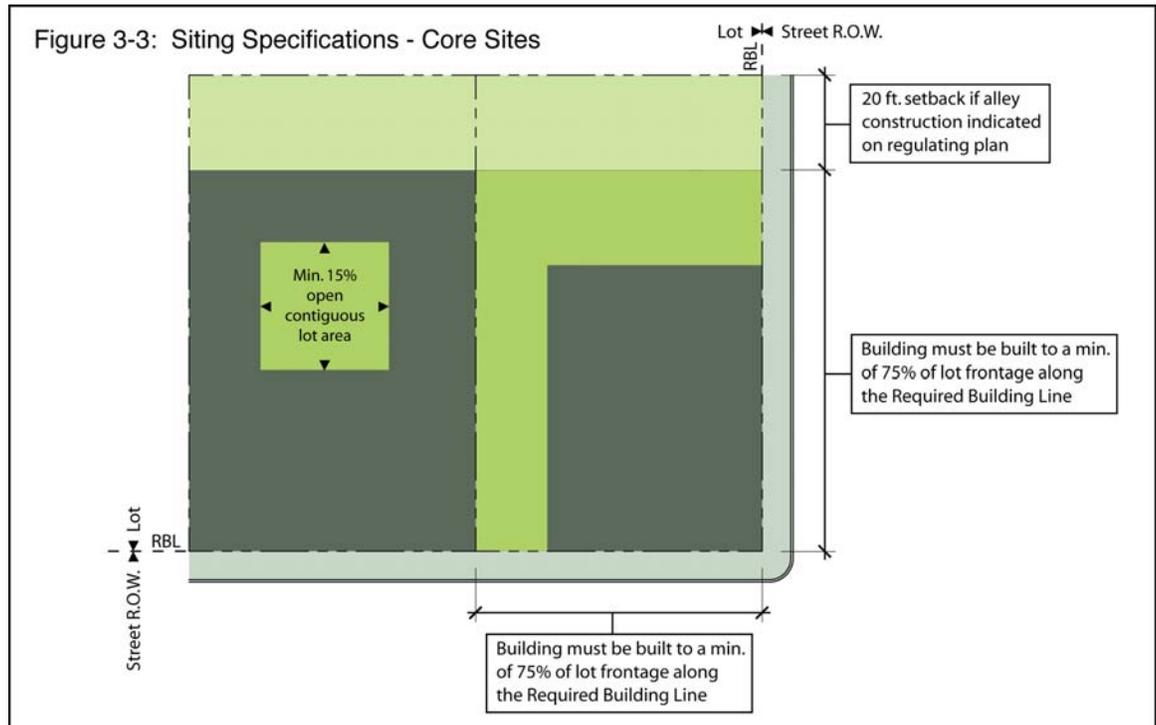
- (a) The street facade shall be built to not less than 75 percent of the overall RBL. However, the ground floor portions of the street facade within 7 feet of a block corner are exempt from this requirement to allow special corner treatments in these areas.
- (b) The street facade shall be composed as a simple plane (limited jogs less than 24 inches are considered a simple plane within this requirement) interrupted only by porches, stoops, bay windows, shopfronts and balconies.

(2) Buildable Area

The minimum open contiguous area shall comprise at least 15 percent of the total buildable area and can be located anywhere within the buildable area of the site.

(3) Side Lot Line

There are no required side lot line setbacks unless shared with an existing single family house where a 5 foot setback is required.



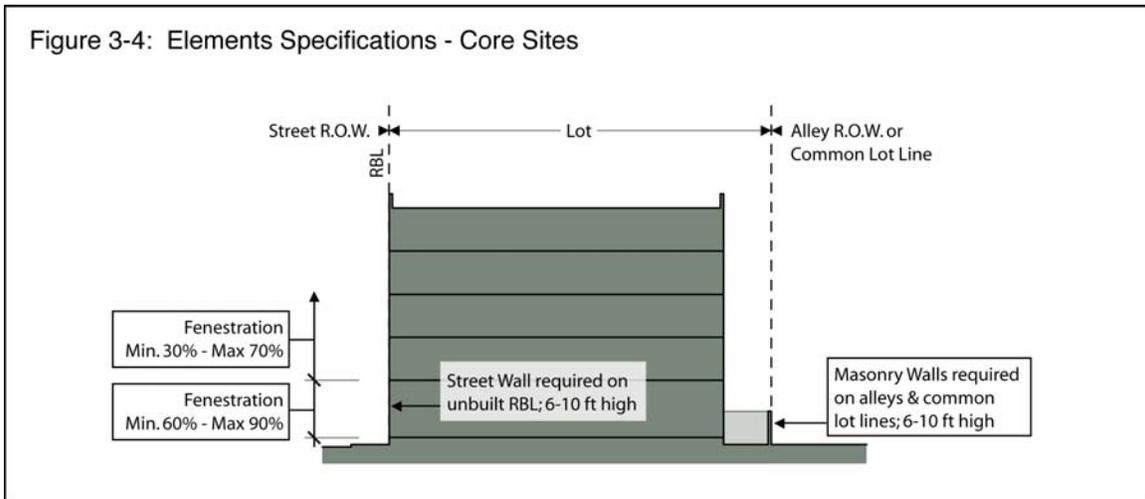
(C) Elements Specifications (See Figure 3-4)

(1) Perimeter Fencing

- (a) Any unbuilt RBL frontage shall have a fence built along it, between 6 and 10 feet in height.
- (b) Any unbuilt alley and common lot line frontage shall have a masonry wall built along it, between 6 and 10 feet in height.
- (c) Fence heights are measured relative to the adjacent sidewalk or to the ground elevation when not fronting a sidewalk.

(2) Fenestration

- (a) The ground story RBL facade shall have between 60 and 90 percent fenestration measured as a percentage of the facade that is between 2 and 10 feet above the fronting sidewalk. Awnings and overhangs are encouraged.
- (b) Upper story RBL facades shall have between 30 and 70 percent fenestration measured as a percentage of the facade that is between 3 and 9 feet above the finished floor.



304.05 Avenue Site BES

(A) Height Specifications (see Figure 3-5)

(1) Building Height

Each building shall be between 1 and 3.5 stories in height, except where otherwise noted.

(2) Ground Story Height

(a) The ground story floor elevation shall be between 6 inches below and 36 inches above the sidewalk elevation at the front of the building. The maximum floor-to-floor story height limit for the ground floor is 24 feet.

(b) At least 80 percent of the ground floor shall have at least 10 feet clear (floor to ceiling) height.

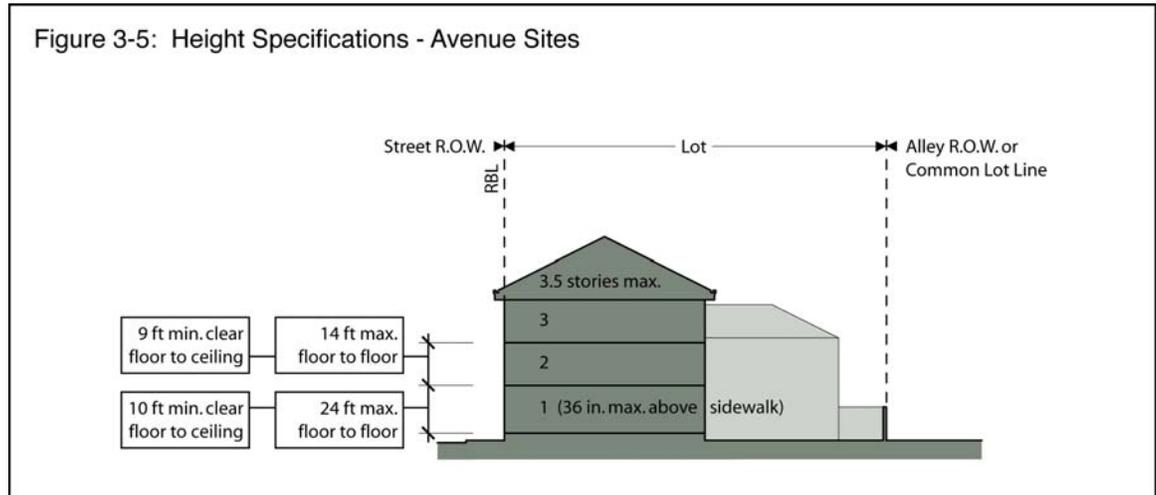
(3) Upper Stories Height

(a) The maximum floor-to-floor story height limit for upper stories is 14 feet.

(b) At least 80 percent of the upper stories shall each have at least 9 feet clear (floor to ceiling) height.

(4) Mezzanines and Podiums

Mezzanines and podiums greater than 1/3 of the floor area footprint shall be counted as full stories.



(B) Siting Specifications (see Figure 3-6)

(1) Street Facade

- (a) The street facade shall be built to not less than 50 percent of the overall RBL.
- (b) The street facade shall be composed as a simple plane (limited jogs less than 18 inches are considered a simple plane within this requirement) interrupted only by porches, stoops, bay windows, shopfronts and balconies.

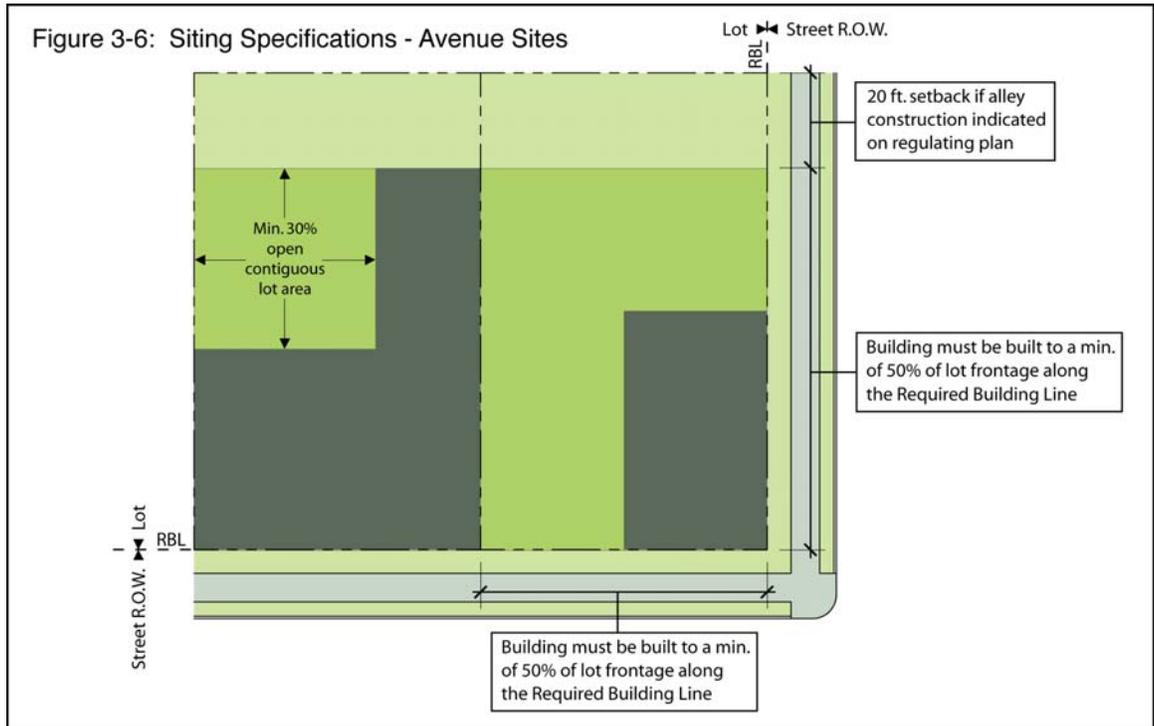
(2) Buildable Area

The minimum open contiguous area shall comprise at least 30 percent of the total buildable area and can be located anywhere within the buildable area of the site.

(3) Side Lot Line

There are no required side lot line setbacks unless shared with an existing single family house where a 5 foot setback is required.

(4) No parking spaces are allowed within 12 feet of the RBL.



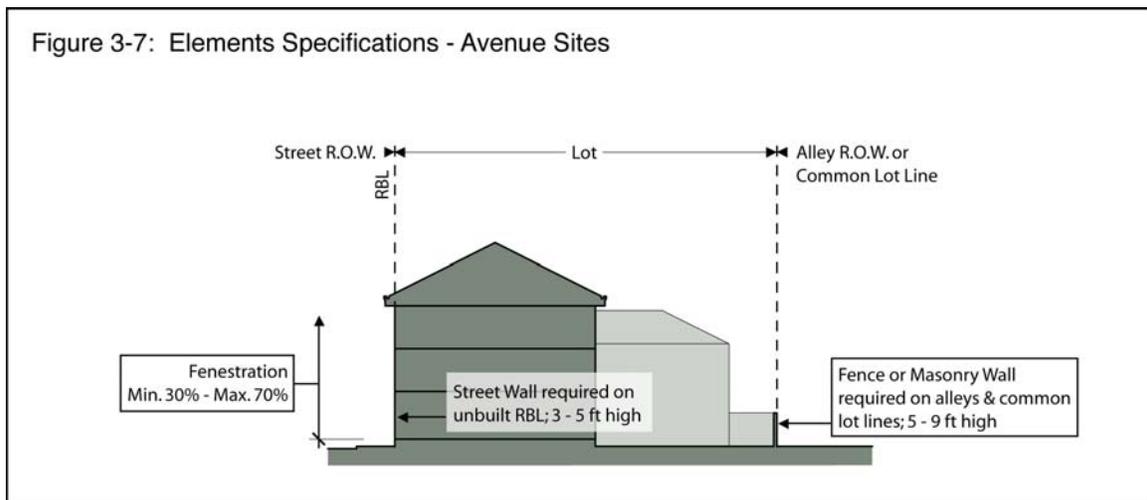
(C) Elements Specifications (see Figure 3-7)

(1) Perimeter Fencing

- (a) Any unbuilt RBL or common lot line within 15 feet of the BRL shall have a fence along it, between 3 and 5 feet in height.
- (b) Any portion of an unbuilt rear or common lot line that is more than 15 feet from the RBL shall have a masonry wall or fence along it between 5 and 9 feet in height.
- (c) Wall heights are measured relative to the adjacent sidewalk or to the ground elevation when not fronting a sidewalk.

(2) Fenestration

Each story RBL facade shall have between 30 and 70 percent fenestration measured as a percentage of the facade that is between 3 and 9 feet above the finish floor. Awnings and overhangs are encouraged.



304.06 Local Sites BES

(A) Height Specifications (see Figure 3-8)

(1) Building Height

Each building shall be between 1 and 2.5 stories in height, except where otherwise noted.

(2) Ground Story Height

(a) The ground story floor elevation shall be between 30 and 60 inches above the average RBL elevation. The maximum floor-to-floor story height limit for the ground floor is 14 feet.

(b) At least 80 percent of the ground floor shall have at least 10 feet clear (floor to ceiling) height.

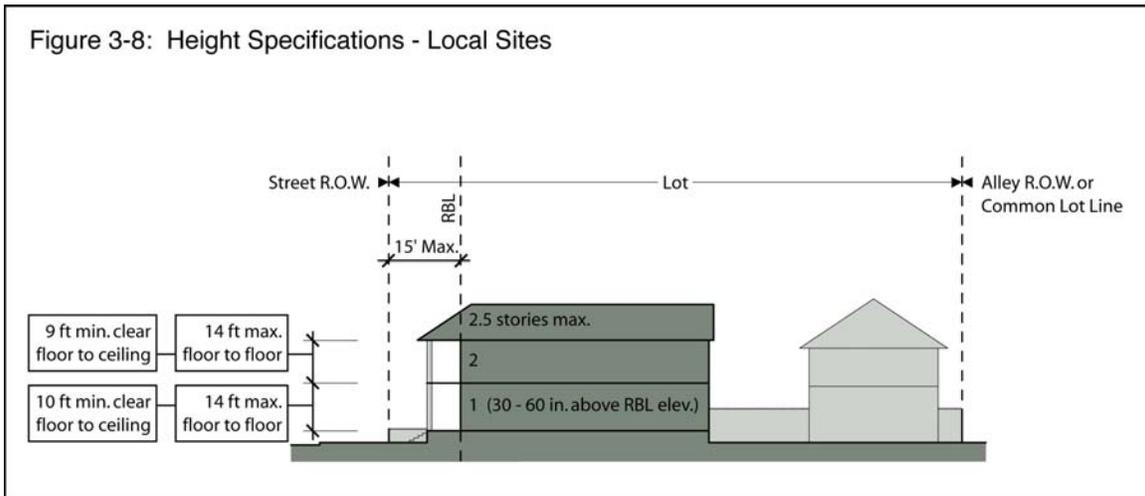
(3) Upper Stories Height

(a) The maximum floor-to-floor story height limit for upper stories is 14 feet.

(b) At least 80 percent of the upper stories shall each have at least 9 feet clear (floor to ceiling) height.

(4) Mezzanines and Podiums

Mezzanines and podiums greater than 2/3 of the floor area footprint shall be counted as full stories.



(B) Siting Specifications (see Figure 3-9)

(1) Street Facade

- (a) The RBL for an individual lot is to be set at a minimum of 5 feet and a maximum of 15 feet from the street frontage lot line.
- (b) The street facade shall be built to not less than 33 percent of the overall RBL.
- (c) The street facade shall be composed as a simple plane (limited jogs less than 18 inches are considered a simple plane within this requirement) interrupted only by porches, stoops, bay windows, shopfronts and balconies.

(2) Buildable Area

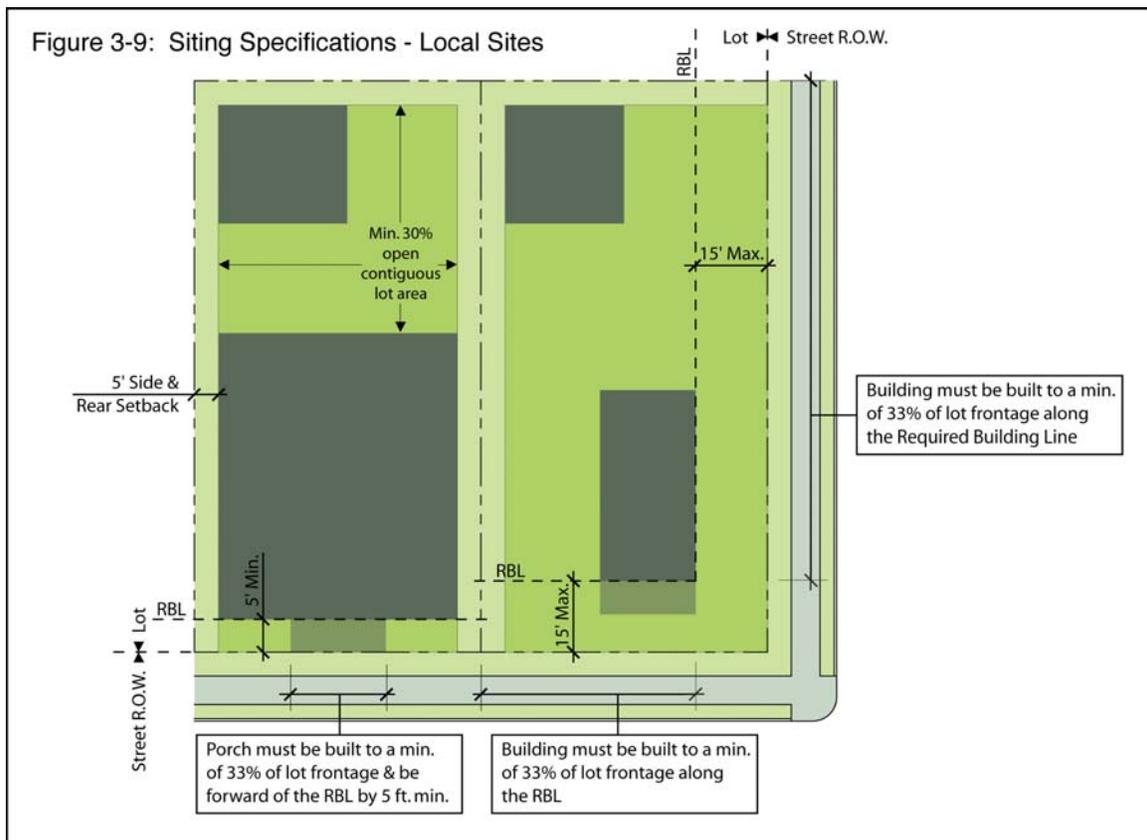
The minimum open contiguous area shall comprise at least 30 percent of the total buildable area and can be located anywhere within the buildable area of the site.

