

## CHAPTER 22. ZONING

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# CHAPTER 22-1. GENERAL

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## Sec. 22-1(a) General Provisions

### Sec. 22-1(a)(1) Title

This Chapter shall be known as the "zoning code for the City of Gonzales, Louisiana" and may be cited and referred to as "this zoning code."

### Sec. 22-1(a)(2) Authority

This zoning code is adopted pursuant to the authority granted by LA. R.S. 22:4721 et seq.

### Sec. 22-1(a)(3) Applicability

The provisions of this zoning code apply to the development of all land within the City of Gonzales. No development shall be undertaken without prior authorization pursuant to this zoning code.

### Sec. 22-1(a)(4) Effective Date

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

### Sec. 22-1(a)(5) Purpose

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

buildings and the circulation of automobile traffic and pedestrians throughout the City of Gonzales, and to secure safety from natural disaster, fire, and other dangers by providing for the proper location and width of streets, sidewalks, and buildings.

5. Provide for a range of open spaces through the most efficient design and layout of the land.
6. Carry out such other purposes in the public interest as may be specifically cited in this zoning code.

### Sec. 22-1(a)(6) Intent

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

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

### Sec. 22-1(a)(7) Minimum Requirements

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

### **Sec. 22-1(a)(8) Conflicting Provisions**

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

### **Sec. 22-1(a)(9) Severability**

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

## **Sec. 22-1(b) Official Maps**

### **Sec. 22-1(b)(1) Zoning District Map**

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

### **Sec. 22-1(b)(2) Official Map Interpretation**

- A. In the event that any uncertainty exists with respect to the intended boundaries as shown on the Official Zoning Map, the Administrator is authorized to interpret the boundaries.
- B. Where uncertainty exists as to the boundaries of any zoning district shown on the Official Zoning Map, the following rules shall apply:
  - 1. Boundaries are the center lines of the streets, alleys, waterways and rights-of-way, unless otherwise indicated. Where designation of a boundary line on either map coincides with the location of a street, alley, waterway or right-of-way, the center line of the street, alley, water way or right-of-way shall be construed to be the boundary of such district.
  - 2. Where the boundaries do not coincide with the location of streets, alleys, waterways and rights-of-way, but do coincide with parcel or lot lines, such parcel or lot lines shall be construed to be the boundaries.
  - 3. Where the boundaries do not coincide with the location of streets, alleys, waterways, rights-of-way, parcel or lot lines, the boundary shall be determined by the use of the scale shown on the map.
- C. The applicant may appeal the map interpretation to the City Council as set forth in "Sec. 22-6(b)(4) Appeal of Administrative Decision".

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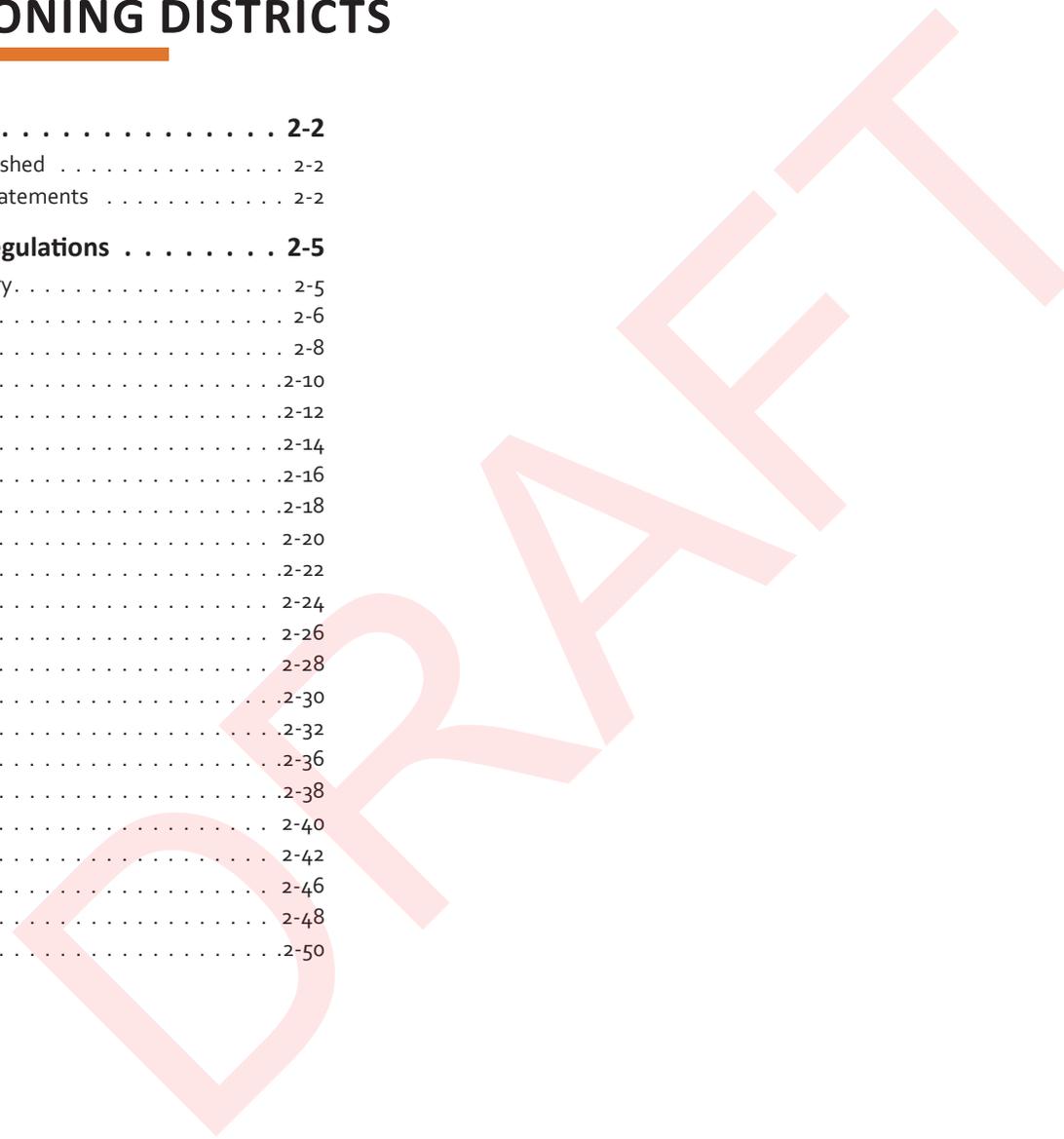
# SEC. 22-2 ZONING DISTRICTS

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## Sec. 22-2(a) In General

Zoning districts carry out the intent and provisions of this zoning code as applied to property set forth on the Official Zoning Map established in "Sec. 22-1(b) Official Maps".

### Sec. 22-2(a)(1) Zoning Districts Established

The following zoning districts are established to carry out the provisions of this zoning code:

- a. N-CON Natural and Open Space Conservation
- b. R-AG-5 Rural Agricultural
- c. R-3-NC Residential Manufactured Housing
- d. R-15 Residential Single Family
- e. R-10 Residential Single Family
- f. R-8 Residential Single Family
- g. R-6 Residential Single Family
- h. R-3-Z Residential Zero Lot Line
- i. R-3-D Duplex
- j. R-TH Townhouse
- k. R-3-M Residential Multifamily
- l. R-3-E Residential Multifamily - Elderly
- m. R-3-M25 Residential Multifamily
- n. R-3-MU Mixed Use
- o. B-1 Limited Business
- p. C-1 Limited Commercial
- q. C-2 Commercial
- r. C-MS Main Street Commercial
- s. E-1 Employment
- t. I-1 Industrial
- u. TND Traditional Neighborhood Development

### Sec. 22-2(a)(2) Zoning District Intent Statements

The following zoning district intent statements establish the purpose and intent of each zoning district.