(3) Side Lot Line

The minimum side and rear setback is 5 feet.

(4) Location of Parking On-Site

Parking and Parking Garages shall be limited to that portion of the site within 30 feet of the rear lot line.



(C) Elements Specifications (see Figure 3-10)

(1) Perimeter Fencing

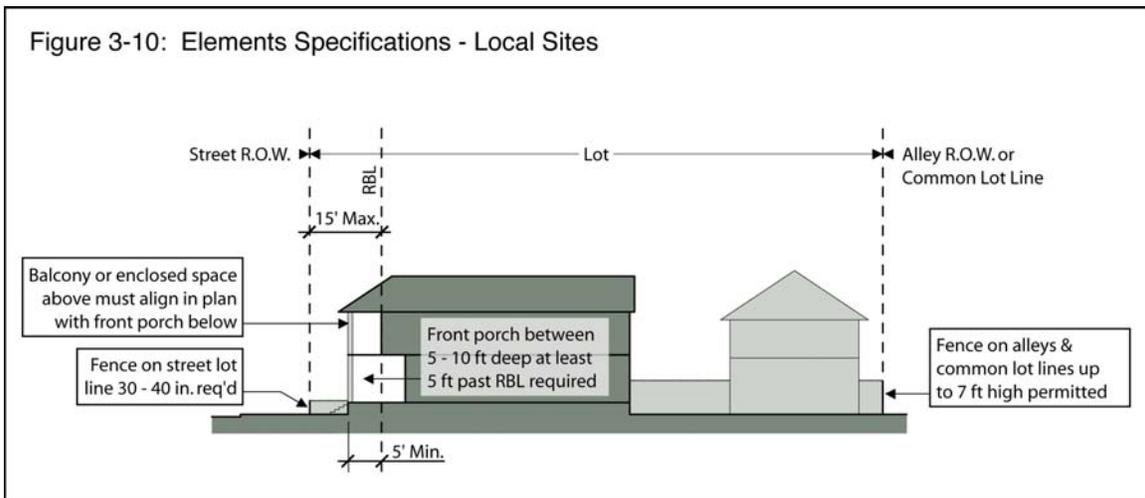
- (a) Street frontage lot lines and any common lot lines within 15 feet of street frontage lot lines shall have a fence along it, between 30 and 40 inches in height.
- (b) Any portion of an unbuilt rear or common lot line that is more than 15 feet from the street frontage lot line may have a fence up to 7 feet in height.

(2) Porches along the RBL

- (a) Porches fronting the RBL are encouraged, but not required.
- (b) If provided, must be built to a minimum of 33% of the lot frontage (see Figure 3-8)
- (c) If provided, must be a minimum of 5 feet and a maximum of 10 feet deep.
- (d) If provided, must be forward of the RBL by a minimum of 5 feet.

(3) Balconies along the RBL

- (a) Balconies fronting the RBL are encouraged, but not required, unless a porch is provided.
- (b) If a porch is provided along the RBL, then a balcony or enclosed space above the porch must be provided on the second story, if it exists, and must align in plan with the porch below.



304.07 Architectural Standards

(A) General Principles and Intent

(1) Coverage and Review

The provisions of this section apply to new construction and renovations that affect those portions of an existing structure that are clearly visible from the street. All new construction and covered renovations must be reviewed by the Planning Commission prior to issuance of any building permits.

(2) Tradition

(a) These standards favor an aesthetic that is traditional in a broad sense. They specify an architectural language of load-bearing walls and regional materials. The standards also specify certain details, such as column and pier spacing, window proportions, roof or cornice configurations, storefronts, and overhangs.

(b) The intent of these standards is to utilize a discipline of form when designing new buildings in order to foster a coherent Downtown aesthetic.

(c) All building materials to be used shall express their specific properties. For example, stronger and heavier materials (masonry) support lighter materials (wood).

(3) Equivalent or Better

While only materials, techniques, and product types prescribed here are allowed, equivalent or better practices and products are encouraged. They shall be submitted to the Planning Commission and may be added to the approved list after proper review by the City.

(4) Energy Efficiency and Environmental Conservation

LEED (Leadership in Energy and Environmental Design) standards, or an equivalent standard, should be incorporated into the building design including the submission of a LEED scorecard in the administrative review process.

(5) Where Clearly Visible From The Street

Many of these standards apply only in conditions where clearly visible from the street, public rights-of-way, and parks. These controls therefore concentrate on the public space/views from the public space and minimize interference in the private realm. For example, an architectural element that is visible only through an opening in a street wall is not clearly visible from the street.

(B) Exterior Building Walls (Where Clearly Visible From The Street)

(1) Intent and Guidance for Building Walls

Building Walls should reflect and complement the traditional materials and techniques of regional architecture. They should express the construction techniques and structural constraints of traditional, long-lasting building materials. Simple configurations and solid craftsmanship are favored over complexity and ostentation in building form and the articulation of details. All building materials to be used shall express their specific properties. For example, heavier more permanent materials (masonry) support lighter materials (wood).

- (2) Materials - The following materials are permitted:
- (a) Brick and tile masonry
 - (b) Stucco (cementitious finish, Exterior Insulation and Finishing Systems (EIFS) are not allowed)
 - (c) Synthetic stone
 - (d) Pre-cast masonry
 - (e) Gypsum Reinforced Fiber Concrete (GFRC, for trim elements only)
 - (f) Metal (for beams, lintels, trim elements and ornamentation only)
 - (g) Wood lap siding
 - (h) Cement board lap siding
- (3) Configurations and Techniques - The following are permitted:
- (a) Walls
 - (i) Wall openings shall not span vertically more than one story.
 - (ii) Wall openings shall correspond to interior space and shall not span across building structure such as the floor structural and mechanical thickness.
 - (iii) Wall materials shall be consistent horizontally (i.e. joints between different materials must be horizontal and continue around corners) except for chimneys and piers.
 - (iv) Material changes shall be made within a constructional logic - as where an addition (of a different material) is added onto the original building.
 - (b) Wood Siding and Wood Simulation Materials
 - (i) Horizontal lap siding configuration.
 - (ii) Smooth or rough-sawn finish (no faux wood grain).
 - (c) Brick, Block and Stone

Must be properly detailed and in appropriate load-bearing configurations.
 - (d) Stucco (cementitious finish)

Smooth or sand finish only, no "cake icing" finishes.

(C) Roofs and Parapets (Where Clearly Visible From The Street)

(1) Intent and Guidance for Roofs and Parapets

Roofs and parapets should demonstrate a commonsense recognition of the climate by utilizing appropriate pitch, drainage, and materials in order to provide visual coherence to the District. Green building technology should be used to the maximum extent possible.

(2) Materials - The following materials are permitted:

- (a) Clay or concrete (faux clay)
- (b) Tile (barrel or flat roman)
- (c) Metal (standing seam 5-v crimp, equivalent or better)
- (d) Dimensional asphalt shingles

(3) Cornices and soffits may be wood, metal, or a combination of the two

(4) Configurations and Techniques - The following are permitted:

(a) Pitched Roofs

- (i) Simple hip and gable roofs shall be symmetrically pitched between 6:12 and 12:12 (except roofs behind parapet walls).
- (ii) Shed roofs, attached to the main structure, shall be pitched between 4:12 and 7:12 (except roofs behind parapet walls).
- (iii) Eaves must overhang at least 24 inches on the primary structure.
- (iv) Rakes (gable end) must overhang at least 18 inches.
- (v) Eaves and rakes on accessory buildings, dormers and other smaller structures must overhang at least 8 inches.
- (vi) Open eaves and simple traditional soffits and fascia are allowed.
- (vii) Soffits shall be placed perpendicular to the building wall, not sloping in plane with the roof (except for gable end rakes).
- (viii) Timber eaves and balcony brackets must be a minimum of 5.5 inches in dimension.

(b) Parapet Roofs (Cornice, Entablature and Coping standards)

- (i) Parapet roofs are only allowed for Core and Avenue Sites in the DMU.
- (ii) Buildings without visible roof surfaces and overhanging eaves may satisfy the overhang requirement with a cornice projecting horizontally between 6 and 12 inches beyond the building walls. For buildings three stories or taller, the cornice projection shall increase an additional 6 to 12 inches per story.
- (iii) Skylights and roof vents are permitted only on the roof plane opposite the primary street or RBL or when shielded from street view by the building's parapet wall.

- (iv) Green roof technologies are encouraged. Vegetative cover should be considered for flat roofs and solar panels should be considered for integration into pitched roof structures.

(D) Street Walls (Where Clearly Visible From The Street)

(1) Intent and Guidance for Street Walls

Street walls establish a clear edge to the street where the buildings do not. The code requirements for the Downtown Mixed Use District include masonry walls that define outdoor spaces and separate the public realm from the private realm (parking lots, trash cans, garden and equipment). All street wall facades shall be as carefully designed as the building facade, with the finished side out, i.e. the “better” side facing the street.

(2) Materials - The following materials are permitted:

- (a) Synthetic stone
- (b) Metal (wrought iron, welded steel and aluminum [black] for gates only)
- (c) Brick
- (d) Stucco on concrete (block or poured-in-place) only with brick or synthetic stone coping)
- (e) A combination of materials (e.g. synthetic stone piers with brick infill panels)

(3) Configurations and Techniques - The following are permitted:

- (a) Stucco street walls shall have a hardy species of climbing vine planted along them.
- (b) Metal work may additionally be treated to imitate a copper patina.
- (c) Copings shall project between 1 and 4 inches from the face of the wall.

(E) Windows and Doors (Where Clearly Visible From The Street)

(1) Intent and Guidance for Windows and Doors

Windows shall be divided by multiple panes of glass. This helps the window “hold” the surface of the facade, rather than appearing like a hole in the wall (an effect produced by a large single sheet of glass). All windows and doors should be selected with their energy conservation value in mind so as to achieve the highest possible energy savings.

2. Materials - The following materials are permitted:

- (a) Windows shall be of anodized aluminum, wood, clad wood or steel.
- (b) Window glass shall be clear, with light transmission at the ground story at least 90 percent and for upper stories 75 percent (modification as necessary to meet any applicable building code)

requirements). Specialty windows may utilize stained, opalescent, or glass block (one per facade maximum).

- (c) Window screens shall be black or gray.
 - (d) Screen frames shall match window frame material or be dark anodized.
 - (e) Doors shall be of wood, clad wood, or steel.
- (3) Configurations and Techniques - The following are permitted:
- (a) The following requirements apply to all windows:
 - (i) Windows may be arranged horizontally (maximum 5 per group) if each grouping is separated by a mullion, column, pier or wall section that is at least 7 inches wide.
 - (ii) Windows shall be no closer than 30 inches to building corners (excluding bay windows and where a building corner is also a block corner).
 - (iii) Exterior shutters, if applied, shall be sized and mounted appropriately for the window (one-half the width), even if inoperable.
 - (b) The following requirements apply to all upper-story windows:
 - (i) Windows shall be double-hung, single-hung, awning or casement windows.
 - (ii) Fixed windows are permitted only as a component of a system including operable windows within a single wall opening.
 - (iii) The maximum glass pane size for residential buildings/floors is 36 inches vertical by 30 inches horizontal.
 - (iv) The maximum glass pane size for office uses is 48 inches vertical by 40 inches horizontal.
 - (v) Egress windows may be installed according to the applicable building code.
 - (c) The following requirements apply to shopfront (ground floor) windows and doors:
 - (i) The maximum glass pane size is 6 feet vertical by 4 feet horizontal.
 - (ii) Ground floor windows shall not be made opaque by window treatments (excepting operable sunscreen devices within the conditioned space) and shall allow a minimum 60 percent of surface view into the building.
 - (d) The following requirements apply to all doors:

- (i) Double-height entryways (those that span more than one story) are not allowed.
 - (ii) Doors shall not be recessed more than 3 feet behind the shop-front windows.
 - (iii) Roll-down security gates and doors are prohibited.
- (F) Signage (Where Clearly Visible From The Street)
 - (1) Wall signs are permitted within the area between the second story floor line and the first floor ceiling, within a horizontal band not to exceed 2 feet in height. In no case shall this band be higher than 18 feet or lower than 12 feet above the adjacent sidewalk.
 - (2) Letters shall not exceed 18 inches in height or width and 6 inches in relief. Signs shall not come closer than 2 feet to an adjacent common lot line.
 - (3) Company logos or names may be placed within this horizontal band or placed or painted within ground floor or second story office windows. Company logos or names shall not be larger than a rectangle of 8 square feet.
 - (4) A masonry or bronze plaque bearing an owner's or building's name may be placed in the building's cornice/parapet wall or under the eaves, and above the upper story windows. Any such plaque shall be no larger than a rectangle of 8 square feet.
 - (5) Street addresses may be placed at street entry doors using 6 inch tall, non-cursive type lettering. Such letters shall be between 6 and 10 feet above grade.
 - (6) Blade type shop signs (not more than 24 inches vertical by 3 feet horizontal and minimum 10 feet clear height above the sidewalk) are encouraged and may be hung from an overhang or awning. Blade signs shall not be internally illuminated and the company name or logo may occupy no more than one-half of the square footage of the sign. Creative art, graphics or materials are encouraged in the area of the blade sign not containing the company name or logo. Blade signs shall be permitted in addition to the permitted square footage of signage affixed to the facade of the building.
 - (7) Prohibited signs: Billboards, marquees, any kind of animation, roof signs and signs painted on the exterior walls of buildings are prohibited. No flashing, traveling, animated, or intermittent lighting shall be on the exterior of any building whether such lighting is of temporary or long-term duration.
 - (8) Temporary signs, including portable or wheeled signs and advertising devices located outside any building are covered by the general sign regulations (see Article 402).

- (9) External lighting directed towards signage that is not internally illuminated is permitted. The energy efficiency of lighting should be considered.
- (G) Awnings/Overhangs (Where Clearly Visible From The Street)
 - (1) Awnings and overhangs must be a minimum of 10 feet clear above the sidewalk, have a minimum depth of 6 feet from the building facade, with a maximum depth to the curb.
 - (2) Awnings must be canvas cloth or equivalent (no shiny or reflective materials), metal or glass.
 - (3) No internal illumination is allowed through the awning or overhang.
 - (4) Lettering on awning is limited to 5 inches tall on vertical fabric at curb side.
 - (5) No one-quarter cylinder configurations are allowed.
- (H) Lighting & Mechanical Equipment (Where Clearly Visible From The Street)
 - (1) Lighting
 - (a) At the front of the building, exterior lights shall be mounted between 6 and 14 feet above adjacent grade.
 - (b) All lots with alleys shall have lighting fixtures within 5 feet of the alley right of way. This fixture shall illuminate the alley, be between 9 and 14 feet in height and shall not cause glare in adjacent lots.
 - (c) Floodlights or directional lights (max. 75 watt bulbs) may be used to illuminate alleys, parking garages and maintenance areas, but must be shielded or aimed in such a way that they do not shine into other lots or the street.
 - (d) Site lighting shall be of a design and height and shall be located so as to only illuminate the lot. An exterior lighting plan must be approved as consistent with these standards by the Opelousas Planning Department or its designee.
 - (e) No flashing, traveling, animated or intermittent lighting shall be visible from the exterior of the building whether such lighting is of temporary or long-term duration.
 - (h) Lighting for parking lots and garages shall satisfy Crime Prevention Through Environmental Design (CPTED) standards.
 - (2) Mechanical Equipment
 - (a) Air compressors, mechanical pumps, exterior water heaters, water softeners, utility and telephone company transformers, meters or boxes, garbage cans, storage tanks and the like may not be stored or located within any area considered a public

right-of-way, and shall be screened from view from the public right-of-way.

- (b) Roof mounted equipment shall be placed away from the RBL and be screened from view from the public right-of-way.

ARTICLE 305 ADDITIONAL REGULATIONS

(A) Covenants

- (1) Covenants that exist at the time of adoption of this ordinance remain in force and binding.
- (2) In the event of conflict between a covenant and this ordinance, the more restrictive requirements apply.

(B) Historic District

The Historic District encompasses the area established by the City of Opelousas as the Opelousas Historic District. In addition to the regulations of this zoning ordinance, properties located in the Historic District are also subject to the regulations established elsewhere in the Opelousas City Code for the Historic District.

ARTICLE 306 DEMOLITION

- (A) The demolition of all structures within Historic District must be reviewed for comment by the Planning Commission, which must consult with the Historic District Commission as part of its review process. This review must be completed before issuance of any demolition permit.
- (B) If the Chief Building Inspector certifies that a structure is in imminent danger of collapse or poses extraordinary threat to public safety, a review process is not required before the issuance of a demolition permit.
- (C) Vacant lots created as a result of building demolition must be, at a minimum, seeded or landscaped to help mitigate standing water or erosion and must be maintained by the owner. Such vacant lots must be completely cleared, graded, and seeded within ninety days of the time of demolition, unless redevelopment plans have been submitted to the City for approval within that time.

ARTICLE 307 ZONING ANNEXED AREAS

Before filing a petition for annexation, the petitioner may petition the Planning Commission for a recommendation regarding the parcel's appropriate zoning. If no petition is presented to the Planning Commission, the Commission may:

- (A) Direct planning staff to study the area proposed for annexation and prepare a report and recommendation for zoning, or
- (B) Establish a preliminary zoning designation to remain in place until a formal rezoning petition is submitted and acted upon. The preliminary zoning

designation must be based on consideration of existing uses and development in and around the parcel and the desired use and development of the parcel as indicated in planning documents prepared from time to time by the City.

ARTICLE 308 PLANNED UNIT DEVELOPMENT

308.01 General Provisions

The purpose of the Planned Unit Development (PUD) is to encourage flexibility in the development of large tracts of land; to improve the design, character, and quality of new developments; to encourage a harmonious mixture of uses and housing types; to facilitate adequate provision of streets, utilities, and city services; to preserve natural environmental and scenic features of the site; to provide a mechanism for arranging improvements to preserve desirable features; and to mitigate the problems that may be presented by specific site conditions. A Planned Unit Development offers one or more of the following advantages:

- (A) Implement the goals, objectives, and strategies of the master plan for the area or neighborhood in which the PUD is located;
- (B) Apply smart growth design principles;
- (C) Promote compatibility of adjacent land uses;
- (D) Enhance the appearance of neighborhoods by conserving areas of natural beauty, ecological importance, and green space;
- (E) Mitigate congestion on streets;
- (F) Promote appropriate urban densities that make alternative forms of transportation economically and socially feasible; and
- (G) Promote and protect the environmental integrity of the site and its surroundings.