- a. **Natural Conservation (N-CON).** The Natural Conservation district is intended to conserve and protect natural, open, or environmen-

tally sensitive land while preventing the encroachment of incompatible land uses.

- b. **Rural Agriculture (R-AG-5).** The Rural Agriculture district is intended to protect farming and ranching uses while preventing the encroachment of incompatible land uses. The area and intensity of land uses permitted in this district promotes existing agricultural uses. This district also allows residential cluster developments with smaller minimum lot sizes in exchange for protecting significant common open space.
- c. **Residential Non-Conventional (R-3-NC).** The Residential Non-Conventional district is intended to provide for residential developments for manufactured housing either in manufactured home parks or on individual lots.
- d. **Residential Single-Family (R-15, R-10, R-8, R-6, and R-3-Z)**
  - 1. The Residential Single-Family districts are intended to accommodate single-family houses on individual lots. These districts should be applied in areas where the land use pattern is predominately single-family residential or where such land use pattern is desired in the future.
  - 2. The Residential Single Family districts vary primarily on the minimum lot size for a single-family house within the district.
    - a. The R-15 district generally requires 15,000 square feet.
    - b. The R-10 district generally requires 10,000 square feet.
    - c. The R-8 district generally requires 8,000 square feet.
    - d. The R-6 district generally requires 6,000 square feet.
    - e. The R-3-Z district generally requires 4,000 square feet.
- e. **Residential Duplex (R-3-D).** The Residential Duplex district is intended to provide for attached housing with a maximum of

two dwelling units per building, with the design and character of a single family home. Structures may be divided horizontally or vertically. Duplex zoning can serve as a transition between higher density residential or commercial development and lower density single family development.

**f. Residential Townhouse (R-3-TH).** The Residential Townhouse district is intended to provide for attached housing on individual lots. Townhouse zoning can serve as a transition between higher density residential or commercial development and lower density single family development.

**g. Residential Multifamily (R-3-M, R-3-E, and R-3-M25)**

1. The Residential Multifamily districts are intended to accommodate a mix of housing. The districts are generally intended to provide for the integration of single-family, two-family and multifamily together.
2. The Residential Multifamily districts vary primarily on the maximum density within the district.
  - a. The R-3-M district generally allows up to 15 dwelling units per acre.
  - b. The R-3-E district generally allows up to 25 dwelling units per acre, with an emphasis on senior housing and services.
  - c. The R-3-M25 district generally allows up to 25 dwelling units per acre.

**h. Mixed Use (R-3-MU).** The Mixed Use district is intended to promote safe, active, and pedestrian-scaled mixed use centers as part of a neighborhood. The R-3-MU district enhances the convenience, ease and enjoyment of walking, shopping and public gathering spaces. Although buildings can be exclusively residential or nonresidential in use, the vertical mixing of uses (floor-to-floor) is encouraged.

**i. Limited Business (B-1).** The Limited Business district is intended to provide for a lower-intensity commercial zoning district for office and limited retail uses as a transition zone adjacent to residential development.

**j. Commercial (C-1 and C-2).** The Commercial districts are intended to balance the need for safe, active, and pedestrian-scaled areas with the need for parking between the buildings and the street. While the Commercial districts allow buildings to be built to the street edge, the district is intended to address auto-dominated corridors where it is infeasible or impractical to require buildings pulled up to the street. The primary distinction between the C-1 and C-2 districts are the intensity of commercial uses permitted.

**k. Main Street (C-MS).** The Main Street district is intended to promote safe, active, and pedestrian-scaled mixed use streets. This district may be applied in a linear fashion along a block face or at corners of key intersections. The C-MS district should be applied where a higher degree of walkability and pedestrian activity is desired. The C-MS district allows uses to be mixed both vertically within a building or horizontally on a site.

**l. Employment (E-1).** The Employment District is intended to accommodate light manufacturing, research and development, warehousing, wholesale, and retail uses. This district represents a lower-intensity alternative to the Industrial district to provide for continued employment and economic growth in Gonzales.

**m. Industrial (I-1).** The Industrial district is intended to accommodate higher-intensity commercial and industrial uses that should not be located near residential areas because of their intensity or the nature of their services.

**n. Traditional Neighborhood Development (TND).** A Traditional Neighborhood Development (TND) is not a single zoning district, but is a process to apply specifically tailored regulations to a tract

of land for the purpose of building complete neighborhoods. The process and requirements for Traditional Neighborhood Developments (TND) are established in "Sec. 22-6(b)(8) Traditional Neighborhood Development (TND)".

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## Sec. 22-2(b) District Regulations

### Sec. 22-2(b)(1) Lot and Space Summary

District	Primary Uses Summary*	Minimum Lot Area	Minimum Lot Width	Maximum Density	Minimum Front Yard	Minimum Side Yard [Interior/Street]	Minimum Rear Yard	Maximum Building Coverage	Maximum Impervious Coverage	Maximum Height**	Additional Regulations
N-CON	Parks and open space, with limited other uses such as some outdoor recreation	2,000 square feet	n/a'	n/a	50'	25'	50'	1%	10%	None	
R-AG-5	Agriculture and single family detached living	5 acres	200'	0.2 dwelling units per acre	60'	40'	40'	15%	25%	None	
R-3-NC	Manufactured housing and single family detached living	3 acres	200'	12.45 dwelling units per acre	15'	5'/15'	3' or 20'***	40%	100%	None	
R-15	Single family detached living	15,000 square feet	100'	2.9 dwelling units per acre	30'	10'/15'	3' or 20'***	40%	100%	None	
R-10	Single family detached living	10,000 square feet	70'	4.36 dwelling units per acre	20'	7'	3' or 20'***	45%	100%	None	
R-8	Single family detached living	8,000 square feet	70'	5.45 dwelling units per acre	15'	7'	3' or 20'***	45%	100%	None	
R-6	Single family detached living	6,000 square feet	50'	7.26 dwelling units per acre	15'	5'	3' or 20'***	60%	100%	None	
R-3-Z	Single family detached living	4,000 square feet	35'	10.89 dwelling units per acre	15'	0'/15'	3' or 20'***	65%	100%	None	Building separation
R-3-D	Single family detached and attached living	6,000 square feet	30'	13.2 dwelling units per acre	15'	6'	3' or 20'***	60%	100%	None	
R-TH	Attached living	1,200 square feet	20'	15 dwelling units per acre	15'	0'	3' or 20'***	60%	70%	None	Build-to area, building separation
R-3-M	Multiple family living	10,000 square feet	80'	15 dwelling units per acre	25'	15'	3' or 20'***	35%	70%	None	Bulk plane
R-3-E	Multiple family living	2 acres	150'	25 dwelling units per acre	25'	15'	3' or 20'***	35%	70%	None	Bulk plane
R-3-M25	Multiple family living	10,000 square feet	80'	25 dwelling units per acre	15'	5'/15'	5'	60%	80%	None	Bulk plane
R-3-MU	Mixed uses	6,500 square feet	55'	30 dwelling units per acre	0' min./60' max.	5'	5'	70%	90%	None	Bulk plane, building standards
B-1	Commercial and employment uses	6,000 square feet	50'	n/a	25'	0'	5'	45%	90%	None	Bulk plane
C-1	Retail and personal services	6,000 square feet	50'	n/a	0'	0'	0'	100%	100%	None	Bulk plane
C-2	Retail and personal services	6,000 square feet	50'	n/a	0'	0'	0'	100%	100%	None	Bulk plane
C-MS	Retail and personal services	2,500 square feet	25'	25 dwelling units per acre	Build to Area	0'	0'	85%	100%	None	Bulk plane, additional building standards
E-1	Commercial and employment uses	8,000 square feet	60'	n/a	20'	7'	10'	100%	100%	None	Bulk plane
I-1	Employment uses	8,000 square feet	60'	n/a	20'	7'	10'	100%	100%	None	Bulk plane
TND	*	*	*	*	*	*	*	*	*	*	*

KEY:   New District        Amended Regulation      \* Established by City Council      + See Sec. 22-3 Use Provisions for Detailed Use Regulations

\*\*Subject to Fire Department Approval

\*\*\*20' required for vehicular access to structure, otherwise 3'

## Sec. 22-2(b)(2) N-CON District Regulations

### Natural and Open Space Conservation

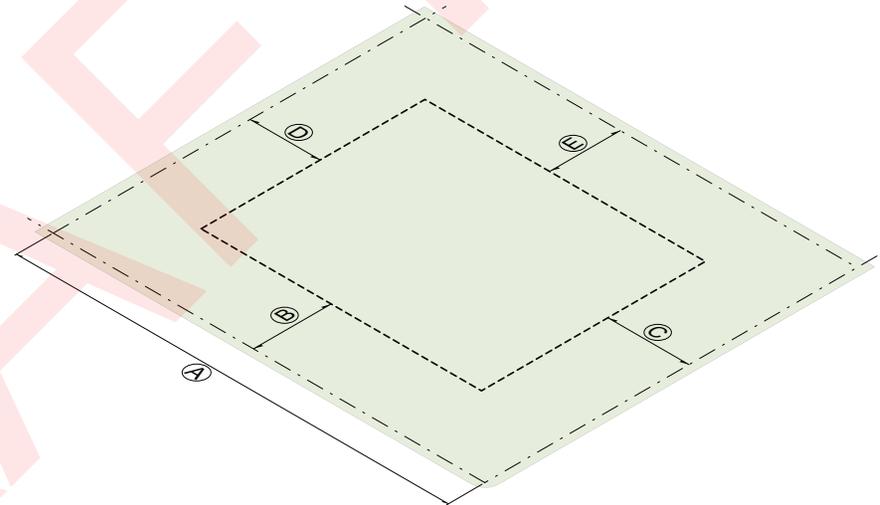
#### a. Allowed Uses.

1. **Allowed Residential Use Categories.** Camps [SUP required];
2. **Allowed Public Use Categories.** All civic [SUP required]; all parks & open space; all minor utilities; all major utilities [SUP required];
3. **Allowed Commerce Use Categories.** All outdoor recreation prohibited except: *horse stable, riding academy equestrian center [SUP required], hunting and fishing preserve [allowed by right], retreat center [allowed by right]*;
4. **Allowed Employment Use Categories.** None allowed;
5. **Allowed Open Use Categories.** All agriculture, except: *agricultural airstrip [prohibited]*.

#### b. Maximum Density. Not applicable.

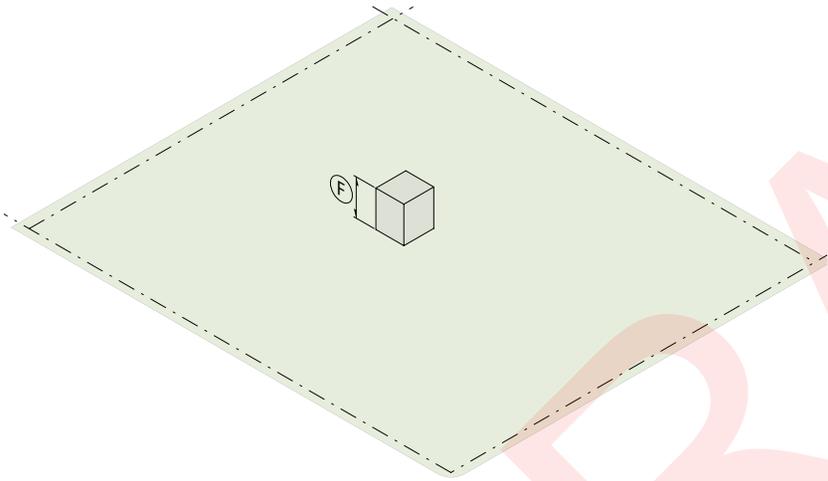
#### c. Development Standards.

##### 1. Lot and Setback Requirements



Lot	
Area (min square feet)	2,000
Building coverage (max)	1%
Impervious coverage (max)	10%
(A) Width (min)	n/a
Principal Structure Setbacks	
(B) Front (min)	50'
(C) Side, street (min)	25'
(D) Side, interior (min)	25'
(E) Rear, alley (min)	50'

2. Building Requirements



<b>Principal Structure Height</b>	
ⓕ Stories (max)	n/a*
ⓕ Feet (max)	n/a*
Ground story elevation (min)	n/a
<b>Bulk Plane</b>	
Bulk Plane	n/a

\*Subject to Fire Department Approval

### Sec. 22-2(b)(3) R-AG-5 District Regulations

#### Agricultural and Low Density Single Family Housing

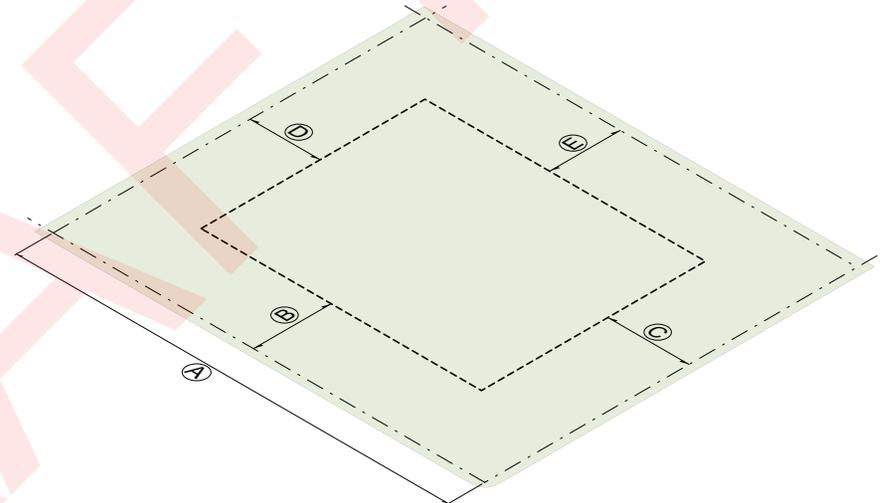
#### a. Allowed Uses.

1. **Allowed Residential Use Categories.** All detached living, except: *cottage homes*; camps;
2. **Allowed Public Use Categories.** All civic; all parks & open space; all minor utilities; all major utilities [SUP required];
3. **Allowed Commerce Use Categories.** All day care [SUP Required]; all outdoor recreation [SUP required] except: *campground, travel trailer park, RV park [prohibited], horse stable, riding academy equestrian center [allowed by right], hunting and fishing preserve [allowed by right], retreat center [allowed by right]*; all overnight lodging [prohibited], except: *bed and breakfast [SUP Required]*; all personal service [prohibited], except: *animal care [SUP Required]*; all retail sales [prohibited], except: *art studio/gallery [SUP Required]*; all water-oriented;
4. **Allowed Employment Use Categories.** None allowed;
5. **Allowed Open Use Categories.** All agriculture, except: *agricultural airstrip [prohibited]*; all resource extraction [SUP Required].