308.02 Requirements for Planned Unit Development

A Planned Unit Development is an area developed in conformance with an approved development plan, consisting of 1) a map showing the development area and all proposed improvements to the development area, 2) a text that delineates the uses and the development standards to be met, and 3) exhibits describing any aspects of the development plan not fully described in the map and text. When approved, the map, exhibits, and text constitute a development plan. The uses and standards in the development plan constitute the use and development regulations for a Planned Unit Development site.

- (A) The area designated in the Planned Unit Development map must be a tract at least two acres in size and under single ownership or control. Multiple ownership is permissible if all owners are co-applicants for the Planned Unit Development designation. In cases of multiple ownership, agreements must be executed that identify one person or corporation responsible for the application and authorized to act as agent for all owners on all aspects of the Planned Unit Development process. The agreement must accompany the application for Planned Unit Development designation.

- (B) The development plan must indicate the land use, development standards, and other zoning provisions that govern the Planned Unit Development.
- (C) The Planned Unit Development map must show the location of all improvements. The location of Planned Unit Developments will be designated on the zone map and adopted pursuant to rules and regulations governing amendments to the zoning ordinance.
- (D) The Planned Unit Development must comply with all required improvements, construction standards, design standards, engineering standards and all other pertinent regulations, except where specifically varied through the provisions of this section.
- (E) Designation and Conveyance or Ownership of Permanent Open Space.
 - (1) Within all Planned Unit Developments, a minimum of ten percent of the proposed Planned Unit Development area must be designated as permanent open space. No plan for a single- or multi-family residential Planned Unit Development may be approved unless such plan provides for permanent improved or natural open space.
 - (2) Permanent open space consists of the following two types, but neither type of open space includes schools, community centers, or other similar areas in public ownership.
 - (a) Improved open space consists of parks, playgrounds, swimming pools, ball fields, plazas, landscaped green spaces, and other areas that are created or modified by man. At least thirty (30) percent of the total permanent open space in any Planned Unit Development must be Improved Open Space.
 - (b) Natural open space consists of natural vegetation, water bodies, or other landforms that are left undisturbed. Creation of a graded and surfaced walking trail through areas of Natural Open Space constitutes disturbance of the area in the amount of the length of the walking trail multiplied by its width.
 - (3) Proximity.
 - (a) In a mixed-use Planned Unit Development, permanent open space must be allocated to the property in proportion to the uses assigned to the Planned Unit Development and must be located within reasonable proximity, generally within one-quarter of a mile, of those uses.
 - (b) As an alternative, a payment in lieu of the required open space may be made to the City for the purchase of a comparable amount of permanent open space on a separate parcel.
 - (4) Proportion. If the development plan provides for the Planned Unit Development to be constructed in stages, open space must be provided

for each stage of the Planned Unit Development in proportion to that stage.

- (5) Conveyance. Permanent open space must be conveyed or owned in one of the following forms:
 - (a) By a municipal or public corporation;
 - (b) By a nonprofit corporation or entity established for the benefit of owners and tenants of the Planned Unit Development, adjoining property owners, or both;
 - (c) By owners other than those specified in subsections (a) and (b) above, and subject to restrictive covenants describing and guaranteeing the open space and its maintenance and improvement, running with the land for the benefit of residents of the Planned Unit Development, adjoining property owners, or both; or
 - (d) Included in single-family residential lots under the control of individual lot owners.
- (6) A Planned Unit Development may contain any use that is found in the zoning ordinance in any zone, subject to the approval of the developed plan.
- (F) Two or more parcels of land owned by the applicant that are separated by a public street or other right-of-way may be considered contiguous and may be counted in fulfilling the minimum acreage requirement, provided that the parcels are not separately other property owned by someone other than the applicant. Where there is uncertainty in determining a parcel's qualification to be included in the PUD, the Planning Commission must resolve the issue and decide the project boundaries, after considering the advice of the Planning Director and the request by the applicant.

308.03 Procedure for Approval of Planned Unit Development

- (A) Introduction. Applications must be accompanied by all required plans and documents submitted in accordance with the following application process:
 - (1) Pre-application Conference (Optional, But Recommended);
 - (2) Conceptual Plan Approval; and
 - (3) Development Plan Approval.
- (B) Pre-application Conference. Before filing a formal application for approval of a Planned Unit Development, the applicant may schedule a pre-application conference with the Planning Director. The pre-application conference allows the applicant to present a general concept and to discuss characteristics of the development concept in relation to adopted municipal plans and policies. It also allows the Planning Director to inform the applicant of pertinent policies, standards and procedures for the Planned Unit Development. Neither the

developer nor the City is bound by any decision made during a pre-application conference.

(C) Procedure for Conceptual Plan Approval. The applicant must develop and submit a Conceptual Plan for the proposed Planned Unit Development.

- (1) The Conceptual Plan and application for the Planned Unit Development must be submitted to the Planning Director who, after certifying the application package to be complete, will initiate a staff review of the proposed development.
- (2) The application, with the Planning Department's report, and such other documents as may be pertinent to the Planned Unit Development will be forwarded to the Planning Commission for its consideration, public hearing, and recommendations.
- (3) The Planning Commission must hold a public hearing on the proposed PUD Conceptual Plan after first placing an advertisement in the official journal at least seven days before the scheduled public hearing and after sending mail notice to all owners of property located within 300 feet of the proposed PUD site.
- (4) Upon completion of its review, the Planning Commission will forward the application to the City Council with a favorable recommendation, an unfavorable recommendation, or no recommendation.

(D) Effect of Approval of Conceptual Plan

- (1) When a Conceptual Plan for a Planned Unit Development has been approved by the City Council, the Plan becomes effective and the zone map is amended to designate the site as a Planned Unit Development (PUD).
- (2) Upon amendment of the zone map, the use and development of the site is governed by the Planned Unit Development Conceptual Plan, subject to approval of a Development Plan.
- (3) No permit of any kind may be issued until the Development Plan has been approved.

(E) Development Plan

- (1) Purpose. The purpose of the Development Plan is to designate the controls for development of the Planned Unit Development. The Development Plan must show the exact location of each building and improvement to be constructed and a designation of the specific internal use or range of uses for each building.
- (2) Time Limit for Approval of Development Plan. The Development Plan must be submitted to the Planning Department not more than eighteen months following City Council approval of the Conceptual Plan. The Conceptual and Development Plans may be submitted as a single plan if all requirements are satisfied. The Development Plan may be submitted and approved in stages, with each stage representing a

portion of the Conceptual Plan, at the discretion of the Planning Commission. The time limit for submitting each stage for approval may be set forth in the Conceptual Plan, in which case that schedule controls the timing of development, rather than the time period contained in this paragraph. The Planning Commission may extend the time limit for approval of the Development Plan for good cause, consistent with the purposes of the zoning ordinance.

- (3) Expiration of Time Limit. The Planning Director must report to the Planning Commission on Planned Unit Developments with time limits that have expired. The original applicants or current developers of the Planned Unit Development must also be notified by the Planning Director. The Planning Commission must either extend the time or initiate action to amend the zone map and rescind the Planned Unit Development designation.
- (4) Relationship of Development and Conceptual Plan. The Development Plan must conform to the Conceptual Plan as approved.
- (5) Procedure for Approval of a Development Plan: The Development Plan must be approved prior to issuance of any building permit.
 - (a) Development Plan Submission. The Development Plan and supporting data must be filed with the planning staff.
 - (b) Review. The Planning Director must review the Development Plan to include site plan review, in accordance with the requirements of the Zoning Ordinance.
 - (c) Planning Commission Review. The Planning Commission must hold a public hearing and may approve, deny or approve with modifications the Development Plan.
- (6) Effect of Approval of Development Plan. A permit may be issued for any purpose within a Planned Unit Development only in accordance with the approved Development Plan and after acceptance by the City of all required guarantees for improvement.
- (7) Expiration of Development Plan. A Development Plan expires two years after approval, unless grading or building permits have been obtained and are still current and valid on that date. The applicant may request, in writing, an extension of time, and the approving authority may extend the time limit where deemed appropriate.

308.04 Specific Content of Plans

Planned Unit Development plans and supporting data must include all documentation listed in this Section of the Code unless certain documentation is deemed superfluous by the Planning Director due to the specific circumstances of the particular request.

- (A) Pre-application Conference (Optional, But Recommended)
 - (1) A written letter of intent from the applicant describing the applicant's intention for developing the site.

- (2) A scaled drawing of the site, in simple sketch form, showing the proposed location and extent of the land uses, major streets, and the approximate location of any existing easements, natural features, and topographic or geologic constraints.

(B) Conceptual Plan Requirements

A drawing of the proposed Planned Unit Development prepared at scale not less than 1" = 50'-0", or as considered appropriated by the Planning Director, and showing in concept major circulation; generalized location and dimensions of buildings, structures, and parking areas; open space areas; recreation facilities; and other details to indicate the character of the proposed development. The submission must include:

- (1) A site location map.
- (2) Map data such as north point, scale, and date of preparation.
- (3) The name of the proposed development, with the words "Conceptual Plan" in the title block.
- (4) Boundary lines and acreage of each land use component.
- (5) Existing easements and rights-of-way, including location, width, and purpose.
- (6) Existing land use on abutting and adjacent properties.
- (7) Other conditions on adjoining land: topography (at two-foot contour intervals) including any embankments or retaining walls; use and location of major buildings, railroads, power lines, towers and other influences; name of any adjoining subdivision plat.
- (8) Existing streets on and adjacent to the tract, including street name, right-of-way width, walks, curbs, gutters, culverts, and drainage ways.
- (9) Proposed public improvements, including streets and other major improvements planned by the public for future construction on or adjacent to the tract.
- (10) Existing utilities on the tract.
- (11) Any land on the tract within the 100-year floodplain or floodway.
- (12) Other conditions on the tract, including water courses, wetlands, sinkholes, wooded areas, isolated trees six inches or more in diameter, existing structures, and other significant features.
- (13) Existing vegetation to be preserved and the locations, nature, and purpose of proposed landscaping.
- (14) A master plan for types, quantities, and maximum square footage allotments for all signs proposed to be placed within the development, including illustrations of proposed sign types.
- (15) Miscellaneous: The Planning Director may inform the applicant of any additional documents or data requirements after reviewing the Conceptual Plan submission. The developer may be required to submit multiple copies of any page of any portion of the plan that exceeds 11 inches by 17 inches in size. If fewer copies than required are submitted, the Planning Director may deem the application to be incomplete and decline to schedule hearing dates until the situation is resolved.
- (16) Written Statement of Character of the Planned Unit Development: An explanation of the character of the Planned Unit Development and the

reasons why it has been planned to take advantage of the flexibility of these regulations, the written statement must include:

- (a) Objectives. A specific explanation of how the proposed Planned Unit Development meets the objectives of all adopted land use policies that affect the land in question.
- (b) Ownership. A statement of present and proposed ownership of all land within the project including the beneficial owners of a land trust.
- (c) Scheduling. Timing of proposed development indicating:
 - (i) Stages in which the project will be built, including the area, density, use, public facilities, and open space to be developed with each stage, with each stage described and mapped; and
 - (ii) Projected dates for beginning and completing each stage of land development.
- (d) Proposed Uses.
 - (i) Residential Uses: type, gross area, architectural concepts (narrative, sketch, or representative photo), number of units, bedroom breakdown, and proposed occupancy limits for each residential component;
 - (ii) Nonresidential Uses (for mixed-use PUDS): specific nonresidential uses, including gross floor areas, architectural concepts (narrative, sketch, or representative photo), and building heights.
- (e) Facilities Plan. Preliminary concepts and feasibility reports for:
 - (i) Streets, roadways, and bikeways
 - (ii) Sidewalks and pedestrian pathways
 - (iii) Water supply system
 - (iv) Sanitary sewers
 - (v) Stormwater management
 - (vi) Public utilities
 - (vii) Streetscaping, furniture, and lighting
- (f) Traffic Analysis. The developer must submit to the Planning Commission a study of the traffic impact caused by the proposed Planned Unit Development and any measures proposed to mitigate that impact. Such study must be prepared by a licensed traffic or transportation engineer.

(C) Development Plan Requirements

The application for Development Plan approval must include the following documents:

- (1) Any additional information required during the Conceptual Plan approval process.
- (2) An accurate map exhibit of the entire phase for which Development Plan approval is being requested, showing the following:
 - (a) Precise location of all buildings to be constructed and a designation of the specific use or range of uses for each building. Single-family residential development on individual lots need not show precise locations of buildings on each lot, but plans must show building setback lines and other design constraints.

- (b) Design and precise location of all streets, sidewalks, curbs, drives, and parking areas, including construction details, street lighting, traffic control devices, signage, centerline elevations, pavement type, pavement design, curbs, gutters, culvert details, and any other information required by the City Engineer.
 - (c) Location of all public utility lines and easements, both proposed and existing.
 - (d) A final detailed landscape plan, including tabulation on each separate subdivided use area, including land area, number of buildings, number of dwelling units per acre, type of unit, bedroom breakdown, and limits on occupancy.
 - (e) Stormwater management plans, including stormwater calculations, location and size of storm lines (both existing and proposed), detention or retention facilities with construction details. Stormwater management plans must conform to local, state, and federal regulations.
 - (f) Sediment and erosion control plans in conformity with local, state and federal regulations.
- (3) If lands to be subdivided are included in the Planned Unit Development, a subdivision plat meeting the requirements of a preliminary plat, as modified by the Conceptual Plan approval, is required where platting is to be proposed concurrently with the Development Plan review and approval process.
- (4) Projected construction schedule.
- (5) Agreements and covenants governing the use, maintenance, and continued protection of the Planned Unit Development and its common spaces, shared facilities, and private roads.
- (6) Guarantee of Performance for Completion of Improvements. A bond or other guarantee acceptable to the City must be provided for all proposed public improvements and must be executed at the time of permit application or platting, whichever comes first. Improvements that must be guaranteed include facilities intended to become public, and may include other facilities or improvements as specified in the Conceptual or Development Plan approval. If the project is to be built in phases, the guarantee must be posted prior to the commencement of work on each phase. The guarantee must specify the time for completion of improvements, and must be not less than one hundred twenty-five percent of the estimated verifiable cost of the improvements, as determined by the project contractor or engineer, and as approved by the City Engineer.

308.05 Review Considerations

In their consideration of a Planned Unit Development Conceptual Plan, the Planning Director in preparing a report to the Planning Commission, the Municipal Planning Commission in their recommendation to City Council, and the City Council in its decision, must evaluate the project in light of as many of the following objectives as may be relevant to the specific proposal:

- (A) The extent to which the Planned Unit Development meets the purposes of the zoning ordinance, the comprehensive plan, and any other adopted planning objectives of the City of Opelousas.
- (B) The extent to which the proposed plan meets the requirements, standards, and stated purpose of the Planned Unit Development regulations.
- (C) The extent to which the proposed plan departs from the zoning and subdivision regulations otherwise applicable to the subject property, including but not limited to, the density, dimension, bulk, use, required improvements, and construction and design standards and the reasons why such departures are or are not deemed to be in the public interest.
- (D) The extent to which the proposal may be injurious to the public health, safety, or general welfare.
- (E) The physical design of the Planned Unit Development and the extent to which it makes adequate provision for public services, provides adequate control over vehicular traffic and promotes alternative forms of transportation, provides for and protects designated permanent open space, and furthers the amenities of urban ambience, light and air, recreation and visual enjoyment.
- (F) The relationship and compatibility of the proposed plan to the adjacent properties and neighborhood, and whether the proposed plan would substantially interfere with the use or diminish the value of adjacent properties and neighborhoods.
- (G) The desirability of the proposed plan to the City's physical development, tax base, and economic well-being. At the discretion of the Planning Commission and City Council, special consideration in the form of increased development flexibility may be given to projects that are intended to rehabilitate or replace dilapidated areas, brownfields, or other areas of general visual or economic blight. Special consideration may not be granted to projects intended for construction on lands that consist of 60 percent or more previously undeveloped lands.
- (H) The extent to which the proposal will not cause undue traffic congestion, and can be adequately served by existing or programmed public facilities and services.
- (I) The extent to which the proposal preserves significant ecological, natural, historical, and architectural resources.
- (J) The extent to which the proposal will enhance the appearance, image, function, and economic sustainability of the community at large.
- (K) The extent to which projects are designed to a more human scale, support multi-modal transportation options, preserve useful open space, provide significant amenities to residents, and incorporate architectural detailing, massing and scale that is consistent with historical community norms. Projects that fail to achieve these objectives are likely to receive a recommendation for denial by the Planning Director or Planning Commission.

- (L) The extent to which the proposal makes reasonable accommodations in housing, recreational amenities, and pedestrian facilities for individuals with disabilities.
- (M) The extent to which the proposal dedicates and provides a percentage of the total number of dwelling units to be offered at sale or rental prices deemed affordable to individuals of low and moderate income, as defined by the U.S. Department of Housing and Urban Development.
- (N) In a Planned Unit Development containing only residential uses, clustering of units is encouraged (and may be required by the City) in order to preserve meaningful open space and recreational amenities for the residents. In addition, such projects may be required to provide a mixture of different dwelling types and sizes, including townhouses, row houses, patio homes, zero lot line houses, single-family detached housing, apartments, duplexes, and condominiums.

308.06 Changes In the Approved Planned Unit Development

- (A) A substantial change in the Planned Unit Development that is not in conformity with the approved Conceptual or Development Plan must receive further review and consideration for approval pursuant to the original and appropriate approval process.
- (B) Changes that alter the concept or intent of the Planned Unit Development require Conceptual Plan approval and include but are not limited to the following:
 - (1) Significant increase in density;
 - (2) Significant change in the proportion or allocation of land uses;
 - (3) Change in the list of approved uses;
 - (4) Change in the location of uses;
 - (5) Change in functional uses of open space, where such change constitutes an intensification of use of the open space;
 - (6) Change in the final governing agreements where such change conflicts with the approved Conceptual Plan.
- (C) Changes requiring Development Plan approval include but are not limited to the following:
 - (1) Change in lot arrangement, or addition of buildable lots that change approved density of the development;
 - (2) Change in site design requirements, such as location of required landscaping, signage, building height, architectural character, footprint, or other such requirements of the zoning ordinance;
 - (3) Change to the internal street system or off-street parking areas;
 - (4) Change in drainage management structures;
 - (5) Change in access to the development site, where such change amounts to intensification in the traffic patterns of roadways of classification higher than local.

PART 4 ANCILLARY PROVISIONS

ARTICLE 400 PARKING AND LOADING

400.01 Purpose

The regulations of this section are designed to alleviate or prevent congestion of the public streets by establishing minimum requirements for on-site storage of motor vehicles, in accordance with the use for which the property is occupied.

400.02 Scope

- (A) Off-street parking and loading facilities must be provided and maintained in accordance with the provisions of this section for all buildings, structures or premises used in whole or in part for purposes permitted by this ordinance.
- (B) When the intensity of use of any building, structure, or premises is increased through the addition of dwelling units, floor area, beds, seating capacity, or other unit of measurement, parking, and loading facilities must be provided for such increase in intensity of use.
- (C) For any non-conforming use that is damaged or partially destroyed and that is lawfully reconstructed, re-established, or repaired, off-street parking and loading facilities equivalent to those maintained at the time of such damage or partial destruction must be restored and continued in operation.
- (D) No building permit may be issued, no use may be established or changed, and no structure may be erected, enlarged, or reconstructed unless the applicant has provided off-street parking and loading spaces in the minimum required by this ordinance, except that:
 - (1) For the enlargement of a structure or for the expansion of a use of structure or land, the applicant is required to provide only the number of additional off-street parking and loading spaces as would be required if such enlargement or expansion were a separate new structure or use; and
 - (2) For a change in the class or use of a structure or land, the number of additional off-street parking and loading spaces required must be equal to the number required for the new use, less the number of spaces that would have been required for the previous use if it had been established in conformance with this section; but in no case is the total number of spaces required to exceed the minimum required for the new use.
- (E) Nothing in this ordinance prevents the voluntary establishment of off-street parking or loading facilities to serve any existing use of land or buildings, provided that any such facilities adhere to regulations governing the location, design, and operation of such facilities.