#### b. Maximum Density. 0.2 dwelling units per acre.

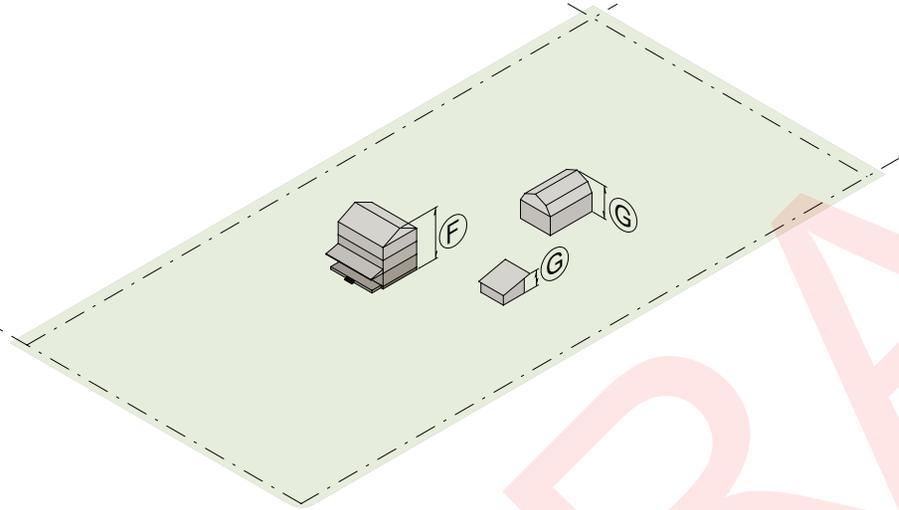
#### c. Development Standards.

##### 1. Lot and Setback Requirements



Lot	
Area (min acres)	5
Building coverage (max)	15%
Impervious coverage (max)	25%
(A) Width (min)	200'
Structure Setbacks	
(B) Front (min)	60'
(C) Side, street (min)	40'
(D) Side, interior (min)	40'
(E) Rear (min)	40'

2. Building Requirements



<b>Principal Structure Height</b>	
ⓕ Stories (max)	n/a*
ⓕ Feet (max)	n/a*
Ground story elevation (min)	n/a
<b>Bulk Plane</b>	
Bulk Plane	n/a
<b>Accessory Structure Height</b>	
ⓐ Stories (max)	2
ⓐ Feet (max)	30'

\*Subject to Fire Department Approval

## Sec. 22-2(b)(4) R-3-NC District Regulations

### Manufactured and Single Family Housing

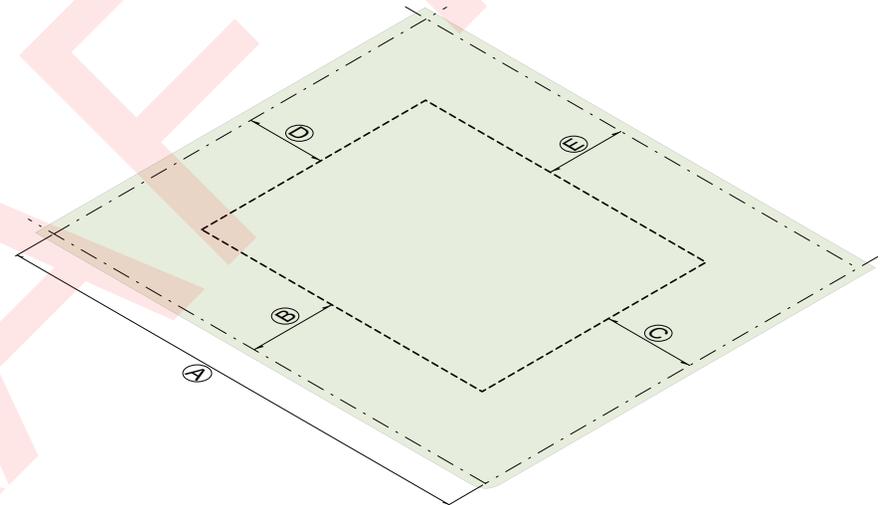
#### a. Allowed Uses.

1. **Allowed Residential Use Categories.** All detached living, except: *cottage homes [prohibited]*; manufactured home park; camps [SUP required];
2. **Allowed Public Use Categories.** All civic; all parks & open space; all minor utilities; all major utilities [SUP required];
3. **Allowed Commerce Use Categories.** All day care [SUP Required]; all outdoor recreation [SUP required] except: *campground, travel trailer park, RV park [prohibited], horse stable, riding academy equestrian center [allowed by right], hunting and fishing preserve [allowed by right], retreat center [allowed by right]*; all retail sales [prohibited], except: *art studio/gallery [SUP Required]*;
4. **Allowed Employment Use Categories.** None allowed;
5. **Allowed Open Use Categories.** All agriculture, except: *agricultural airstrip [prohibited]*; all resource extraction [SUP Required].

#### b. Maximum Density. 12.45 dwelling units per acre.

#### c. Development Standards.

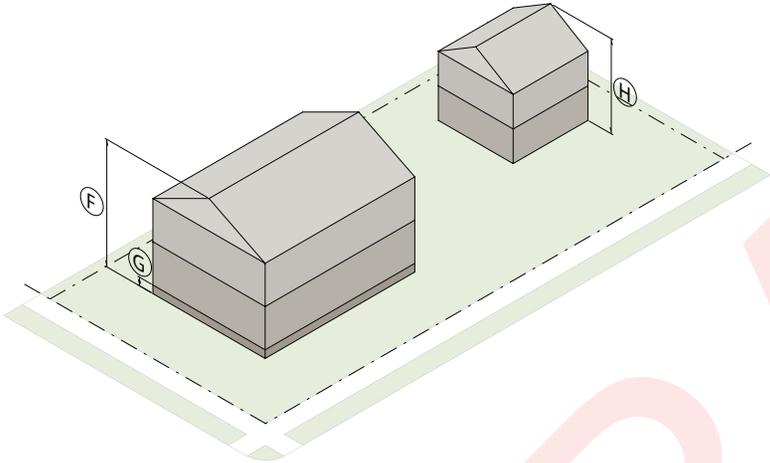
##### 1. Lot and Setback Requirements



Lot	Individual	Manufactured Home Park
Area (min)	4,000 sf	3 acres
Building coverage (max)	50%	40%
Impervious coverage (max)	n/a	n/a
Ⓐ Width (min)	45'	200'
<b>Principal Structure Setbacks</b>		
Ⓑ Front (min)	15'	15'
Ⓒ Side, street (min)	5'	15'
Ⓓ Side, interior (min)	5'	15'
Ⓔ Rear, alley (min)*	3' or 20'	15'

\* 20' required for vehicular access to structure, otherwise 3'

2. Building Requirements



<b>Principal Structure Height</b>	
Ⓕ Stories (max)	n/a*
Ⓕ Feet (max)	n/a*
Ⓖ Ground story elevation (min)	n/a
<b>Bulk Plane</b>	
Bulk Plane	n/a
<b>Accessory Structure Height</b>	
Ⓗ Stories (max)	2
Ⓗ Feet (max)	30'

\*Subject to Fire Department Approval

**Sec. 22-2(b)(5) R-15 District Regulations**

Low Density Single Family Housing with minimum 15,000 square foot lots

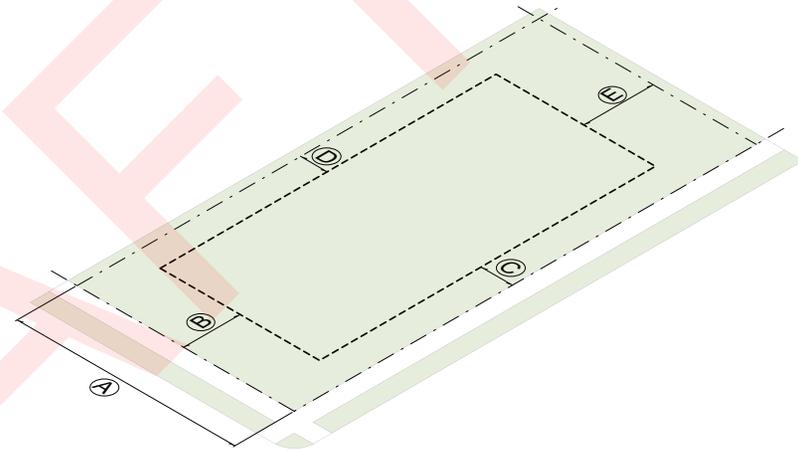
**a. Allowed Uses.**

1. **Allowed Residential Use Categories.** All detached living, except: *cottage homes [prohibited]*; all group living [SUP required];
2. **Allowed Public Use Categories.** All civic; all parks & open space; all minor utilities; all major utilities [SUP required];
3. **Allowed Commerce Use Categories.** All day care [SUP Required];
4. **Allowed Employment Use Categories.** None allowed;
5. **Allowed Open Use Categories.** None allowed.

**b. Maximum Density.** 2.9 dwelling units per acre.

**c. Development Standards.**

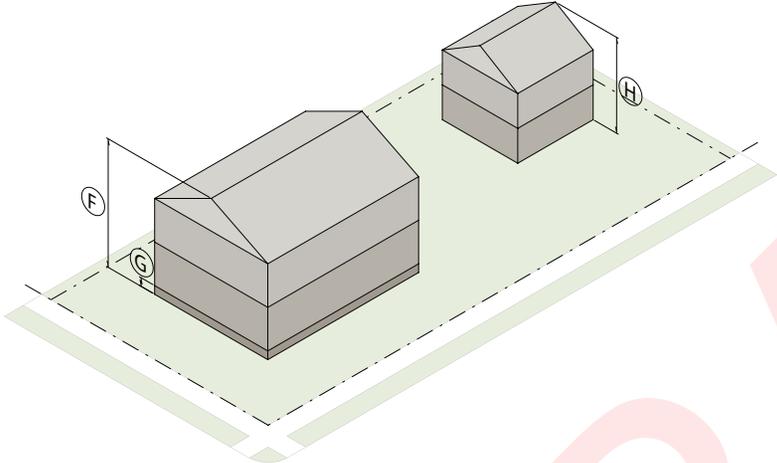
**1. Lot and Setback Requirements**



Lot	
Area (min square feet)	15,000
Building coverage (max)	40%
Impervious coverage (max)	n/a
(A) Width (min)	100'
Structure Setbacks	
(B) Front (min)	30'
(C) Side, street (min)	15'
(D) Side, interior (min)	10'
(E) Rear (min)*	3' or 20'

\* 20' required for vehicular access to structure, otherwise 3'

2. Building Requirements



<b>Principal Structure Height</b>	
(F) Stories (max)	n/a*
(F) Feet (max)	n/a*
(G) Ground story elevation (min)	n/a
<b>Bulk Plane</b>	
Bulk Plane	n/a
<b>Accessory Structure Height</b>	
(H) Stories (max)	2
(H) Feet (max)	30'

\*Subject to Fire Department Approval

### Sec. 22-2(b)(6) R-10 District Regulations

Low Density Single Family Housing with minimum 10,000 square foot lots

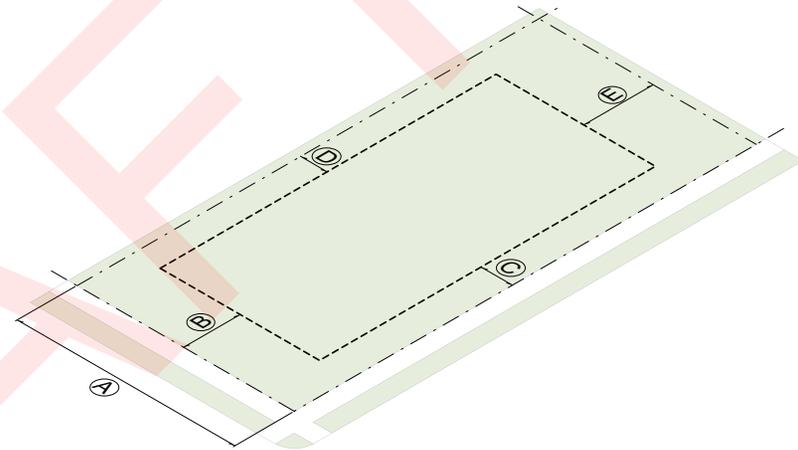
**a. Allowed Uses.**

1. **Allowed Residential Use Categories.** All detached living, except: *cottage homes* [prohibited]; all group living [SUP required];
2. **Allowed Public Use Categories.** All civic; all parks & open space; all minor utilities; all major utilities [SUP required];
3. **Allowed Commerce Use Categories.** All day care [SUP Required]; all overnight lodging [prohibited], except: *bed and breakfast* [SUP required];
4. **Allowed Employment Use Categories.** None allowed;
5. **Allowed Open Use Categories.** None allowed.

**b. Maximum Density.** 4.36 dwelling units per acre.

**c. Development Standards.**

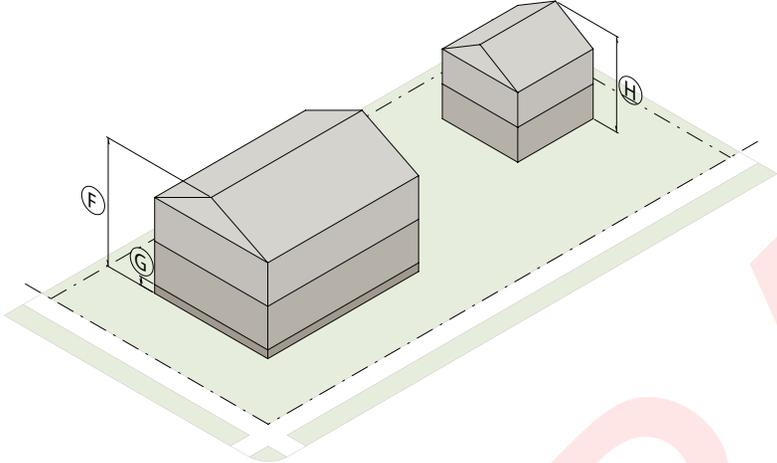
**1. Lot and Setback Requirements**



Lot	
Area (min square feet)	10,000
Building coverage (max)	45%
Impervious coverage (max)	n/a
(A) Width (min)	70'
Structure Setbacks	
(B) Front (min)	20'
(C) Side, street (min)	7'
(D) Side, interior (min)	7'
(E) Rear (min)*	3' or 20'

\* 20' required for vehicular access to structure, otherwise 3'

2. Building Requirements



<b>Principal Structure Height</b>	
Ⓕ Stories (max)	n/a*
Ⓕ Feet (max)	n/a*
Ⓖ Ground story elevation (min)	n/a
<b>Bulk Plane</b>	
Bulk Plane	n/a
<b>Accessory Structure Height</b>	
Ⓗ Stories (max)	2
Ⓗ Feet (max)	30'

\*Subject to Fire Department Approval

## Sec. 22-2(b)(7) R-8 District Regulations

### Low Density Single Family Housing with Minimum 8,000 Square Foot Lots

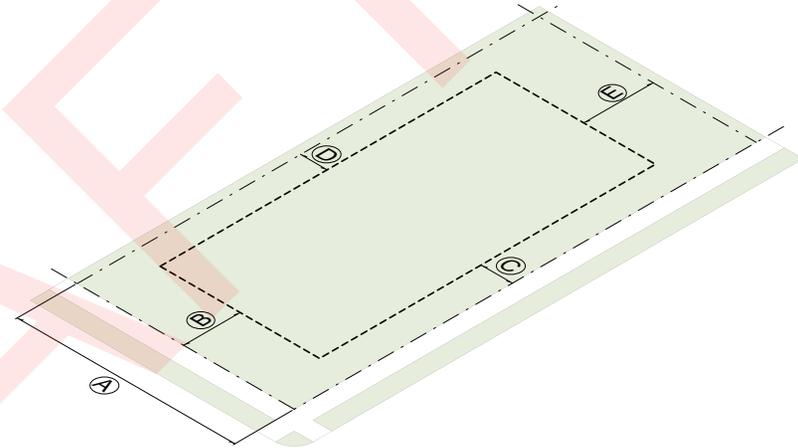
#### a. Allowed Uses.