400.03 General Parking Regulations

- (A) Off-street parking and loading spaces must be provided on the same lot as the use served, except as otherwise provided in this ordinance.
- (B) In Commercial and Industrial Districts, the Planning Commission may grant conditional use approval to provide the required spaces at an off-site location that is within 300 feet of the principal use and within a district that permits commercial parking lots as a principal or conditional use.

400.04 Determining the Number of Spaces Required

- (A) Off-street parking must be provided in accordance with the Minimum Off-Street Parking Requirements Table, except as otherwise provided by this ordinance.
- (B) In determining the minimum required number of off-street parking or loading spaces, the following instructions apply:
 - (1) If the unit of measurement is any fraction of the unit specified in relation to the number of spaces to be provided, said fraction may be disregarded if equal to or less than one-half. If the fraction is more than one-half, then the fraction must be considered as being the next unit and must be counted as requiring one additional space.
 - (2) In sports arenas, churches and other places of assembly in which patrons occupy benches, pews, or other similar seating facilities, each twenty-two inches of such seating must be counted as one seat for the purpose of determining off-street parking.
- (C) Joint and Shared Use
 - (1) The joint use of a parking lot for two or more separate but adjacent buildings or mixed uses may be permitted as a conditional use provided that:
 - (a) The total number of spaces used is not less than the sum required for various building or uses if computed separately.
 - (b) The lot is in the same zone as the principal use, or in a zone that permits commercial parking lots as a principal or conditional use.
 - (c) A binding legal agreement is prepared between property owners specifying the conditions for sharing and maintaining said spaces(s), and such agreement is filed with the Planning Director and with the Clerk of Court.
 - (2) The Planning Commission may allow a reduction of total parking requirement up to 25 percent:
 - (a) If the applicant can satisfactorily demonstrate that the parking spaces will be shared with an adjacent land use and that the lack of overlap between the peak parking needs of the land uses justifies such a reduction; and,

- (b) If the applicant provides the Planning Commission with a written agreement as described above, allowing for the shared use of parking spaces.
- (3) Shared parking facilities must provide signs that indicate the availability of the facility for the patrons of the participating uses.
- (4) Changes in type of use or modifications to the structure must be reviewed and approved for compliance with this Section.
- (D) Required off-street loading and unloading spaces may not be counted as part of the required off-street parking spaces.
- (E) No part of any public right-of-way may be used to meet minimum parking requirements, except as otherwise allowed by these regulations.
- (F) In determining off-street parking requirements under this subsection, gross floor area means the total horizontal areas of the one or several floors of the building or portion thereof devoted to a particular use, including accessory storage areas located within selling or working space such as counters, racks, or closets and any basement floor area devoted to retailing activities, to the production or processing of goods, or to offices; gross floor area does not include areas devoted entirely and permanently to storage purposes, parking and loading facilities, or space used for restrooms, utilities, stairwells, or elevator shafts.
- (G) Number of employees must be calculated by counting the number of employees on the largest shift, unless otherwise indicated.
- (H) Every company car, truck, tractor, or trailer normally stored at a business must be provided with an off-street parking space, which shall be in addition to other off-street parking requirements, unless the applicant demonstrates that such company vehicular storage takes place when other users of the off-street parking are not present.
- (I) For uses not specified in the Minimum Off-Street Parking Requirements Table, the number of parking spaces shall be determined by the Planning Director on the basis of similar requirements, the number of persons served or employed, and the capability of adequately serving the visiting public.

400.05 Required Parking Space Table

The table on the following pages shows the required parking spaces for various types of use.

ASSEMBLY AND ENTERTAINMENT	
Authorized Uses	Required Parking Spaces per Unit
Amphitheater (open air theater)	1 per 4 persons at capacity
Amusement Park	1 per 200 sq.ft. of enclosed buildings PLUS 1 per 4 persons capacity in outdoor facilities
Arts/Cultural Center/Museum	3 per 1000 sq.ft.
Conference Center	1 per 6 seats
Auditorium/Lecture/Assembly Hall	
Club or Lodge, Private	1 per 4 persons at capacity
Churches, Places of Worship	1 per 4 seats
Community Center	5 per 1000 sq.ft.
Community Gardens	4 per acre
Dance or Social Club	3 per 1000 sq.ft.
Drive-in Theatre/Outdoor	1 per employee PLUS one per audio station
Driving Range Golf	0.5 per employee PLUS 1 per 1.5 tees
Fairgrounds	1 per 6 seats
Golf course	4 per tee
Greenways/ Bikeways	to be determined on case specific basis
Health/Sports Club	5 per 1000 sq.ft.
Indoor Recreational Facilities	1 per employee plus 4 per 1000 sq.ft.
Movie Theater Large	1 per 6 seats
Movie Theater Small	
Outdoor Recreation Facilities	1 per employee PLUS 4 per acre
Park and Recreational Facilities	5 per acre
Shooting Range (Indoor or Outdoor)	1 per employee plus 1 per range
Video Gaming / Lottery Establishment	3 per 1000 sq.ft.
Zoo	1 per 200 sq.ft. of enclosed buildings PLUS 1 per 4 persons capacity in outdoor facilities
EDUCATIONAL SERVICES	
Authorized Uses	Required Parking Spaces per Unit
Business, Professional School	1 per 2 students (maximum capacity)
Daycare Facility - Home Based	1 per 4 clients PLUS dwelling requirement
Daycare Facility – Large	1 per employee PLUS 1 per 4 clients
Daycare Facility – Small	
Industrial, Vocational, Trade School	1 per 2 students (maximum capacity)
Instructional Studio	3 per 1000 sq.ft.
Preschool/Nursery Schools	1 per employee PLUS 1 per 4 clients
School (K-12)	1 per employee PLUS 1 per classroom (K-8) OR 1 per 4 students (9-12)
University, College	1 per 3 students

FOOD & BEVERAGE SERVICES	
Authorized Uses	Required Parking Spaces per Unit
Bakery Retail	1 per employee PLUS 3 per 1000 sq.ft.
Brew Pub	1 per employee PLUS 10 per 1000 sq.ft.
Catering Kitchen	1 per employee on site (none required for servers on location)
Restaurant Fast Food	0.5 per employee PLUS 1 for every four seats (inside/outside)
Restaurant, Large	1 per employee PLUS 10 per 1000 sq.ft. of eating area
Restaurant, Small	
Snack Bar/Snack Shop	1 per employee PLUS 1 per 3 seats
Snow Ball Stand	2 spaces
Tavern/Bar	1 per employee PLUS 10 per 1000 sq.ft. of eating area
HEALTH SERVICES	
Authorized Uses	Required Parking Spaces per Unit
Blood bank	4 per 1000 sq.ft.
Cemetery	1 per employee
Half-way House	1 per employee PLUS 1 per 4 beds
Hospital	1 per employee PLUS 1 per bed at capacity
Laboratory (Medical/Dental)	4 per 1000 sq.ft.
Medical Clinic	
Medical Office	
Nursing Home/ Assisted Living/ Rehabilitative Center	1 per employee PLUS 1 per 4 beds
Veterinary Clinic	4 per 1000 sq.ft.
Wellness Center	2.5 per 1000 sq.ft.
INDUSTRIAL USES	
Authorized Uses	Required Parking Spaces per Unit
Agricultural Activity	0.5 per employee
Bakery Wholesale	1 per employee
Composting Operation	
Distribution Center	1 per employee PLUS 1 per company vehicle used
Heavy Machinery Sales	2 per 1000 sq.ft. PLUS 1 per 2500 sq.ft. open sales area
Industrial Equipment Repair	0.5 per employee plus 2 per 1000 sq.ft. floor area open to public
Industrial Supply Sales/Rental	2 per 1000 sq.ft.
Industry Light	1 per employee PLUS 1 per company vehicle used
Industry/Manufacturing Heavy	
Junkyard	
Laboratories (non-medical)	3 per 1000 sq.ft.
Manufactured Housing Sales	1 per employee PLUS 1 per 2500 sq.ft. open sales area
Marine Supply Sales/Rental	1 per 1000 sq.ft.
Mineral Extraction/Oil & Gas	1 per employee PLUS 1 per company vehicle used
Audio/ Video/ Movie Production	3 per 1000 sq.ft.
Printing/ Publishing: Large Scale	2 per 1000 sq.ft.
Solid Waste Transfer Station	1 per employee PLUS 5 for drop off
Recycling /Donation Collection	
Research and Development	3 per 1000 sq.ft.
Salvage Yard	1 per employee PLUS 1 for each company vehicle PLUS 3 for customers

INDUSTRIAL USES (continued)	
Authorized Uses	Required Parking Spaces per Unit
Self Storage/Outdoor Storage	1 per 10 warehouse storage spaces PLUS 1 per 2500 sq.ft. outdoor storage area
Trailer, Heavy Truck Sales, Repair	2 per 1000 sq.ft. floor area PLUS 1 per 2500 sq.ft. of outside sales area
Warehousing / Distribution	3 per 1000 sq.ft. office area PLUS 1 per 10,000 of use of storage area
Wholesale Sales	
LODGING SERVICES	
Authorized Uses	Required Parking Spaces per Unit
Bed and Breakfast Inn	2 for owner PLUS 1 per guest room
Hotel	1 per guest unit PLUS 1 per 3 persons capacity in largest meeting room
Motel	
RV Park	1 per RV Site (plus the RV space)
Timeshare/ Vacation Rental	1 per guest unit
OFFICE	
Authorized Uses	Required Parking Spaces per Unit
Automated Teller Machines	included in underlying use
Financial Services / Banks	3 per 1000 sq.ft.
General Business, Administrative, Professional Offices	
Labor Pool	
Utility Customer Service Center	1 per employee PLUS 1 per 1000 sq.ft.
PARKING AND TRANSIT USES	
Authorized Uses	Required Parking Spaces per Unit
Airport	1 per employee PLUS 10 per 1000 sq.ft. of passenger circulation and waiting area
Bus Shelter	to be determined on case specific basis
Garage, Public Access	None
Heliport or Helipad	1 per employee PLUS 5 for commercial facilities OR 2 for non-commercial facilities
Parking Lot Commercial or Private	None
Passenger Station: Bus, Railroad	1 per employee PLUS 10 per 1000 sq.ft. of passenger circulation and waiting area
Taxicab Service/ Parking	1 for dispatcher PLUS 1.5 per cab
Terminal Truck or Motor Freight	to be determined on case specific basis
Transit/ Bus Garage, Repair Facility	1 per employee
Truck Stop	to be determined on case specific basis
Wrecker Service/ Vehicle Storage	1 per employee PLUS 1 for each company vehicle PLUS adequate storage for towed vehicles
RESIDENTIAL USES	
Authorized Uses	Required Parking Spaces per Unit
Caretaker's Residence	1 per residence
Dormitory, Rooming House	1 per 2 beds
Dwelling Joint-use	Parking spaces set according to the non-residential use of the building. Residential tenants allowed use of the parking lot associated with the non-residential portion of the building

City of Opelousas Zoning Ordinance

RESIDENTIAL USES (continued)	
Authorized Uses	Required Parking Spaces per Unit
Dwelling Multi-family	Efficiencies: 1 per unit; 1-2 Bedrooms: 1.5 per unit; 3 or more bedrooms: 2 per unit
Dwelling Single family	2 per unit
Dwelling Townhouse	1.5 per unit
Dwelling Two-family	1.5 per unit
Emergency Shelter	1 per employee PLUS 1 per 2 bedrooms
Modular Homes	Follows Dwelling requirements
Group Residential Facility	1 per 5 residents
Group Residential Home	
Guest House	1 per guest house
Home Occupation class 1	no additional requirements
Home Occupation class 2	
Trailer Park	1.5 per site
RETAIL SERVICES	
Authorized Uses	Required Parking Spaces per Unit
Animal Grooming Service	4 per 1000 sq.ft.
Animal Shelter	1 per employee PLUS 1 per 7 animals at capacity
Apparel Shop	3 per 1000 sq.ft.
Appliance Repair	1 per employee plus 2 per 1000 sq.ft. open to public
Appliance Sales	2 per 1000 sq.ft.
Art Gallery	2 per 1000 sq.ft.
Artist Studio	1 per studio
Auction House	3 per 1000 sq.ft.
Barber Shop/ Beauty Salon	1 per 2 client chairs
Convenience Store	1 per employee PLUS 3 per 1000 sq.ft.
Department Store	3.5 per 1000 sq.ft.
Drug Store	2.5 per 1000 sq.ft.
Dry Cleaning and Laundry, Pick up	1 per employee PLUS 3 for customers
Dry Cleaning Service	1 per employee plus 2 per 1000 sq.ft. open to public
Electrical Repair Shop	1 per employee plus 2 per 1000 sq.ft. open to public
Equipment / Furniture Rental	3 per 1000 sq.ft.
Farmer's Market	1 per vendor PLUS 5 per 1000 sq.ft.
Florist Shop	1 per employee plus 2.5 per 1000 sq.ft.
Funeral Home	15 per 1000 sq.ft. of parlor areas, but not less than 20 spaces
Furniture Sales: New, Used	2.5 per 1000 sq.ft.
Garden Center	
Greenhouse Commercial	2.5 per 1000 sq.ft. of sales area (indoor and outdoor)
Grocery Store	4.5 per 1000 sq.ft.
Gun Store	3 per 1000 sq.ft.
Hardware Store	
Home Improvement/ Building Material Sales	3 per 1000 sq.ft.
Jewelry Store/ Assembly/ Repair	
Kennel Commercial	1 per employee PLUS 1 per 7 animals at capacity
Laundromat	5 per 1000 sq.ft.
Liquor Store	3 per 1000 sq.ft.

City of Opelousas Zoning Ordinance

RETAIL SERVICES (continued)	
Authorized Uses	Required Parking Spaces per Unit
Newsstand	3 per 1000 sq.ft.
Nursery, Plant	1 per employee PLUS 6 per 1000 sq.ft. of sales area open to public
Office Equipment Repair	1 per employee plus 2 for customers
Office Supplies/ Stationery Sales	2.5 per 1000 sq.ft.
Outdoor Flea Market	1 per vendor PLUS 10 per acre
Pawnshop	3 per 1000 sq.ft.
Printing/ Copying Small	
Small Engine and Motor Repair	
Sexually / Adult Oriented	5 per 1000 sq.ft.
Shoe Repair/Tailor	3 per 1000 sq.ft.
Shopping Center: Large Scale	5 per 1000 sq.ft.
Shopping Center: Small Scale	
Souvenir Shop	3 per 1000 sq.ft.
Spa	5 per 1000 sq.ft.
Sporting Goods Sales	3 per 1000 sq.ft.
Tattoo/ Piercing	5 per 1000 sq.ft.
Upholstery/Interior Decorating	3 per 1000 sq.ft.
Video Rental/Sales	
UTILITIES/GOVERNMENTAL	
Authorized Uses	Required Parking Spaces per Unit
Communications Equipment	1 space (for maintenance personnel)
Essential Utilities and Equipment	
Fire, Police Station	1 per crew member PLUS 2
Penal/Correctional Institution	1 per employee plus 1 per 20 inmates
Sewage treatment plant	1 per employee PLUS 3
Telecommunications class I	1 space (for maintenance personnel)
Telecommunications class II	
Telecommunications class III	
Water Tower/ Storage Tank	
VEHICULAR SERVICES	
Authorized Uses	Required Parking Spaces per Unit
Automotive Paint Shop	2 per 1000 sq.ft.
Automotive Rentals	
Automotive Repair Shop	Greatest of 1 per service bay OR 10 per 1000 sq.ft. repair area,
Automotive Sales	3 per 1000 sq.ft. PLUS 3 per service bay
Automotive Supply	3 per 1000 sq.ft.
Automotive Tire Repair/Sales	
Boat Repair Shop	1 per employee PLUS 3 per 1000 sq.ft.
Car Wash/Detailing	1 per employee PLUS 1 for drying and 2 stacking
Gas Station Mini-Mart	3 per 1000 sq.ft. PLUS 1.5 per nozzle
Gas Station with Vehicle Repair	Greatest of 1 per service bay OR 10 per 1000 sq.ft. repair area,
Motorcycle Sales	1 per employee PLUS 3 per 1000 sq.ft.
Oil Change Facility	Greatest of 1 per service bay OR 10 per 1000 sq.ft. repair area,
RV and Camper Sales, Repair	3 per 1000 sq.ft.

400.06 Drive-through Stacking

Drive-through establishments must provide stacking space for queuing of vehicles awaiting use of drive-through windows. Each stacking space must be eighteen feet long, and each lane of stacking spaces must be at least nine feet wide. Lane widths must be delineated with pavement markings, but individual spaces within the lane need not be marked. The Stacking Requirements Table denotes the number of stacking spaces required for common drive-through uses. Any drive-through use not listed must provide at least four stacking spaces per drive-through window. Stacking spaces must be in addition to the required parking spaces and must not be located within a required driveway, internal circulation system, or parking aisle. For uses not listed, the Planning Director shall determine the specific number of stacking spaces depending on specifics of the use, lot size, and site plan.

Stacking Requirements				
Use	Minimum Number of Stacking Spaces Required			
	Before	At	After	Total
Bank or ATM (bay)	6	1	0	7
Restaurant	6	1	1	8
Car wash (self serve) (per bay)	3	1	2	6
Car wash (semi or automatic)	6	0	2	8
Other Uses	Planning Director shall determine the specific number based on lot size, use, site plan and other development features.			

400.07 Parking Spaces Accessible to the Disabled

The City encourages all development within the City that serves the public to comply with the accessibility standards of the Americans with Disabilities Act of 1990. The City requires conformance with the accessibility standards by requiring one (1) accessible space for every 25 spaces or fraction thereof in the lot. For lots with more than 500 spaces, the owner shall provide 2% of the total spaces to be accessible.

400.08 Off-Site Parking Facilities

- (A) A site plan for any off-site parking facility must be filed with the Planning Commission as a required exhibit accompanying the conditional use application, and must be made part of the conditions for approval of the application. The site plan must demonstrate compliance with parking requirements of this ordinance, must be amended and re-approved to indicate any change or other modification of uses served or number of parking spaces provided, and must indicate:
 - (1) Adjacent streets, alleys and lots.
 - (2) All primary uses served, including the location of the use and number of parking spaces for each such use.
 - (3) A layout drawn to scale of 1"=50' or larger of aisles and driveways, entrances, exits and turn-off lanes, parking spaces, setbacks, drainage facilities, and landscaping and buffer screening.
 - (4) Type of lighting and pavement proposed, and identification signs, including location, size, and design thereof.

- (B) Offsite parking facilities must be embodied in a servitude or similar agreement duly executed and acknowledged, which specifies that the land upon which the off-site parking facility is located is encumbered by the parking use. The instrument must bind the time period to the anticipated life of the building or use

to which the parking facilities are accessory. The instrument must be filed in the applicable building permit files of the Department of Planning, and placed on public record in the Office of the Clerk of Court.