1. **Allowed Residential Use Categories.** All detached living, except: *cottage homes* [prohibited]; all group living [SUP required];
2. **Allowed Public Use Categories.** All civic; all parks & open space; all minor utilities; all major utilities [SUP required];
3. **Allowed Commerce Use Categories.** All day care [SUP Required]; all overnight lodging [prohibited], except: *bed and breakfast* [SUP required];
4. **Allowed Employment Use Categories.** None allowed;
5. **Allowed Open Use Categories.** None allowed.

#### b. Maximum Density. 5.45 dwelling units per acre.

#### c. Development Standards.

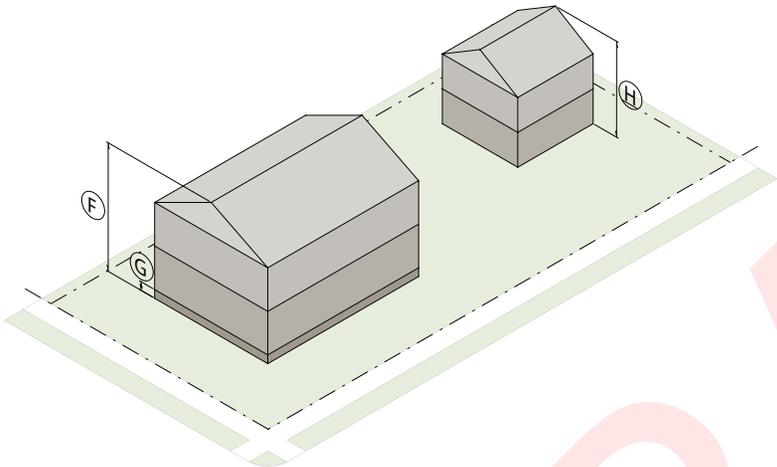
##### 1. Lot and Setback Requirements



Lot	
Area (min square feet)	8,000
Building coverage (max)	45%
Impervious coverage (max)	n/a
(A) Width (min)	70'
Structure Setbacks	
(B) Front (min)	15'
(C) Side, street (min)	7'
(D) Side, interior (min)	7'
(E) Rear (min)*	3' or 20'

\* 20' required for vehicular access to structure, otherwise 3'

2. Building Requirements



<b>Principal Structure Height</b>	
Ⓕ Stories (max)	n/a*
Ⓕ Feet (max)	n/a*
Ⓖ Ground story elevation (min)	n/a
<b>Bulk Plane</b>	
Bulk Plane	n/a
<b>Accessory Structure Height</b>	
Ⓗ Stories (max)	2
Ⓗ Feet (max)	30'

\*Subject to Fire Department Approval

### Sec. 22-2(b)(8) R-6 District Regulations

Medium Density Single Family Housing with Minimum 6,000 Square Foot Lots

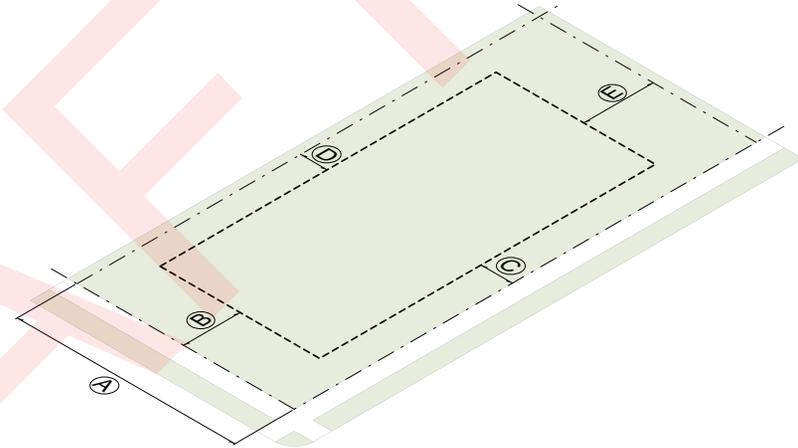
#### a. Allowed Uses.

1. **Allowed Residential Use Categories.** All detached living, except: *cottage homes* [SUP required]; all group living [SUP required];
2. **Allowed Public Use Categories.** All civic; all parks & open space; all minor utilities; all major utilities [SUP required];
3. **Allowed Commerce Use Categories.** All day care [SUP Required]; all overnight lodging [prohibited], except: *bed and breakfast* [SUP required];
4. **Allowed Employment Use Categories.** None allowed;
5. **Allowed Open Use Categories.** None allowed.

**b. Maximum Density.** 7.26 dwelling units per acre.

#### c. Development Standards.

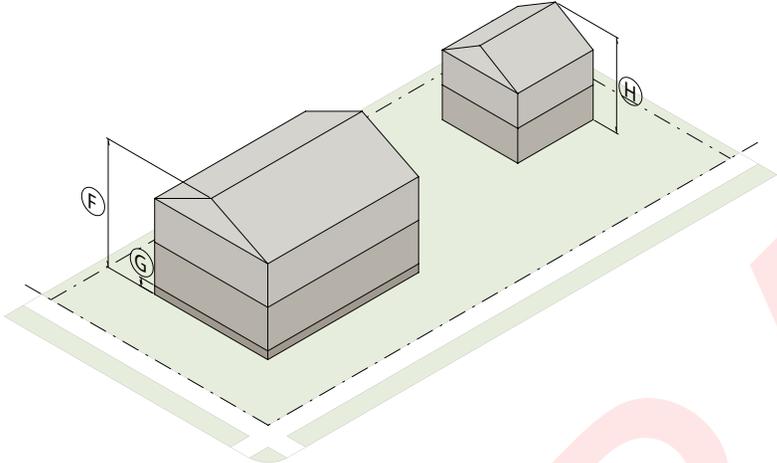
##### 1. Lot and Setback Requirements



Lot	
Area (min square feet)	6,000
Building coverage (max)	60%
Impervious coverage (max)	n/a
Ⓐ Width (min)	50'
Structure Setbacks	
Ⓑ Front (min)	15'
Ⓒ Side, street (min)	5'
Ⓓ Side, interior (min)	5'
Ⓔ Rear (min)*	3' or 20'

\* 20' required for vehicular access to structure, otherwise 3'

2. Building Requirements



<b>Principal Structure Height</b>	
Ⓕ Stories (max)	n/a*
Ⓕ Feet (max)	n/a*
Ⓒ Ground story elevation (min)	n/a
<b>Bulk Plane</b>	
Bulk Plane abutting RS- district (1:1 above 40')	n/a
<b>Accessory Structure Height</b>	
Ⓖ Stories (max)	2
Ⓖ Feet (max)	30'

\*Subject to Fire Department Approval

**Sec. 22-2(b)(9) R-3-Z District Regulations**  
 Medium Density, Zero Lot Line and Cottage Housing

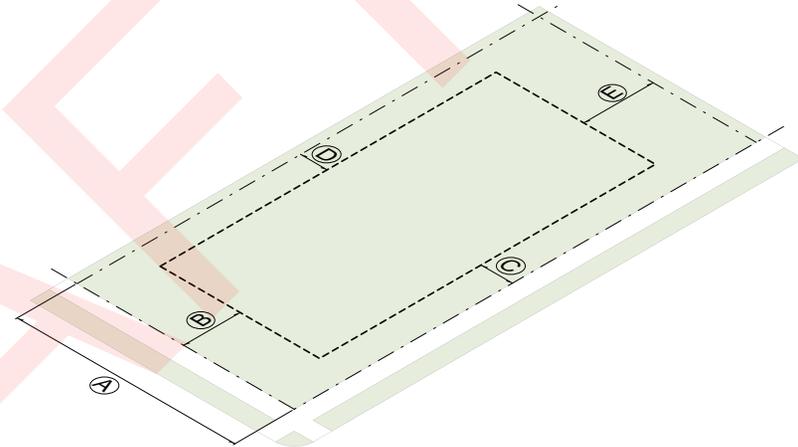
**a. Allowed Uses.**

1. **Allowed Residential Use Categories.** All detached living; all attached living [SUP required]; all group living [SUP required];
2. **Allowed Public Use Categories.** All civic; all parks & open space; all minor utilities; all major utilities [SUP required];
3. **Allowed Commerce Use Categories.** All day care [SUP Required]; all overnight lodging [prohibited], except: *bed and breakfast* [SUP required];
4. **Allowed Employment Use Categories.** None allowed;
5. **Allowed Open Use Categories.** None allowed.

**b. Maximum Density.** 10.89 dwelling units per acre.

**c. Development Standards.**

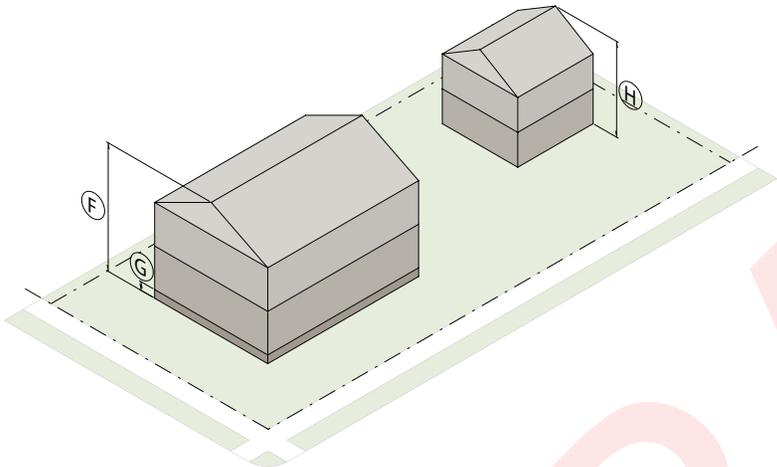
**1. Lot and Setback Requirements**



<b>Lot</b>	
Area (min square feet)	4,000
Building coverage (max)	65%
Impervious coverage (max)	n/a
(A) Width (min)	35'
<b>Structure Setbacks</b>	
(B) Front (min)	15'
(C) Side, street (min)	0'
(D) Side, interior (min)	0'
(E) Rear (min)*	3' or 20'

\* 20' required for vehicular access to structure, otherwise 3'

2. Building Requirements



<b>Principal Structure Height</b>	
(F) Stories (max)	n/a*
(F) Feet (max)	n/a*
(G) Ground story elevation (min)	n/a
<b>Bulk Plane</b>	
Bulk Plane	n/a
<b>Accessory Structure Height</b>	
(H) Stories (max)	2
(H) Feet (max)	30'
<b>Additional Regulations</b>	
Building Separation	5'

\*Subject to Fire Department Approval

## Sec. 22-2(b)(10) R-3-D District Regulations

### Medium Density Duplex Housing

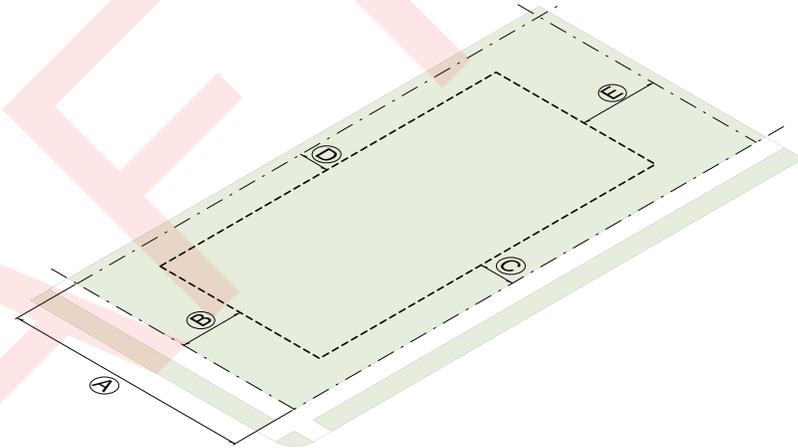
#### a. Allowed Uses.

1. **Allowed Residential Use Categories.** All detached living; all attached living; all group living [SUP required];
2. **Allowed Public Use Categories.** All civic; all parks & open space; all minor utilities; all major utilities [SUP required];
3. **Allowed Commerce Use Categories.** All day care [SUP Required]; all overnight lodging [prohibited], except: *bed and breakfast* [SUP required];
4. **Allowed Employment Use Categories.** None allowed;
5. **Allowed Open Use Categories.** None allowed.

#### b. Maximum Density. 13.2 dwelling units per acre.

#### c. Development Standards.

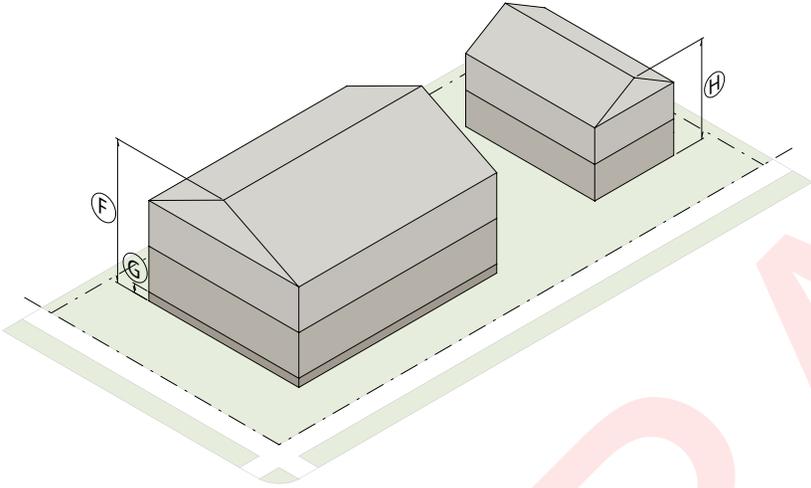
##### 1. Lot and Setback Requirements



Lot	
Area (min square feet)	6,000
Building coverage (max)	60%
Impervious coverage (max)	n/a
Ⓐ Width (min)	30'
Structure Setbacks	
Ⓑ Front (min)	15'
Ⓒ Side, street (min)	6'
Ⓓ Side, interior (min)	6'
Ⓔ Rear (min)*	3' or 20'

\* 20' required for vehicular access to structure, otherwise 3'

2. Building Requirements



<b>Principal Structure Height</b>	
Ⓕ Stories (max)	n/a*
Ⓕ Feet (max)	n/a*
Ⓒ Ground story elevation (min)	n/a
<b>Bulk Plane</b>	
Bulk Plane	n/a
<b>Accessory Structure Height</b>	
Ⓖ Stories (max)	2
Ⓖ Feet (max)	30'