- (C) A business owner must maintain current and valid parking as required by this ordinance. Evidence of such parking is required prior to approval, and proof of current leases must be made available at the request of the Planning Director. Each leased space must have a sign noting the business for which the space is reserved. All leased parking spaces must be paved and striped. No unimproved parking spaces may be used for commercial parking.
- (D) Offsite parking facilities must be developed under such conditions as are imposed by the Planning Director to protect residential districts and to minimize disturbance to nearby residential uses.

400.09 Parking and Storage of Certain Vehicles

- (A) Unlicensed and Non-Operative Automotive Vehicles

Automotive vehicles or trailers of any type without current license plates and inspection sticker or in an inoperable condition so as to be deemed dead storage are prohibited in Residential Districts other than within completely enclosed buildings, and may not be parked or stored in any District unless specifically authorized under the terms of this ordinance.

- (B) Commercial Vehicles on Private Property

The parking of a commercial vehicle in residential zone districts shall be prohibited, except that one commercial vehicle of not more than three tons capacity may be parked on any lot on which there is located a principal building, provided that such vehicle is used by an occupant of the premises. This requirement does not prohibit commercial vehicles from temporary loading and unloading in any residential district.

400.10 Parking Development Standards

All off-street parking areas for four or more automobiles must be developed in accordance with the standards of this section, except in the case of one and two-family dwellings.

- (A) Dimensions
 - (1) Except as otherwise specified, each required off-street parking space must be at least nine feet in width and at least eighteen feet in length, exclusive of access drives or aisles, ramps, columns, or office or work areas. Such space must have adequate vertical clearance.
 - (2) For parallel parking, the length of the parking space must be increased to twenty-two feet, and the minimum required width may be reduced to eight feet.
 - (3) For compact parking spaces, the size may be reduced to seven feet by sixteen feet.

- (4) Each handicap parking space must be at least 13 feet wide and 18 feet long in clear dimension and reserved exclusively for an automobile registered with the state with handicapped license plates or displaying an official state issued handicapped placard.
 - (5) Except on lots occupied by one and two-family dwellings, each off-street parking space must open directly upon an aisle or driveway at least twelve feet wide or such additional width and design so as to provide safe and efficient means of vehicular access to such parking space. Such aisle or driveway must be unobstructed and allow for the passage of emergency vehicles at all times. This requirement may be waived by the Planning Director where such waiver will not cause a hazard.
 - (6) All required parking spaces and aisles must be provided wholly within the property lines and must not extend into any public right-of-way.
- (B) Layout & Design
- (1) All off-street parking or loading facilities must be designed with appropriate means of vehicular access to a street or alley.
 - (2) Driveway entrances or exits must be no closer than fifteen feet from an adjoining residential property line or five feet from an adjoining non-residential property line and designed in such a manner as to least interfere with traffic movement. A driveway across public property at the right-of-way line of the street may not exceed a width of 22 feet, unless a greater width is specifically approved by the City Engineer. A driveway may not be located closer than 30 feet from the nearest point of the intersection of two streets.
 - (3) Connections between parking lots or reservations of land for future connections may be required at the discretion of the Planning Director.
 - (4) Required off-street parking spaces must be designed, arranged, and regulated so that parking spaces have access to an aisle or driveway and so that any automobile may be moved without moving another. No maneuvering incidental to entering or leaving a parking space may require the use of any public right-of-way or walkway, unless otherwise permitted at the direction of the Planning Director.
 - (5) Any lighting used to illuminate off-street parking areas must be located, shielded, and directed upon the parking area in a manner that does not reflect or cause glare onto adjacent properties.
- (C) Surfacing & Drainage
- (1) All open off-street parking areas must be surfaced with an all-weather, dust-free concrete or asphalt material, and must be maintained in good condition and free of weeds, dirt, trash and debris, except that a gravel surface may be used for a period not exceeding one year after the date of granting the certificate of occupancy where ground conditions are not immediately suitable for permanent surfacing.

- (2) A gravel surface in the area of storage or handling may be used permanently where industries handle liquids or chemicals that would create a potential hazard if containment should be lost and where absorption into the ground through a loose surface material would eliminate or alleviate such hazard.
- (3) Parking areas must be graded and drained so that no water flows onto either adjacent property or public sidewalks.
- (4) Other surface materials and designs may be utilized when approved by the City Engineer, for purposes of reducing storm water runoff or for other environmental and aesthetic considerations.

400.11 Loading Requirement

Uses and buildings that receive or transmit goods or wares by truck delivery and that have a gross floor area of 5,000 square feet or more must provide off-street loading spaces in accordance with the Loading Space Requirements Table, and the following requirements.

- (A) All required off-street loading berths must be located on the same lot as the use to be served, and no portion of the vehicle may project into a street or alley. No permitted or required loading berth may be located within thirty feet of the nearest point of intersection of any two streets, nor may it be located in a required front yard or side yard adjoining a residential use or district.
- (B) Each required off-street loading space for the receipt or distribution by vehicles of materials or merchandise must be designed in accordance with the following size requirements:
 - (1) For local pick-up and delivery trucks: twelve feet in width by thirty feet in length with a forty-five foot maneuvering apron and a twelve foot height clearance.
 - (2) For over-the-road tractor-trailers: fourteen feet in width by sixty feet in length with a sixty foot maneuvering apron and a fourteen foot height clearance.

Loading Space Required		
Use Description	Floor Area in Square Feet	Number of Loading Spaces Required
Manufacturing, distribution, wholesaling, storage and similar uses	5,000 – 25,000	1
	25,001 – 60,000	2
	60,001 – 100,000	3
	Each 50,000 above 100,000	1 more
Office Buildings, hotels and motels, retail sales, hospitals, institutions, and similar uses	5,000 – 60,000	1
	60,001 – 100,000	2
	Each 20,000 above 100,000	1 more

- (C) Paving regulations for loading areas must comply with paving regulations for parking areas as set forth in the development standards section. Drainage regulations must comply with other city ordinances.

- (D) Loading berths must be screened by building walls, a solid fence, densely planted shrubbery, or any combination thereof, which may not be less than six feet in height at maturity, unless located at the rear of the building.

ARTICLE 401 LANDSCAPING

401.01 General Landscaping Requirements

- (A) All land areas that are not covered with buildings and pavement or used for agricultural purposes shall be appropriately landscaped.
- (B) The scale and nature of landscape materials shall be appropriate to the size of the structures and the available space. Materials shall be located to avoid interference with overhead and underground utilities and utility easements or vehicular or pedestrian movement and visibility. In no case may a tree or shrub be planted with a drainage, sewer or utility easement. Growth characteristics should be carefully considered.
- (C) All trash dumpsters, trash pads, loading areas consisting of two or more loading spaces, loading docks, building service and outside storage areas shall be screened from Residential uses or Zoning District must be screened if visible from a public street.
- (D) New non-residential or multi-family buildings that abut a residential property (zoned or used) shall provide a landscaped buffer ten (10) feet wide between the properties.

ARTICLE 402 SIGNS

402.01 Purpose

The purposes of these sign regulations are to encourage the effective use of signs as a means of communication; to maintain and enhance the pleasing look of the City; to improve pedestrian and traffic safety and to minimize the possible adverse effects of signs on nearby public and private property.

402.02 Applicability

- (A) A sign may be erected, placed, established, painted, created or maintained only in conformance with the standards, procedures, exemptions and other requirements of this ordinance and other applicable City codes.
- (B) All signs not expressly permitted under this Ordinance or exempt from regulation are prohibited.

402.03 Effect

The effect of these sign regulations, as more specifically set forth herein, is:

- (A) To establish a permit system for a variety of signs in commercial and industrial zones, and a limited variety of signs in other zones, subject to the standards and the permit procedures of this ordinance;
- (B) To allow signs that are small, unobtrusive, and incidental to the principal use of the respective lots on which they are located without a requirement for permits;
- (C) To provide for temporary signs in limited circumstances;
- (D) To prohibit signs not expressly permitted by this ordinance; and
- (E) To provide for enforcement of the provisions of this ordinance.

402.04 Rules of Interpretation

- (A) Area Computation of Individual Signs:

The area of a sign face (which is also the sign area of a wall sign or other sign with only one face) must be computed by means of the smallest rectangle that will encompass the extreme limits of the writing, representation, emblem, or other display, together with any material or color forming an integral part of the background of the display or used to differentiate the sign from the backdrop or structure against which it is placed, but not including any supporting framework, base, bracing, or decorative fence or wall when such fence or wall otherwise meets the regulations of this ordinance and is clearly incidental to the display itself.

- (B) Area Computation of Multi-faced Signs:

Where the sign faces of a double-faced sign are parallel or the interior angle formed by the faces is 60 degrees or less, only one display face must be measured in computing sign area. If the two faces of a double-faced sign are of unequal area, the area of the sign is the area of the larger face. In all other cases, the areas of all faces of a multi-faced sign must be added together to compute the area of the sign. Sign area of multi-faced signs is calculated based on the principle that all sign elements that can be seen at one time or from one vantage point must be considered in measuring that side of the sign.

- (C) Sign Height Computation:

The height of a sign must be computed as the distance from the base of the sign at normal grade to the top of the highest attached component of the sign. Normal grade is the newly established grade after construction, exclusive of any fill, beaming, mounding, or excavating solely for the purpose of locating the sign.

402.05 Signs Exempt from Regulations

The following signs are exempt from regulation under this ordinance:

- (A) Any official or public notice or warning required by a valid federal, state, or local law, regulation, or ordinance, by a public utility company or by order of a court of competent jurisdiction.
- (B) Traffic signs on private property, such as Stop, Yield, and similar signs, that meet the standards contained within the federal Manual on Uniform Traffic Control Devices and that contain no commercial message.

- (C) Signs hanging or standing inside a building, not attached to a window or door, visible from a public street.
- (D) Any sign inside an athletic field or other enclosed outdoor space;
- (E) Works of art with no commercial message;
- (F) Holiday decorations with no commercial message when displayed between November 15 and January 15.
- (G) On-premise real estate signs indicating for sale, for lease, or similar information.
- (H) Lettering attached to the window or door of a business that describes hours of operation or street address.
- (I) Yard sale signs.
- (J) Signs attached to or painted onto service vehicles.
- (K) Signs on fuel pumps that cannot be read from off the premises.
- (L) Political signs.
- (M) Signs erected by any entity legally exempt from municipal zoning.

402.06 Permitted Signs

- (A) Signs are permitted in accordance with the Permitted Signs Table and the supplemental regulations referenced in the last column of the Table.
- (B) Permitted signs are subject to the height limits shown in the Sign Height Table.
- (C) Building Permits are required for all signs costing more than \$250.00, including labor and materials, except that construction and temporary signs do not require a Building Permit.

402.07 Supplemental Conditions for Permitted Signs

- (1) Construction Signs

Construction signs are allowed in accordance with the following provisions:

- (a) One construction sign is permitted per acre of development.
- (b) Construction signs must be removed before receiving a certificate of occupancy for the building.
- (c) Construction signs are allowed for nonresidential or multi-family residential buildings, if the signs do not exceed 48 inches in height and 12 square feet in area per side and if setbacks are adequate to protect the clear visibility triangle, in accordance with zoning ordinance.

- (2) Directory Sign

Directory signs are allowed in shopping areas where a site includes more than one tenant. One directory sign may be located near each entrance to the parking area, but not less than 20 feet from any public right-of-way, and at principal

intersections within the site, where such intersections are not less than 20 feet from any public right-of-way. Each sign must not exceed 18 square feet in area and 6 feet in height. A sign may contain logos or business names with arrows or other directional information but must not contain any commercial message.

Permitted Sign Table						
Zoning District →	R-1 R-2 R-3	C-1 C-2 NMU	LI HI	DMU	Freestanding Sign Height Limits (in inches)	Supplemental Conditions **
Ground Signs						
Construction	Y	Y	Y	Y	48"	1
Directory (Logo/name)	Y	Y	Y	Y	48"	2
Directory (Detailed)	Y	Y	Y	Y	60"	2
Directional	Y	Y	Y	Y	48"	9
Menu Board	N	Y	N	Y	60"	4
Monument	Y	Y	Y	Y	72"	
Post and Panel	N	Y	Y	Y	*	
Pole or Pylon Sign	N	N	N	N	*	
Sandwich Board	Y	Y	N	Y	48"	8
Building Signs						
Directory	Y	Y	Y	Y	**	2
Electronic, scrolling message	N	Y	Y	N	**	10
Marquee	N	Y	N	Y	**	3
Suspended	N	Y	N	Y	**	5
Temporary	Y	Y	Y	Y	**	6
Wall	Y	Y	Y	Y	**	7
Other Signs						
Off Premise Sign	N	N	N	N	48"	11
Political	Y	Y	Y	Y	48"	
Public Event Banner	Y	Y	Y	Y	*	
* Heights are subject to establishment by the Planning Commission. ** See Supplemental Conditions in Section 402.07						

(3) Marquee Sign

In addition to permitted wall signs, marquee signs with changeable copy are allowed at movie or performance theaters. Changeable copy signs may cover no more than one square foot of sign area for each linear foot of theater building frontage. Other non-changeable copy signs may be attached to or mounted on top of a marquee.

(4) Menu Board Sign

Menu boards are allowed as an accessory use to a restaurant that is permitted to have a drive-thru window under the following conditions:

- (a) A sign must not exceed 32 square feet in area and six feet in height;
- (b) The sign must not be legible from a public right-of-way or adjacent property;
- (c) Only one such sign is permitted per property;
- (d) The sign may have changeable copy; and
- (e) The signs may be internally or directly illuminated

(5) Suspended Sign

- (a) Suspended signs are allowed in addition to wall signs if each suspended sign does not exceed six square feet of total area, which does not count toward the total maximum sign area allowed;
- (b) Suspended signs may not be separately illuminated;
- (c) Suspended signs may contain only the address, suite number, logo or name of the occupant or business served by the entrance;
- (d) Only one such sign may be erected by any one tenant;
- (e) A suspended sign may protrude into the right of way only if the building is within two feet of the sidewalk;
- (f) A suspended sign may be located under a canopy, but may not exceed two square feet in area; and
- (g) A sign must maintain a clearance of nine feet above the sidewalk.

(6) Temporary Sign

Signs for temporary uses, special events, or the opening of businesses, are permitted under the following conditions:

- (a) Temporary signs must be located on private property;
- (b) Sign permits must be limited to a duration of 30 days or, for a temporary use, for the period of time stated on the temporary use permit;
- (c) No more than three temporary sign permits may be issued within any 12-month period for the same business in the same location, and only one sign may be included on each permit;
- (d) Temporary signs which are attached to and parallel with a wall of the building on which wall signs are permitted, must be made of cloth or vinyl and must not exceed 32 square feet in surface area;
- (e) Temporary signs may not flash or blink, or resemble traffic or emergency warning signals;
- (f) Signs for where a temporary use permit specifically authorizes the use of temporary ground sign, such signs shall not exceed 42 inches in height and 16 square feet in area per side; and
- (g) Special events, such as those associated with civic, philanthropic, educational purposes, rodeos, and carnivals, are allowed a temporary sign under the following conditions:
 - (i) No more than two ground signs are allowed per property per event;
 - (ii) A sign must be located on private property;
 - (iii) A sign must be limited to no more than 20 square feet; and,
 - (iv) A sign may be erected no sooner than ten days preceding the event and must be removed no later than one day following the event.

(7) Wall Sign, Nonresidential

- (a) The total area of all wall signs on a building may not exceed 0.6 square feet of wall sign area per linear foot of tenant building frontage. The fact that signs may be permitted on more than one wall of the building does not increase this maximum.
- (b) Signs on awnings attached to buildings are considered wall signs for the purpose of this ordinance.

- (c) No wall sign may project above the highest point of the building wall on the same side of the building as the sign, which includes marquee signs and any other signs not affixed directly to such wall.
 - (c) On a multi-occupancy building, each occupant with an outside entrance serving the general public may have a separate wall sign. Corner tenants with a door or window on their side walls and tenants with a separate outside entrance serving the general public in a different exterior wall from any other entrance are allowed one additional wall sign;
 - (d) Changeable copy signs for a theater are exclusively subject to the requirements for marquee signs.
 - (e) In addition to other permitted signs, a theater may install back-lighted or internally illuminated "poster box," sign under the following conditions:
 - (i) Such boxes must not exceed 36 by 54 inches each in area;
 - (ii) The top of such boxes must not be more than ten feet above ground;
 - (iii) Such boxes must be permanently mounted to a wall; and
 - (iv) The number of boxes must not exceed one per screen in the theater.
- (8) Sandwich Board Sign
- (a) A single sandwich board sign may be placed on a private or public sidewalk, for each business adjacent to such a sidewalk.
 - (b) Such sign must not be more than four feet high and two feet wide.
 - (c) Such sign must not present a risk to public safety, must be removed from the street outside the business hours of operation, and must be removed in adverse weather conditions.
- (9) Directional Sign
- (a) A directional sign may contain only instructions guiding traffic and may not contain logos or commercial copy;
 - (b) Such sign may not be internally illuminated; and
 - (c) The maximum area of any directional sign is four square feet.
- (10) Electronic, Scrolling Message Sign
- (a) Such signs are permitted only if designed as a wall sign.
 - (b) The sign counts toward the area allotment.
 - (c) The advertisement of off-premise businesses or services is not allowed.
- (11) Off-premise Sign
- (a) Off-premise signs are allowed in any zoning district only to advertise the location of a church or other religious institution; limited to two signs for each institution and must be 10 square feet in size or less.
 - (b) The sign must be located on private property with the written consent of the property owner.

402.08 Size Restrictions on Permitted Signs

- (A) Signs for business uses in R-1, R-2, and R-3 Zoning Districts:
 - (1) Shall have 0.15 square feet of sign area per linear foot of lot frontage on the primary street,
 - (2) Home occupations may not have any signs.
- (B) Signs for multifamily residential uses in all districts:
 - (1) Shall only advertise project names,
 - (2) Shall be permitted 6 square feet of sign area, plus 0.1 square feet per dwelling unit, up to a maximum of 24 square feet,
- (C) Signs for businesses in the NMU and DMU Zoning District shall have 0.6 square feet of wall sign area per linear foot of tenant building frontage.
- (D) Signs for business uses in the C-1, C-2, LI and HI Zoning Districts:
 - (1) Shall have 0.4 square feet of wall sign area per linear foot of building frontage for single tenant buildings.
 - (2) Shall have 0.5 square feet of wall sign area per lineal foot of building frontage for multiple tenant buildings.
 - (3) For all other permitted signs (monument, directory, sandwich board, etc.) there may be an additional 0.3 square feet of sign area for each linear foot of building frontage. This may be divided up among other types of permissible signs, within the limits on the number of such signs set forth.

402.09 Signs Not to Create Traffic Hazard

A sign may not be erected in the clear vision triangle as defined by this Ordinance. Any such sign must be removed at the direction of the Planning Director. If not removed by owners or occupants of the property within ten days of notice, the Planning Director may cause the property owner to be cited for a violation of the Zoning Ordinance.

402.10 Signs in a Public Right-of-Way

Any sign placed in the public right-of-way in violation of this ordinance is deemed a public nuisance and may be seized by an enforcement official or other representative of the City.

402.11 Sign Permits

- (A) Permits Required for Sign

Sign permits are required prior to the erection of any sign. Building permits and other permits may also be required prior to issuance of a sign permit.

- (B) Application Requirements

- (1) An application for a sign permit may be filed by the owner of the property on which the sign is to be erected, or by an agent, lessee, or contract purchaser authorized by the owner to file the application. The application must be accompanied by evidence of application for any other permits, including a Building Permit, that are required prior to the erection of any sign.

- (2) An application for a sign permit must be filed with the Planning Department on a form prescribed by the Department and must be accompanied by payment of any required fees.
- (3) An application for construction, creation or installation of a new sign or for modification of an existing sign must be accompanied by detailed drawings to show the dimensions, design, structure, and location of each sign. One application and permit may include multiple signs on the same site.
- (4) A permit may not be issued for any new sign on any parcel of land upon which is situated an illegal sign, including signs that were erected or modified without a sign permit or signs that were not removed from the premises upon cessation of the business or enterprise related to the sign. An application for approval of a new sign must include drawings that identify the location of any existing signs on the premises.
- (5) Within ten working days of receiving an application for a sign permit, the Planning Department must review it for completeness. If the Department determines that the application is not complete, it must notify the applicant of any deficiencies and may take no further steps to process the application until the applicant remedies the deficiencies.
- (6) Within 60 days of submission of a properly completed application for a sign permit, the Planning Director must either:
 - (a) Issue the sign permit, if the sign conforms with the requirements of this ordinance; or
 - (b) Deny the sign permit if the sign fails conform to the requirements of this ordinance. In case of a rejection, the Planning Director must specify the sections of this ordinance with which the sign is inconsistent.
- (7) If the Planning Director fails to act within the 60-day period, the application is approved and a sign permit must be issued.

(C) Revocation of Sign Permit

A sign permit is revoked by operation of law if the business is discontinued for a period of 90 days or more, or if the business license for the premises lapses, is revoked or not renewed.

(D) Permits for Temporary Signs

Temporary signs on private property are allowed only upon the issuance of a Temporary Sign Permit, subject to the following terms:

- (1) A temporary sign permit may allow the use of a temporary sign for a specified 30-day period.
- (2) Only one temporary sign permit may be issued to a business license holder for the business located on that site.

(E) Removal of Signs upon Discontinuation of Use

Whenever the use of a building or premises by a specified business or other establishment is discontinued by the owner or occupant for a period of 90 days or more, the sign permits for all signs pertaining to that business or establishment are revoked by operation of law, and the signs must be removed.

ARTICLE 404 LIGHTING

404.01 Purpose

This purpose of this Section is to provide minimum standards for the provision, installation and maintenance of lighting for non-residential projects, multi-family and Planned Unit Development in order to achieve a beautiful and safe community.

404.02 Applicability

- (A) Lighting facilities are required for all off-street parking areas and off-street loading areas and for all driveways providing ingress and egress for non-residential and multi-family developments.
- (B) For purposes of this Article, any project involving more than three residential units shall be deemed a multifamily development. In their consideration and approval of any development plan, the Planning Director or Planning Commission may require lighting to be incorporated where, in their reasonable discretion, such lighting is warranted.

404.03 General Provisions and Standards

- (A) All exterior lights and illuminated signs must be designed, located, installed and directed in such a manner as to prevent glare from encroaching onto adjoining properties or public rights-of-way.
- (B) When outdoor lighting installation or replacement is part of a development proposal for which site plan approval is required under these regulations, the applicant must submit sufficient information, in the form of an overall exterior lighting plan, to enable the Planning Director or Planning Commission, as the case may be, to determine that the applicable provisions will be satisfied.
- (C) When an outdoor lighting installation is modified, extended, or expanded, the entire outdoor lighting installation is subject to review in accordance with the requirements of this section.
- (D) Where practicable, electrical service to outdoor lighting fixtures must be underground.
- (E) Temporary holiday lighting during the months of November, December, and January is exempt from the provisions of this section, if such lighting does not create dangerous glare on adjacent streets or properties.

404.04 Exemptions

The following uses are exempt from the provisions of this ordinance:

- (A) Roadway and airport lighting.
- (B) Temporary circus, fair, carnival, or civic uses.
- (C) Construction or emergency lighting, provided such lighting is temporary and is discontinued immediately upon completion of the construction work or abatement of the emergency necessitating said lighting.

ARTICLE 405 NONCONFORMING PROVISIONS

405.01 Nonconforming Uses

Pre-existing uses that were in compliance with all land use and other laws on the date of passage of these regulations but that do not conform to the use regulations set forth in this ordinance are deemed to be legal nonconforming uses that may be continued subject to the following provisions:

- (A) A legal nonconforming use may not be enlarged, moved, or otherwise changed, except to a permitted use.
- (B) A legal nonconforming use may be extended throughout any parts of a building that were manifestly arranged or designed for such use, provided that no structural alterations are made within the building in order to allow the use to expand.
- (C) When a legal nonconforming use is converted to a permitted use, the nonconforming use may not thereafter be resumed.
- (D) When a legal nonconforming use is discontinued or abandoned for six or more consecutive months, the nonconforming use may not thereafter be resumed.
- (E) A legal nonconforming use may continue in operation until modified or terminated as herein provided, and the legal nonconforming use may be sold, inherited, or otherwise transferred.

405.02 Nonconforming Structures

Pre-existing structures that were in compliance with all land use and other laws prior to the date of passage of these regulations, but that do not conform to the use regulations set forth in this ordinance are deemed to be legal nonconforming structures that may be continued subject to the following provisions:

- (A) A legal nonconforming structure may not be enlarged, moved, or otherwise changed in a manner that increases the extent of its non-conformity, unless a variance is obtained.
- (B) When a legal nonconforming structure is discontinued or abandoned for six or more consecutive months, the structure may thereafter only be used if brought into compliance with this ordinance; however, the nonconforming use within the structure may not thereafter be resumed.
- (C) When a legal nonconforming use exists within a structure, the removal or destruction of the structure eliminates the legal nonconforming status of the land.
- (D) Normal maintenance and repair of a building or other structure containing a legal nonconforming use may be performed, including any alterations that would have the effect of bringing the building or other structure into further compliance with the Building Code, if such maintenance or repair does not extend or intensify the nonconforming use. If alterations are performed on the building with the specific purpose of bringing the building into further compliance with the Building Code, and if such alterations necessitate the temporary cessation or abandonment of a current land use, then the Planning Commission may extend the six-month abandonment clause for a reasonable period of time to effectuate said changes.
- (E) Any legal nonconforming structure damaged by fire, flood, explosion, or other casualty may be reconstructed and used as before, if such reconstruction is undertaken within six months of such casualty, and if the restored structure has

no greater coverage and contains no greater content (measured in cubic feet) than before such casualty.

- (F) Any legal nonconforming dwelling that is deficient in ground floor area and that is removed from a parcel may not be relocated on the parcel or be replaced by any other dwelling that is not in compliance with the requirements of this ordinance.

405.03 Nonconforming Parcels

Pre-existing parcels that were in compliance with all land use and other laws on the date of passage of this ordinance, but that do not conform to the regulations set forth in this ordinance, are deemed to be legal nonconforming parcels that may be occupied or used subject to the following provisions:

- (A) The use is a permitted use or a legal nonconforming use.
- (B) The legal nonconforming parcel may not be further developed until compliance with the ordinance is demonstrated or until a variance is obtained.

405.04 Burden of Establishing Status

The burden of establishing legal nonconforming status rests on the property owner or party seeking to continue the nonconforming use or occupancy, any person applying for a building permit, or any other person asserting such status. Such persons must provide sufficient proof in a form acceptable to the Planning Director of the following:

- (A) The date of construction of the building or structure or the date the use was established;
- (B) The continuous operation of the nonconforming use; and, (C) Other proof as deemed necessary by the Planning Director.

405.05 Nonconforming Signs

A sign that was lawfully erected prior to the effective date of this ordinance but that does not conform in one or more respects with the requirements of this ordinance may remain in use, subject to the requirements of this section.

- (A) Any nonconforming [temporary] sign must be removed on or before 365 days after the effective date of this ordinance or be thereafter in violation of this ordinance and subject to removal by the City.
- (B) Any non-conforming sign, including its frame and support structures, related to a use or business that ceases to exist or fails to operate for a continuous period of 90 days is by operation of law made nonconforming and may not be reused for sign purposes unless it is brought into full conformity with the provisions of this ordinance and properly authorized by issuance of a new sign permit.
- (C) Repairs and maintenance of nonconforming signs, such as repainting and electrical repairs, are permitted, but repainting may not include a change of copy or color.
- (D) No change of copy is permitted (except on a changeable copy sign) unless the sign is brought into full conformance with this ordinance.
- (E) When a new development plan is submitted for approval or an amendment to a previously approved development plan is proposed, approval of such plan may

be contingent upon or all nonconforming signs on the site being removed or brought into full compliance with this ordinance.

PART 5 ADMINISTRATION

ARTICLE 500 GENERAL ADMINISTRATION AND ENFORCEMENT

500.01 Responsibility for Administration & Enforcement

The Planning Director or the Director's designee is responsible for the following tasks:

- (A) Review of building permit applications to determine compliance with the provisions of this ordinance;
- (B) Maintain records of applications for reclassification, variances, special permits, amendments, and other zoning-related matters and of the hearings and actions thereon;
- (C) Collect such fees from applicants as are set forth in this ordinance and established from time to time by the Planning Commission;
- (C) Conduct investigations as necessary to determine compliance or violations of this ordinance;
- (D) Participate in the prosecution and abatement of violations of this ordinance;
- (E) Maintain the official zoning maps and written text of this ordinance in current status, issue updated maps and text at least once each year; and provide for public copies of maps and texts upon request;
- (F) Provide information on zoning and zoning procedures upon request to citizens and public agencies; and
- (G) Such other tasks that are assigned by this ordinance or the Planning Commission.

500.02 Zoning Reviews

- (A) No building permit pertaining to a change of use or to the construction, enlargement, moving, remodeling, or reconstruction of a structure may be issued until approval of the site plan has been granted by the Planning Director or the Planning Commission.
- (B) With regard to projects that are reviewed administratively, the Planning Director must make every reasonable effort to review the application and report to the applicant by the end of 30 working days following the day on which a completed application is received.

500.03 Fees

The appropriate fee must be paid by an applicant when the application is submitted for review. An application is not complete until the appropriate fee is paid in full to the Planning Department, and approvals may not be granted nor zoning certificates of compliance issued until the appropriate fee is paid to the Planning Department.

500.04 Administrative Interpretations

- (A) Subject to the procedures, standards, and limitations of this Chapter, the Planning Director may render written interpretations, including use interpretations, of this zoning ordinance and of any rule or regulation issued pursuant to it. The Planning Director may forward requests for interpretations to the Planning Commission, if the proposed use is not sufficiently similar to a use expressly listed to allow staff interpretation.

- (B) The interpretation authority established by this section recognizes that provisions of this zoning ordinance, though detailed and extensive, cannot address every situation to which they may apply. Many such situations can be addressed most efficiently by an administrative interpretation of specific provisions of this zoning ordinance.
- (C) An application for interpretation of this zoning ordinance may be filed by any person adversely affected by an application of the zoning ordinance to property in a manner that gives rise to the need for an interpretation. An interpretation may not be sought based solely on hypothetical circumstances.
- (D) An application for interpretations of this zoning ordinance must be filed on a form provided by the Planning Department and must describe the circumstances giving rise to the request for an interpretation. The Planning Director may request from the applicant in writing any additional information deemed necessary to render an interpretation. The Planning Director may decline to render an interpretation, may refer the application to the Planning Commission, or may render an interpretation, stating any specific precedent, the reasons, and the analysis upon which the interpretation is based.
- (E) The following standards govern the Planning Director and the Planning Commission in issuing interpretations of this ordinance:
 - (1) A use must be interpreted as defined in this ordinance.
 - (2) An interpretation must not allow the establishment of any use that would be inconsistent with the statement of purpose of the district in question.
- (F) An interpretation may be used to authorize the preparation, filing, and processing of applications for any permits and approvals that may be required by the particular use for which it is issued, but no such interpretation may be used to authorize any allegedly similar use for which a separate interpretation has not been used.
- (G) The Planning Commission may hear and decide appeals from any administrative interpretation rendered by the Planning Director pursuant to the authority and duties established under this section.

ARTICLE 501 AMENDMENTS TO THE TEXT AND MAP OF THE ZONING ORDINANCE

501.01 General Provisions

- (A) Proposed amendments to this ordinance may be presented by the Planning Commission to the Council, requesting an amendment, supplement, repeal, or change of the regulations of the zoning ordinance. Prior to submission to the Council of a Planning Commission petition or a report on a proposed ordinance, the Planning Commission must hold a public hearing. After the public hearing, the Planning Commission must report on the proposed ordinance to the Council. Thereafter, the Council may proceed to take such action on the proposed ordinance as it deems proper.

- (B) Whenever public necessity or the public health, safety, and general welfare require, the City Council may, by ordinance and after receipt of recommendation from the Planning Commission and subject to the procedures below, amend, supplement, change, or repeal the regulations, restrictions, districts, and boundaries or classifications of property.
- (C) The City advises any person applying for a zoning map amendment to discuss the proposal with residents living within 300 feet of the property to be rezoned and with the leadership of any organized neighborhood organizations that represent the area before making application to the Planning Department. The Department will assist by providing, upon request, contact information for individuals to be consulted.

501.02 Procedures for Amending the Zoning Map

- (A) A request for rezoning of property must be filed on prescribed forms with the Planning Department. The request, or application, must include a list of the property owners' names and addresses for properties located within 300 feet of the affected area, including the subject property, as of record in the office of the Assessor. The applicant must also submit the tax map and parcel numbers for the list of properties along with a stamped and addressed envelope for each of the names and addresses of property owners in the affected area. If the list includes a lot within a subdivision, the applicant must submit the name of the president of the subdivision's homeowners' association along with a stamped and addressed envelope for the individual.
- (B) The Planning Department must conduct a formal review of the completed application.
- (C) The Planning Department must publish a legal advertisement describing the request for rezoning in a local newspaper of general circulation at least 15 days before the public hearing scheduled by the Planning Commission. No later than 10 days before the meeting, the prepared envelopes submitted by the applicant must be mailed, notifying the property owners located within 300 feet of the affected property and the homeowners association president of an affected subdivision.
- (D) The Planning Director must cause official zoning notification signs to be placed in a prominent location on the property not later than 10 days before the meeting.
- (E) The Planning Commission must hold a duly scheduled public hearing on the rezoning request, prepare a report, and make a recommendation to Council.
- (F) The City Council will hear the case according to its rules and procedures.
- (G) If the request for rezoning is approved by the Council, the applicant must be formally notified of the approval in writing by the Planning Department. The Planning Department must revise the zoning map to reflect the approved rezoning.
- (H) If the request for rezoning is denied by the Council, the applicant must be formally notified in writing by the Planning Department of the denial and of the right to appeal the decision to District Court.

- (I) Any person aggrieved by an approval or denial of a rezoning may appeal the decision to the District Court.

501.03 Procedures for Amending the Zoning Ordinance Text

- (A) A request for an amendment or change to the text of the zoning ordinance must be filed on prescribed forms with the Planning Department. The Planning Director must furnish the applicant a copy of a sample or previously approved text amendment, composed in the format required by the City Attorney for text amendments, so that the applicant will have a model by which to compose the proposed amendment.
- (B) The Planning Department must conduct a formal review of the completed application.
- (C) The Planning Department must publish a legal advertisement describing the request for a text amendment in a local newspaper of general circulation at least 15 days before the public hearing scheduled by the Planning Commission.
- (D) The Planning Commission must hold a duly scheduled public hearing on the text amendment request, prepare a report, and make a recommendation to Council.
- (E) The City Council will hear the case according to its rules and procedures.
- (F) If the request for the text amendment is approved by the Council, the applicant must be formally notified in writing by the Planning Department. The Planning Department must revise the zoning ordinance text to reflect the approved amendment.
- (G) If the request for the text amendment is denied by the Council, the applicant must be formally notified in writing by the Planning Department of the denial and of the right to appeal the decision to the District Court.
- (H) If the request for the text amendment is denied by the Council, the applicant may not re-submit the same request for a period of one year unless the Planning Director determines that there have been significant changes in conditions in the area proximate to the parcel in question.

ARTICLE 502 CONDITIONAL USES

502.01 General Provisions

- (A) The conditional use permit procedure provides flexibility with regard to certain uses that are approved only if adequate conditions are imposed to make such uses compatible with the purposes of this ordinance. The conditional use permit procedure may impose conditions on certain uses in order to make them compatible with uses in the surrounding area, and must use a site plan review process to determine whether a proposed conditional use would cause any damage, hazard, nuisance, or other detriment to persons or property in the vicinity.
- (B) A conditional use permit applies only to the particular property and use specified in the permit.

502.02 Application for Conditional Use Approval

- (A) The applicant must file a complete application for a conditional use permit with the Planning Department. The application must include all of the following items:
 - (1) A preliminary site plan that demonstrates the overall site layout and building locations, parking areas, sidewalks, and circulation, access and egress locations, setbacks and buffer areas, exterior lighting, landscaping, signage, easements, servitudes, and the location and extent of existing development on adjacent parcels.
 - (2) Preliminary building plans and elevations illustrating proposed building construction and alteration.
 - (3) A list of the names and addresses for owners of property located within 300 feet of the subject property along with a stamped and addressed envelope for each of the names and addresses of property owners in the affected area.
 - (4) Any other information deemed helpful by the applicant or necessary by the Planning Department or the Planning Commission to explain the nature of the proposed use and its consistency with the standards for conditional use permits.
- (B) The Planning Director must conduct a formal review of the complete application. As part of the formal review process, the Planning Director must notify appropriate agencies and request summaries of agency reviews.
- (C) The Planning Director must publish a legal advertisement describing the request for a conditional use permit in a local newspaper of general circulation at least 15 days before the public hearing scheduled by the Planning Commission. The prepared envelopes submitted by the applicant must be mailed not later than 20 days before the hearing, notifying owners of property located within 300 feet of the affected property.
- (D) The Planning Commission must hold a public hearing to review the complete site plan and application for the conditional use.
- (E) If the conditional use is granted by the Commission, the applicant must be notified in writing by the Planning Department.
- (F) If the conditional use is denied by the Commission, the applicant must be notified in writing of the denial and of the right to seek judicial review of the denial by filing suit in District Court within thirty days of the date of the Planning Commission denial
- (G) Be accompanied by the fee established by the City

502.03 Site Plan Review of Conditional Use Applications

- (A) All applications for a Conditional Use must be accompanied by the following:
 - (1) A site plan (8 copies), drawn to scale, that includes the following:
 - (a) The dimensions, size, square footage, and shape of the lot to be built upon as shown on a survey by a licensed land

- surveyor or registered design professional licensed by the State of Louisiana;
 - (b) The exact sizes and locations on the lot of existing structures, if any;
 - (c) The location, square footage, and dimensions of the proposed structure or alteration;
 - (d) The location of the lot with respect to adjacent rights-of-way;
 - (e) The existing and proposed uses of the structure and land;
 - (f) The number of employees, families, housekeeping units, bedrooms, or rental units the structure is designed to accommodate and as defined by code occupancy;
 - (g) The location and dimensions of off-street parking and means of ingress and egress for such space;
 - (h) Height of structure;
 - (i) Setbacks;
 - (j) Buffer yard and screening, if applicable;
 - (k) Location of garbage collection area and screening;
 - (l) Location of sign(s);
 - (m) Roadway typical detail for internal roadways;
 - (n) Location and size of stormwater management facilities;
 - (o) Utility lines and rights-of-way; and
 - (p) Typed name, title and signature of applicant.
- (2) Drainage plan and drainage calculations that bear the name, address, signature, and seal of a registered professional engineer, with floodplain zones clearly denoted, and design details of all drainage facilities.
 - (3) If applicable, design of stormwater management facilities and drainage calculations that bear the name, address, and seal of a registered design professional licensed by the State of Louisiana.
 - (4) Parking plan.
 - (5) Landscaping plan.
 - (6) Signage plan.
 - (7) A traffic impact study, if required by the City Engineer.
 - (8) Any other such information concerning the lot or neighboring lots as may be required by the Planning Director to determine conformance with, and provide for the enforcement of, this ordinance.
 - (9) If deemed necessary by the Planning Director in the case of accessory structures or minor additions, a survey by a registered land surveyor or registered design professional licensed by the State of Louisiana, said survey to be provided by the applicant, showing all dimensions on plans relating to the size of the lot and the location of the structures thereon.

- (B) No site plan will be accepted unless it is complete and is verified as to the correctness of information given by the signature of the applicant attesting thereto.
- (C) The Planning Director may require that the lot and location of the building thereon be staked out on the ground before construction of a dwelling unit or primary structure is begun. The Planning Director, where deemed appropriate, may require the same for accessory structures or minor additions. In any case, it is the owner's responsibility to ensure that a structure is placed on the property in accordance with the approved site plan and as required by any applicable city ordinance.
- (D) The approval of a site plan is not to be construed as approval of any violation of the provisions of this ordinance. The issuance of a building permit based upon an approved site plan does not prevent the Planning Director from thereafter requiring the correction of errors in said site plan or preventing operations from being carried on thereunder when in violation of this ordinance. Site plan approval does not eliminate the need to obtain an approved building permit, and the applicant retains the responsibility to meet all other requirements established by local, state, and federal regulations.
- (E) One copy of the site plan submitted for a permit must be returned to the applicant after the Planning Director has marked such copy as either approved or disapproved and attested to same by signature on the copy. The original must be retained by the Planning Director.

502.04 Standards for Approval

- (A) No conditional use application under the terms of this ordinance may be approved by the Commission unless after a public hearing the Commission finds that the conditional use is compatible with the character of the surrounding area and is consistent with the spirit, purpose, and intent of the zoning ordinance, because:
 - (1) Congestion in the streets is not substantially increased;
 - (2) Safety from fire, panic, and other danger is not jeopardized;
 - (3) Provision of adequate light and air is not disturbed;
 - (4) Overcrowding of land does not occur;
 - (5) Undue congestion of population is not created;
 - (6) Granting this request will not create inadequate provision of transportation, water, sewerage, schools, parks, or other public requirements;
 - (7) Value of buildings will be conserved; and,
 - (8) The most appropriate use of land is encouraged.
- (B) Each applicant must prepare and submit a response to each of these statements as a basis for the Commission's evaluation of the request.
- (C) The Planning Commission may approve an application for a conditional use permit, subject to reasonable conditions and restrictions related to the proposed conditional use, if it finds that each of the following general standards have been met:
 - (1) The proposed use is compatible with the goals of the zoning district.

- (2) The proposed use is compatible with the appropriate and orderly development of the district, taking into consideration the location and size of the use, the nature and intensity of the operations conducted in connection with such use, the size of the site in relation to the use, and the location of the site with respect to streets giving access to the site.
- (3) The proposed use will not discourage the appropriate development and use of adjacent land and buildings.
- (4) Neighborhood character and surrounding property values will be safeguarded.
- (5) The use will not be offensive, dangerous, destructive of property values, or detrimental to the public interest of the community. The use will not be more objectionable to nearby properties by reason of fumes, noise, vibration, flashing or glare from lights, and similar nuisance conditions than the operations of any permitted use not requiring a conditional use permit in the district.
- (6) The character and appearance of the proposed use, buildings, structures, and outdoor signs, if any, will be in general harmony with the character and appearance of the surrounding neighborhood.

502.05 Revocation of Conditional Use Approval

Conditional use approval may be denied or revoked when the applicant fails to comply with specific conditions made a part of the approval by the Commission, or fails to comply with a reasonable request of the Commission or the Planning Director to furnish information related to the proposed use. Failure to comply with the conditions of approval constitutes a violation of the zoning ordinance.

502.06 Expiration

If a conditional use approval has not been used within twelve months after the date on which it was approved, then without further action and by operation of law, it becomes null and void.

ARTICLE 503 ZONING VARIANCES

503.01 Standards and Procedures for Variances

- (A) The procedures, criteria, standards, and conditions set forth in this Article must be met before the Planning Commission may approve variances from the terms of this ordinance.
- (B) No variance in the application of the provisions of this ordinance may be made by the Commission relating to buildings, land, or premises now existing or to be constructed, unless after a public hearing the Commission finds that the variance:
 - (1) Will not adversely affect the public health, safety, or welfare, or the rights of adjacent property owners or residents;

- (2) Arises from special conditions or attributes that pertain to the property for which a variance is sought and that were not created by the person seeking the variance;
- (3) Will eliminate an undue hardship and permit a reasonable use of the land; and
- (4) Will allow the intent of the zoning ordinance to be observed and substantial justice done.

503.02 Application for Variance

An applicant for a variance from the terms of the zoning ordinance must submit to the Planning Director a written application, which must comply with each of the following requirements:

- (A) Be made on the forms available at the Planning Department office and be signed by the owner of the property subject to the variance request or by a person authorized by the owner to sign the form. If signed by a person other than the owner, the person must submit written documentation of authority to sign the form.
- (B) Describe the specific use or standard for which the variance is sought.
- (C) Be accompanied by a copy of an area map that shows the location of the subject property, the locations of related public and utility facilities, and the relationship of the subject property to existing roadways and any adopted transportation plan for the area.
- (D) Be accompanied by a copy of a site plan, drawn to an appropriate scale, which shows:
 - (1) The subject property;
 - (2) The location of all existing and proposed buildings, structures and improvements to be made to the subject property, including drainage facilities;
 - (3) Accurate dimensions of the parcel, buildings, parking areas, and ingress or egress driveways;
 - (4) Names and addresses of all property owners within 300 feet of the subject property;
 - (5) Location, rights-of-way, and pavement width of all streets adjacent to the subject property;
- (E) Be accompanied by any other information reasonably required by the Planning Director.
- (F) Be accompanied by the fee established by the City.

503.03 Procedure for Variance Approval

Applications for variance approval must be considered in accordance with the following procedures.

- (A) After receiving a complete application, the Planning Director must schedule and announce the date and time of the Planning Commission's hearing on the application. The Planning Director must provide the applicant with written notice of the hearing date, time, and place.

- (B) The Planning Director must review the application for compliance with the zoning ordinance. Before the hearing, the Planning Director must prepare and provide to the applicant and to the Planning Commission written comments and recommendation on the application, including the Planning Director's assessment of any effect the proposed variance may have upon the integrity of the zoning ordinance.
- (C) The Planning Commission may visit the subject property at any reasonable time during the review process, if it deems such a visit necessary.
- (D) Notice of the Planning Commission hearing on the application for variance approval must be published in a local newspaper of general circulation at least fifteen days prior to the hearing.
- (E) At least twenty days prior to the Planning Commission hearing on the application for variance approval, the applicant must notify all interested parties of the public hearing by mail.
- (F) At least twenty days prior to the Planning Commission hearing on the application for variance approval, the applicant must post and maintain a sign on the subject property notifying those passing the property that a request for variance approval for the property has been made.
- (G) After the Planning Commission conducts a public hearing on the application for variance approval, the Commission may approve the application, approve the application with conditions, or deny the application.
- (H) The Planning Commission must make written findings of fact and conclusions of law in support of its decision. The Planning Director must promptly provide the applicant with a copy of the Commission's written findings and conclusions.
- (I) If the Planning Commission approves the application for variance approval, the City may issue the applicant a Building Permit subject to the conditions of variance approval, the provisions of this ordinance, and any other applicable law.
- (J) When a variance is denied by the Commission, the same or a substantially similar application may not be resubmitted for one year from the date of denial. A new application must be, in the opinion of the Planning Commission, substantially different from the application denied, or conditions must have substantially changed for the new proposal to be eligible for consideration within one year from the date of denial.
- (K) Variances from the use of a parcel or building and variances from the type of sign permitted on any given parcel are not permitted under any circumstances.

503.04 Conditional Approval

The Commission has the authority to impose specific conditions as part of a variance approval in order to protect the public health, safety, comfort, and convenience and ensure compatibility with surroundings. A variance approval may be denied or revoked if the applicant fails to comply with specific conditions made a part of the approval by the Commission, or fails to comply with a reasonable request of the Commission or the

Planning Director to furnish information related to the proposed variance. Failure to comply with the conditions of approval constitutes a violation of the zoning ordinance.

503.05 Expiration

If a variance has not been used within twelve months after the date of its approval, then without further action and by operation of law it becomes null and void.

503.06 Relationship to Subject Property

Variance approval applies to the subject property and may be transferred with ownership of the subject property subject to all provisions and conditions prescribed by or made pursuant to the zoning ordinance

ARTICLE 504 ADMINISTRATIVE APPEALS

504.01 Authority

The Planning Commission is authorized to hear and decide appeals from any order, requirement, decision, or determination made by an administrative official or staff member charged with the enforcement of this zoning ordinance.

504.02 Initiation

An appeal may be filed with the Planning Commission by any person aggrieved by the order, requirement, decision, or determination described above. An appeal filed with the Commission must specify the grounds of the appeal, must be filed in the form established by rules of the Commission, and must be filed within 30 days of the original order, requirement, decision or determination.

504.03 Processing

- (A) An appeal must be filed with the Planning Department, which must promptly forward such appeal to the Planning Commission.
- (B) Within 10 days of receipt of an appeal, the Commission must set a date and time for the public hearing. The public hearing must be held within 45 days of receipt of the appeal by the Commission.
- (C) At least 15 days before the date set for the public hearing, the Commission must publish a notice of the date, time and place of the hearing, and written notice must be given to interested parties.

504.04 Public Hearing

A public hearing must be conducted by the Planning Commission in conformance with the requirements of this zoning ordinance. The party making the appeal is required to pay any fee established by the City.

504.05 Decisions

The Planning Commission must hear testimony and evidence, prepare findings of fact and conclusions of law, and render a final decision on all appeals. A written copy of such

decision must be made available in the Planning Department within five days after making the decision.

504.06 Appeal of Decisions

Any person aggrieved by a decision or order of the Planning Commission may present to the District Court a petition duly verified, setting forth that such decision or order is illegal in whole or in part, and specifying the grounds of the alleged illegality. The petition must be presented to the Court within thirty days after the date of the decision or the order of the Planning Commission. Upon receiving notice of such appeal from the Court, the City must send written notification of the appeal to the same property owners that were originally notified during initial consideration of the case.

ARTICLE 505 SITE PLAN REVIEW

505.01 Site Plans Review Required

No land within the jurisdiction of the City of Opelousas may be developed or altered for the purpose of constructing buildings or establishing uses without first having received site plan approval from the Planning Department staff or the Planning Commission. The Planning Director or the Director's designee is responsible, in conjunction with other appropriate departments and agencies, for performing a complete and thorough review of all plans submitted to the Planning Department.

505.02 Application

- (A) All applications for site plan review must be made on application forms prescribed by the Planning Department and must follow established submittal deadlines.
- (B) All applications must be accompanied by the fee established by the City.
- (C) The City advises any person applying for site plan approval to discuss the proposal with residents living within 300 feet of the subject property and with the leadership of any neighborhood organizations that represent the area before making application to the Planning Department. The Department will assist by providing, upon request, contact information for individuals to be consulted.
- (D) All site plans for development in an historic district must also be submitted to the Historic District Commission for review and recommendations before any formal public hearing or final approval by the Planning Department.
- (E) Once the general requirements of the Planning Department and the Planning Commission are met and approved, the applicant must prepare plans and specifications to the Permits Department and obtain approval prior to permit being issued and construction commencing. At a minimum, plans and specifications must include floor plans, elevations, and building sections.

505.03 Design and Improvement Requirements

- (A) Requirements, standards, and specifications for engineering design for construction of improvements for site plans must satisfy the minimum

requirements, standards, and specifications established for design and improvements by the City Engineer.

- (B) The proper management of storm water runoff is essential in the land development process. The City may consider drainage, erosion control, and other criteria in its review of site plans.
- (C) The City Engineer may approve or require other engineering designs or practices when deemed necessary.

505.06 Application for Review for Single and Two-Family Residential Structures

An application for single family residential and two-family residential primary and accessory structures must be accompanied by a site plan (3 copies) drawn to scale, that includes the following for the use of the Planning Director:

- (A) The dimensions, size, square footage, and shape of the lot to be built upon;
- (B) The exact sizes and locations on the lot of existing structures, if any;
- (C) The location, square footage, and dimensions of the proposed structure or alteration;
- (D) The location of the lot with respect to adjacent rights-of-way and easements;
- (E) The existing and proposed uses of the structure and land;
- (F) The location and dimensions of off-street parking and means of ingress and egress for such space;
- (G) Height of structure;
- (H) Setbacks;
- (I) Grading plan;
- (J) Stormwater management plan;
- (K) Erosion and sediment control plan; and,
- (L) Printed name, title and signature of applicant.

505.07 Application for Review for Multi-Family and Non-Residential Structures, and Temporary Uses

An application for multi-family structures, non-residential structures, or temporary uses must be accompanied by the following:

- (A) A site plan (3 copies), drawn to scale, that includes the following for the use of the Planning Director:
 - (1) The dimensions, size, square footage, and shape of the lot to be built upon as shown on a survey by a registered design professional licensed by the State of Louisiana, said survey to be provided by the applicant.
 - (2) The exact sizes and locations on the lot of existing structures, if any.
 - (3) The location, square footage, and dimensions of the proposed structure or alteration.
 - (4) The location of the lot with respect to adjacent rights-of-way.
 - (5) The existing and proposed uses of the structure and land.
 - (6) The number of employees, families, housekeeping units, bedrooms, or rental units the structure is designed to accommodate.
 - (7) The location and dimensions of off-street parking and means of ingress and egress for such space.
 - (9) Height of structure(s);
 - (10) Setbacks;

- (11) Buffer yard and screening, if applicable;
 - (12) Location of garbage collection area and screening;
 - (13) Location of existing and proposed signs;
 - (14) Layout of all internal roadways;
 - (15) Location and size of stormwater management facilities;
 - (16) Utility lines and rights-of-way;
 - (17) Grading plan;
 - (18) Erosion and sediment control plan; and,
 - (19) Printed name, title and signature of applicant.
- (B) Drainage plan and drainage calculations that bear the name, address, signature and seal of a registered professional engineer, with floodplain zones clearly denoted, a typical of all swales, and a design of the drop inlets;
 - (C) If applicable, design of stormwater management facility and drainage calculations that bear the name, address, and seal of a registered design professional licensed by the State of Louisiana.
 - (D) Parking and landscaping plan;
 - (E) Signage plan;
 - (F) Any other such information concerning the lot or neighboring lots as may be required by the Planning Director to determine conformance with, and provide for the enforcement of, this ordinance.
 - (G) If required by the Planning Director in the case of accessory structures or minor additions, a survey prepared by a registered design professional licensed by the State of Louisiana, showing all dimensions relating to the size of the lot and the location of the structures thereon, said survey to be provided by the applicant,

505.08 Administrative Review of Site Plans

- (A) No site plan will be accepted unless it is complete and is verified as to the correctness of information given by the signature of the applicant attesting thereto.
- (B) Site plans may be reviewed by other agencies that the City believes to have a direct or indirect interest in the development site.
- (C) Site plans approved by the Planning Director authorize only the use, arrangement, and construction set forth in such approved site plans and no other use, arrangement or construction. Site plan approval does not eliminate the need to obtain an approved building permit and the applicant bears the responsibility for meeting all other requirements established by local, state, and federal regulations. Approval of a site plan is not to be construed as approval of any violation of the provisions of this ordinance. The issuance of a building permit by the City based upon site plans approved by the Planning Director does not prevent the City from thereafter requiring the correction of errors in site plans or from preventing operations carried on in violation of this ordinance.
- (D) One copy of the site plan submitted for a permit must be returned to the applicant after the Planning Director has marked such copy as either approved or

disapproved and attested by signature on such copy. The original must be retained by the Planning Director.

505.09 Site Plan Review of Planned Unit Developments

Planned Unit Developments must be evaluated for impacts on the transportation network, environmental features, parks and playgrounds, local schools, and other city services.

- (A) All applications for a Planned Unit Development or other Major Development must be accompanied by the following:
 - (1) A site plan (8 copies), drawn to scale, that includes the following for the use of the Planning Director:
 - (a) The dimensions, size, square footage, and shape of the lot to be built upon as shown on a survey by a licensed land surveyor or registered design professional licensed by the State of Louisiana, said survey to be provided by the applicant.
 - (b) The exact sizes and locations on the lot of existing structures, if any.
 - (c) The location, square footage, and dimensions of the proposed structure or alteration.
 - (d) The location of the lot with respect to adjacent rights-of-way.
 - (e) The existing and proposed uses of the structure and land.
 - (f) The number of employees, families, housekeeping units, bedrooms, or rental units the structure is designed to accommodate.
 - (g) The location and dimensions of off-street parking and means of ingress and egress for such space.
 - (h) Height of structure;
 - (i) Setbacks;
 - (j) Buffer yard and screening, if applicable;
 - (k) Location of garbage collection area and screening;
 - (l) Location of existing and proposed sign(s);
 - (m) Layout of all internal roadways;
 - (n) Location of stormwater management facilities;
 - (o) Utility lines and rights-of-way;
 - (p) Grading plan;
 - (q) Erosion and sediment control plan; and
 - (p) Printed name, title and signature of applicant.
 - (2) Drainage plan and drainage calculations that bear the name, address, signature and seal of a registered professional engineer, with floodplain zones clearly denoted, a typical of all swales, and a design of the drop inlets;
 - (3) If applicable, design of stormwater management facility and drainage calculations that bear the name, address, and seal of a registered design professional licensed by the State of Louisiana.
 - (4) A complete list of the names and addresses of all property owners for parcels that are, in whole or in part, within 300 feet of any property line of

the land to be developed. Such information must be obtained from the Assessor's Office.

- (5) Parking plan
 - (6) Landscaping plan
 - (7) Signage plan
 - (8) Any other such information concerning the lot or neighboring lots as may be required by the Planning Director to determine conformance with, and provide for the enforcement of, this ordinance.
 - (9) If required by the Planning Director in the case of accessory structures or minor additions, a survey by a registered land surveyor or registered design professional licensed by the State of Louisiana, with all dimensions shown on plans relating to the size of the lot and the location of the structures thereon, said survey to be provided by the applicant.
- (B) No site plan will be accepted unless it is complete and is verified as to the correctness of information given by the signature of the applicant attesting thereto.
 - (C) The Planning Department must send written notification to property owners within 300 feet of any property line of the development of the time, date, and location of the Planning Commission meeting at which the project will be considered.
 - (D) The Planning Director may require that the lot and location of the building thereon be staked out on the ground before construction of a dwelling unit or primary structure is begun. The Planning Director, where deemed appropriate, may require the same for accessory structures or minor additions. In any case, the owner retains the responsibility to ensure that a structure is placed on the property in accordance with the approved site plan and as required by any applicable city ordinance.
 - (E) For uses that, in the opinion of the City Engineer, may create excessive negative traffic impacts on dedicated City streets in the immediate vicinity, the City may require an analysis of the proposed development's impact on current or future traffic flows, prepared by a qualified professional engineer at the developer's expense. The Planning Commission may also table consideration of a development and refer such development to the City Engineer for an opinion as to whether a traffic study is warranted. If the study indicates that the projected traffic impact of the use would excessively degrade the existing level of service of any dedicated City street directly serving the use, such a finding may be sufficient grounds for denial of the project, or to require that sufficient improvements be made at the developer's expense to ameliorate the adverse impact on streets or to require that the project be reduced in size and scope to the point where no such negative impact on the level of service results.
 - (F) Site plans approved by the Planning Director authorize only the use, arrangement, and construction set forth in such approved site plans and no other use, arrangement or construction. Site plan approval does not eliminate the need to obtain an approved building permit and the applicant bears the responsibility for meeting all other requirements established by local, state, and federal

regulations. Approval of a site plan is not to be construed as approval of any violation of the provisions of this ordinance. The issuance of a building permit by the City based upon site plans approved by the Planning Director does not prevent the City from thereafter requiring the correction of errors in site plans or from preventing operations carried on in violation of this ordinance.

- (G) One copy of the site plan submitted for a permit must be returned to the applicant after the Planning Director has marked such copy as either approved or disapproved and attested by signature on such copy. The original must be retained by the Planning Director.

505.10 Additional Planning Commission Review of Major Developments

Additional information may be required from the applicant in the case of developments that are, in the opinion of the Planning Commission, of such scope and scale that they have an impact on the region in terms of the transportation network, the environment, the schools, or such other aspects of the community's long term development as may be identified by the Planning Director. Review of these Major Developments shall require submission of the following materials:

- (A) Sheet One (Title Sheet)
 - (1) Full legal description with sufficient reference to section corners and boundary map of the subject project, including appropriate benchmark references;
 - (2) Name of the project;
 - (3) Name and address of the owner, developer, and person who prepared the plans;
 - (4) Total acreage within the project and the number of residential dwelling units or the gross square footage of non-residential buildings whichever is applicable;
 - (5) Existing zoning of the subject land and all adjacent lands;
 - (6) Boundary lines of adjacent tracts of land, showing owners of record;
 - (7) A key or vicinity map at a scale of one inch equals four hundred feet or less, showing the boundaries of the proposed project and covering the general area within which it is to be located;
 - (8) A statement of the proposed uses, stating the type and size of residential and non-residential buildings, and the type of business, commercial or industry, so as to reveal the effect of the project on traffic, fire hazards, or congestion of population;
 - (9) Any existing or proposed covenants and restrictions affecting property owners or homeowners associations; and
 - (10) Statement of proposed starting and completion dates for the project, including any proposed phasing and sequencing.

- (B) Sheet Two (Existing Site Conditions)
 - (1) Location, widths, and type of construction of all existing streets, street names, alleys, or other rights-of-way, street classifications as per the approved regional transportation plan, railroad and utility rights-of-way, parks, wooded areas, cemeteries, watercourses, drainage ditches, designated wetlands, low areas subject to flooding, permanent buildings, bridges, and other data considered pertinent by the Planning Commission or the Planning Director for the subject land, and within three hundred feet of the proposed project;

- (2) Existing water mains, fire hydrants, storm sewers, sanitary sewers, culverts, bridges, and other utility structures or facilities within, adjacent to, or serving the subject land, including pipe sizes, grades, and exact locations, as can best be obtained from public or private records;
 - (3) Existing contours based in U.S.G.S. datum with intervals of not more than two feet and with elevations based on sea level datum; and
 - (4) The water elevation at the date of the survey of rivers, lakes, streams, or designated wetlands within the project or affecting it, as well as the approximate high and low water elevation of such rivers, lakes, streams, or designated wetlands. The plan must also show the boundary line of the regulatory 100-year flood. The plan must also show the base flood elevation of the regulatory 100-year flood at any building location along with the elevation of the lowest finished floor. All elevations must be based on sea level datum.
- (C) Sheet Three (Proposed Site Conditions)
- (1) Location, widths, and type of construction of all existing and proposed streets, street names, alleys, or other rights-of-way, railroad and utility rights-of-way, parks, wooded areas, cemeteries, watercourses, drainage ditches, designated wetlands, low areas subject to flooding, permanent buildings, bridges, and other data considered pertinent by the Planning Commission or the Planning Director for the subject land, and within three hundred feet of the proposed project;
 - (2) Existing and proposed water mains, fire hydrants, storm sewers, sanitary sewers, culverts, bridges, and other utility structures or facilities within, adjacent to, or serving the subject land, including pipe sizes, grades, and exact locations, as can best be obtained from public or private records;
 - (3) Building setback lines, showing dimensions;
 - (4) Full description and details, including engineering calculations, for provision of storm water drainage plans and facilities;
 - (5) Internal and perimeter sidewalk system or pedestrian circulation plan;
 - (6) Proposed contours with intervals of not more than two feet, which also shows the contour line for the floodway fringe boundary; and
 - (7) Location and detail plans for all trash dumpsters.
- (D) Sheet Four (Erosion Control Plan)
- (1) Location, widths, and type of construction of all existing and proposed streets, street names, alleys, or other public ways and railroad and utility rights-of-way, parks, wooded areas, cemeteries, watercourses, drainage ditches, designated wetlands, low areas subject to flooding, permanent buildings, bridges, and other data considered pertinent by the Planning

Commission or the Planning Director for the subject land, and within three hundred feet of the proposed project;

- (2) Proposed contours with intervals of not more than two feet.
 - (3) Details of terrain and area drainage, including the identity and location of watercourses, and the total acreage of land that will be disturbed.
 - (4) The direction of drainage flow and the approximate grade of all existing or proposed streets.
 - (5) Detailed plans and locations of all surface and subsurface drainage devices, walls, dams, sediment basins, storage reservoirs, and other protective devices to be constructed with, or as part of, the proposed project, together with a map showing drainage area, the complete drainage network, including outfall lines and natural drainage ways which may be affected by the proposed development, and the estimated runoff of the area served by the drains.
 - (6) A description of the methods to be employed in disposing of soil and other material that is removed from the grading site, including the location of the disposal site.
 - (7) Measures for soil erosion and sediment control which must comply with the design principals, standards, and requirements set forth in this chapter.
 - (8) A schedule of the sequence of installation of planned erosion and sediment control measures as related to the progress of the project, including the total area of soil surface that is to be disturbed during each stage, the anticipated starting and completion dates, and a schedule for the maintenance of such measures.
- (E) Sheet Five (Landscape Plan)
- A landscape plan may be required and must be prepared in accordance with the standards specified in this zoning ordinance or as required by the Planning Director.
- (F) Sheet Six (Plat-like dedication sheet, if necessary)
- If a plat-like dedication document rights-of-way is deemed necessary by the Planning Commission or its authorized designee, Sheet Six shall specify the parcels of land proposed to be dedicated or reserved for public use, or reserved for common use of all property owners within the project, with the proposed conditions and maintenance requirements, if any, designated as such and clearly labeled on the plans.
- (G) All sheets must contain the following information:
- (1) The proposed name by which the project is to be legally and commonly known;
 - (2) Date of survey, scale, and north point;

- (3) All lots or outlots intended for sale or lease, designated with boundary lines and numbered or labeled for identification purposes;
- (4) Private parks, common areas, or excluded parcels, designated as such and clearly labeled on the plans;
- (5) All necessary reference points tying the subject property to the appropriate section corners;
- (6) Signature of the professional preparing the drawings;

505.11 Other Required Submittals

An Applicant for site plan approval may be required to submit written documentation of the following, when applicable:

- (A) Utility encroachment approvals;
- (B) Other local, state, and federal approvals, including other City boards, commissions, or departments;
- (C) Inspection and testing agreements with the Engineering Department;
- (D) Outside reviews as required by the City;
- (E) Servitudes and rights-of-ways must be submitted in the form prescribed by the Engineering Department and include both a full legal description and a drawing exhibit; and
- (F) Traffic impact study, if required by the City Engineer;
- (G) Names and addresses of the parties within 300 feet of the property, together with self-addressed stamped envelopes in sufficient quantities to provide notification to these parties
- (H) Such other information as may be deemed necessary for proper review of the site plan by the Planning Director, City Engineer, or Planning Commission;

505.12 Resubmittal of Plans

The applicant must submit five complete sets of the final, revised plans showing conditions required by the Planning Commission.

505.13 Rejection Statement

- (A) The Planning Director may reject any submittal for the following reasons:
 - (1) Incomplete written application;
 - (2) Incomplete drawing sets or supporting documents; or
 - (3) Poor legibility.
- (B) After the review of an approved submittal, the Planning Director must render a decision in writing, which may consist of the following outcomes:
 - (1) Approval of the site plan based upon the determination that the proposed plan complies with the general, design, and performance standards set forth in this ordinance, subject to any conditions, modifications, and restrictions as required by the Planning Director to ensure that the project meets the general, design, and performance standards set forth in this ordinance; or
 - (2) Disapproval of the site plan based upon the determination that the proposed project does not meet the general, design, and performance standards set forth in this ordinance.

505.14 Deviation from the Approved Site Plan and Additions to Existing Structures

If elements on the site plan materially deviate from the approved site plan, the site plan must be resubmitted to the Commission for a new site plan approval in accordance with the procedures and requirements for site plan approval. Minor changes that do not constitute material deviation may be reviewed and approved by the City Planning and Engineering staff. For purposes of this section, a material deviation is one that:

- (A) Adds, removes, or reconfigures an internal street or relocates an access point;
- (B) Affects a condition of site plan approval that was established by the Commission during the site plan approval stage;
- (C) Reduces the area devoted to open spaces or buffer landscaping;
- (D) Involves the enlargement of a nonresidential building footprint on the site due to future additions that are more than ten percent of the gross floor area or 5,000 square feet, whichever is less.

505.15 Record Drawings and Certificate of Completion and Compliance

Where applicable, the developer or owner must cause record drawings to be prepared and submitted to the Planning Director for all streets, drainage ditches and facilities, utility pipes and structures, and finished grade elevations for the project. Said record drawings must be filed with the Planning Director before the release of any performance assurances. Record drawings, including the approved final plat, must be submitted in electronic format and in paper format, in a manner prescribed by the City Engineer.

- (A) General Requirements: Plans must contain a certification statement that the improvements have been installed in reasonable compliance with the original design plans with respect to horizontal locations and grades and that any deviations of locations, grade, or material used are shown in the record drawings. The certification must be sealed and signed.
- (B) Specific Requirements:
 - (1) Grading or Development Plan Grades:
 - (a) Major drainage swales and percents of slope;
 - (b) Pad grades;
 - (c) Street grades;
 - (i) Centerline and curb if street is bituminous pavement with concrete curb. Centerline only if streets are concrete and placed with electronic control. (Maximum fifty foot spacing)
 - (ii) All sag and crest points.
 - (d) Paved swales if any, at fifty foot intervals;
 - (e) Lake or pond if applicable;
 - (f) Locations of sidewalks and sidewalk ramps.
 - (2) Plan and Profiles
 - (a) Sanitary Sewers:
 - (i) Invert elevations and percents of slope;
 - (ii) Top of casting elevations;
 - (iii) Lateral locations based on distances along main from manholes;

- (iv) Locations of each manhole or structure to make sure they are sufficiently within designated rights-of-way to permit future excavation to system if needed;
- (v) Designation of any material change from design plan or where plans show alternatives, indication of alternative used.
- (b) Storm Sewers:
 - (i) Invert elevations and percents of slope;
 - (ii) Top of casting elevations;
 - (iii) Location of pipe and structures to make sure they are within designated rights-of-way;
 - (iv) Designation of any material change from design plans; where plans show alternatives, indication of alternative used.
- (c) Streets:
 - (i) Grades
 - (ii) All low and high points;
 - (iii) All percents of slope;
 - (iv) Any deviation of alignment;
 - (v) Grades and dimensions on acceleration and deceleration lanes if applicable.

505.16 Expiration Deadlines

- (A) Approval of site plans expires two years from the date of approval if the project has not been completed. The Planning Commission, at its discretion, may grant an extension of up to two additional years.
- (B) Bonded improvements must be completed within two years of issuance of a land alteration permit.
- (C) A request for extension must be submitted in writing stating the justification for the extension.

ARTICLE 506 PLANNING COMMISSION.

506.01 Establishment

The Opelousas Planning Commission is hereby established under the provisions of Louisiana Revised Statutes, Title 33, Section 4721, et seq., as amended. The membership, qualifications, powers, privileges, duties, and responsibilities of the Planning Commission are as follows:

- (A) The Opelousas Planning Commission consists of nine members, all of whom must be residents of the City and must be qualified by knowledge and experience in matters pertaining to the development of the City, and must fairly represent different areas of interest, knowledge and expertise, including business, industry, labor, government, and other relevant disciplines. Six members must have been residents of the City for at least three years prior to nomination and confirmation or appointment. All members must be nominated by the Mayor and confirmed by the Council.
- (B) Members of the Commission must be appointed to staggered terms of three years and will serve until their successors are appointed and qualify. Vacancies

must be filled by appointment in the same manner for the unexpired term only. Members serve without compensation, but may be reimbursed for all reasonable and necessary expenses incurred in the performance of their official duties.

- (C) The Commission must fix times for holding regular meetings and must meet at least quarterly. Special meetings may be called by the President or upon the written request of any three members. The secretary must give at least two days notice of any special meeting unless this requirement is waived by the full membership of the Commission. A majority of members constitute a quorum for the transaction of business, and no action of the Commission is official unless authorized by a majority of the membership present at a regular or properly called special meeting.
- (D) At the first regular meeting in each year, the Commission must elect from its membership a President, Vice President, and Secretary.

506.02 Powers and Duties

To effectuate the purposes of this ordinance, the Commission has power and authority to:

- (A) Exercise general supervision over the administration of the affairs of the Commission;
- (B) Prescribe uniform rules and regulations pertaining to administration, investigations, and hearings, provided that the rules and regulations are approved by the City Council;
- (C) Supervise the fiscal affairs and responsibilities of the Commission;
- (D) With consent of the Council, hire employees necessary to carry out the duties and responsibilities of the Planning Commission, provided that the City Council sets the salaries;
- (E) Keep an accurate and complete record of all Planning Commission proceedings;
- (F) Record and file all bonds and contracts;
- (G) Take responsibility for the custody and preservation of all papers and documents of the Commission;
- (H) Make recommendations to the City Council concerning planning;
- (I) Make an annual report to the City Council concerning the operation of the Planning Commission and the status of planning within the City;
- (J) Prepare, publish, and distribute reports, ordinances, and other material relating to the planning activities authorized for the Commission;
- (K) Hear and decide conditional uses upon which the Commission is required to act under this ordinance;
- (L) Adopt a seal and certify all official acts;
- (M) Invoke any legal, equitable, or special remedy for the enforcement of the provisions of any zoning ordinance, rule, or regulation or any action taken thereunder;
- (N) Prepare and submit an annual budget in the same manner as other departments of the City;
- (O) Establish advisory committees;
- (P) Delegate limited powers to a committee composed of one or more members of the Planning Commission;
- (Q) Contract for special or temporary services and professional counsel with the approval of City Council;
- (R) Hear, review, and determine appeals from an order, requirement, decision, or determination made in the enforcement of this ordinance;

- (S) Authorize exceptions to the district rules and regulations only in the classes of cases or in particular situations, as specified in this ordinance;
- (T) Authorize a variance from the terms of this ordinance;
- (U) Reverse, affirm, or modify the order, requirement, decision, or determination appealed from;
- (V) Adopt rules and regulations concerning:
 - (1) The filing of appeals, including the process and forms for the appeal;
 - (2) Applications for variances and conditional uses;
 - (3) The giving of notice;
 - (4) The conduct of hearings necessary to carry out the Commission's duties as authorized by state or local law;
 - (5) Keeping minutes of proceedings;
 - (6) Keeping an accurate and complete audio record of all the Commission's proceedings and official actions in a safe manner, accessible within twenty-four hours of demand, for three years;
 - (7) Recording the vote on all actions taken;
 - (8) Taking responsibility for the custody and preservation of all papers and documents of the Commission, which must be filed in the Planning Office and made public record;
 - (9) Hiring employees necessary to carry out the duties and responsibilities of the Commission, provided that the Council sets the salaries; and
- (W) Such other tasks that are assigned by this ordinance or the City Council.

506.03 Judicial Review

Any person aggrieved by any decision or order of the Planning Commission may present to the District Court a petition duly verified, setting forth that such decision or order is illegal in whole or in part, and specifying the grounds of the alleged illegality. The petition must be presented to the Court within thirty days after the date of the decision or the order of the Planning Commission.

ARTICLE 507 REVOCATION OF PERMITS, CERTIFICATES, OR APPROVALS

507.01 Authority to Revoke

Any permit or approval granted under this ordinance may be revoked by the City in accordance with the provisions of this chapter, if the City finds that the recipient of the permit or approval fails to use, develop, or maintain the subject property in accordance with the plans submitted, the requirements and standards of this ordinance, any additional requirements or conditions imposed by the City or its agents, or any commitments made by the recipient as a condition of receiving the permit or approval.

507.02 Revocation Procedure

- (A) If the City finds that sufficient grounds exist for the revocation of a permit or approval issued pursuant to this ordinance, the Planning Director or a designee must send the recipient ten days written notice of intent to revoke, inform the recipient of the specific basis found to justify revocation, and specify the actions necessary to avoid revocation.
- (B) The City may, upon request, review the basis of the intended revocation with the recipient.

- (C) The recipient must implement the actions specified by the City within ten days of the date of notice or within such other reasonable time as may be determined by the City.
- (D) If the City revokes a permit or approval issued pursuant to this ordinance, the Planning Director must send a written notice of revocation that describes the specific basis of the revocation and informs the recipient of the right to appeal the City's action.

507.03 Appeal of Revocation

The revocation of any permit or approval issued pursuant to this ordinance may be appealed to the Planning Commission by any person adversely affected by the revocation, under the processes set forth for administrative appeals. A final decision by the Planning Commission may be appealed to the District Court in accordance with judicial review procedures specified in this ordinance.

ARTICLE 508 VIOLATIONS AND ENFORCEMENT

508.01 Remedies and Penalties

- (A) The Planning Commission, the Planning Director, or any designated enforcement official, or any person or persons, firm or corporation jointly or severally aggrieved, may institute a suit for injunction in the District Court to restrain any individual or a governmental unit from violating the provisions of this ordinance.
- (B) The Commission may also institute a suit for mandatory injunction directing any individual, a corporation, or a governmental unit to remove a structure erected in violation of the provisions of this ordinance.
- (C) Any building erected, raised, or converted and any land or premises used in violation of any provisions of this ordinance constitute a public nuisance and may be abated in such manner as nuisances are now or may hereafter be abated under existing law.
- (D) Any person, firm, or corporation violating any of the provisions of this ordinance may be ordered by the Planning Commission to pay the City a penalty of not less than fifty dollars nor more than five hundred dollars. Each day that a violation continues to exist constitutes a separate offense.
- (E) The City may cause to be inspected any building, structure, place, or premises and may order in writing the remedying of any condition found in violation of any provision of this ordinance or of other regulations governing the use of land or structures within the City of Opelousas. The City may further order that a party who fails to comply within a reasonable time be fined not less than ten dollars and not more than twenty-five dollars for each day that a violation continues. The City may further order that a party who fails to comply be imprisoned for not more than thirty days.