\*Subject to Fire Department Approval

## Sec. 22-2(b)(11) R-TH District Regulations

### Medium Density Townhomes

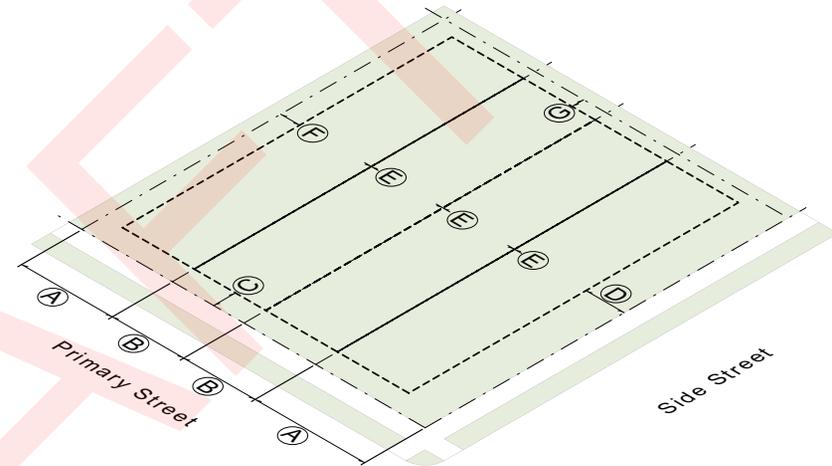
#### a. Allowed Uses.

1. **Allowed Residential Use Categories.** All detached living [SUP required]; all attached living; all multifamily living [SUP required]; all group living [SUP required];
2. **Allowed Public Use Categories.** All civic; all parks & open space; all minor utilities; all major utilities [SUP required];
3. **Allowed Commerce Use Categories.** All day care [SUP Required]; all overnight lodging [prohibited], except: *bed and breakfast* [SUP required];
4. **Allowed Employment Use Categories.** None allowed;
5. **Allowed Open Use Categories.** None allowed.

#### b. Maximum Density. 15 dwelling units per acre.

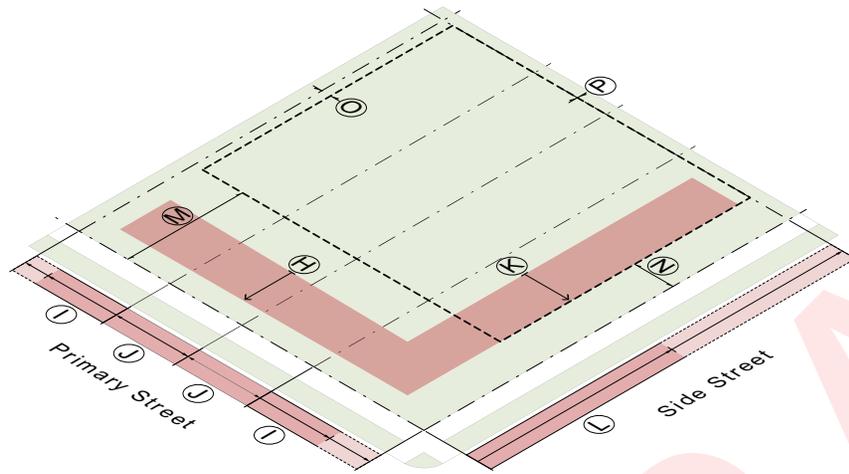
#### c. Development Standards.

##### 1. Lot and Setback Requirements



Project	Individual	Project
Common Open Space (min)	n/a	10%
<b>Lot</b>		
Area (min square feet)	1,200	6,000
Building coverage (max)	60%	60%
Impervious coverage (max)	70%	70%
(A) Width, end lot (min)	20'	n/a
(B) Width, interior lot (min)	20'	n/a
<b>Structure Setbacks</b>		
(C) Primary street (min)	20'	20'
(D) Side street (min)	15'	15'
(E) Side interior, interior lot (min)	0'	15'
(F) Side interior, end lot (min)	0'	0' or 10'
(G) Rear, common lot line (min)	20'	20'
(G) Rear, alley (min)*	3' or 20'	3' or 20'

\* 20' required for vehicular access to structure, otherwise 3'



## 2. Building Requirements



### Build-to Area

Ⓜ	Primary street build-to area (min/max)	5' / 15'
Ⓛ	Building facade in primary street build-to area (min % of lot width)	65%
Ⓝ	Building facade in primary street build-to area, interior lot (min % of lot width)	100%
Ⓚ	Side street build-to area (min/max)	10' / 20'
Ⓛ	Building facade in side street build-to area (min % of lot depth)	30%

### Parking Setbacks

Ⓜ	Primary street setback (min)	30'
Ⓝ	Side street setback (min)	10'
Ⓞ	Setback abutting R-AG-5 thru R-3-Z districts (min)	5'
Ⓞ	Setback abutting any other district (min)	0' or 5'
Ⓟ	Setback abutting alley (min)	0'

### Principal Structure Height

Ⓞ	Stories (max)	n/a*
Ⓞ	Feet (max)	n/a*
Ⓡ	Ground story elevation (min)	18"

### Bulk Plane

Bulk Plane	n/a
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### Accessory Structure Height

Ⓢ	Stories (max)	2
Ⓢ	Feet (max)	30'

### Additional Regulations

Building Separation	10'
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\*Subject to Fire Department Approval

## Sec. 22-2(b)(12) R-3-M District Regulations

### Medium Density Multiple Family Housing

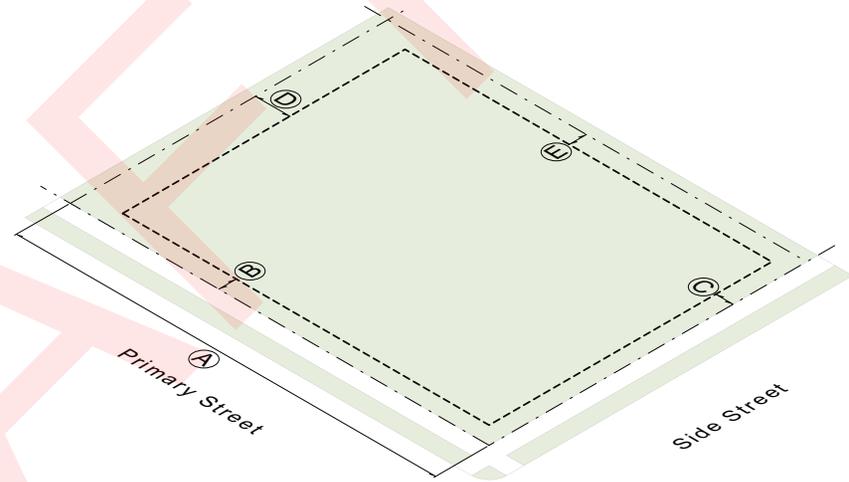
#### a. Allowed Uses.

1. **Allowed Residential Use Categories.** All detached living [SUP required], except: *cottage homes [prohibited]*; attached living; multifamily living; upper-story living; all group living;
2. **Allowed Public Use Categories.** All civic [SUP required]; all parks & open space; all minor utilities; all major utilities [SUP required];
3. **Allowed Commerce Use Categories.** All day care; all overnight lodging [prohibited], except: *bed and breakfast [SUP Required]*; all restaurant/bar [SUP required]; all retail sales [prohibited], except: *art studio/gallery, convenience store without gas [SUP Required], dry cleaning [SUP Required]*;
4. **Allowed Employment Use Categories.** None allowed;
5. **Allowed Open Use Categories.** None allowed.

**b. Maximum Density.** 15 dwelling units per acre.

#### c. Development Standards.

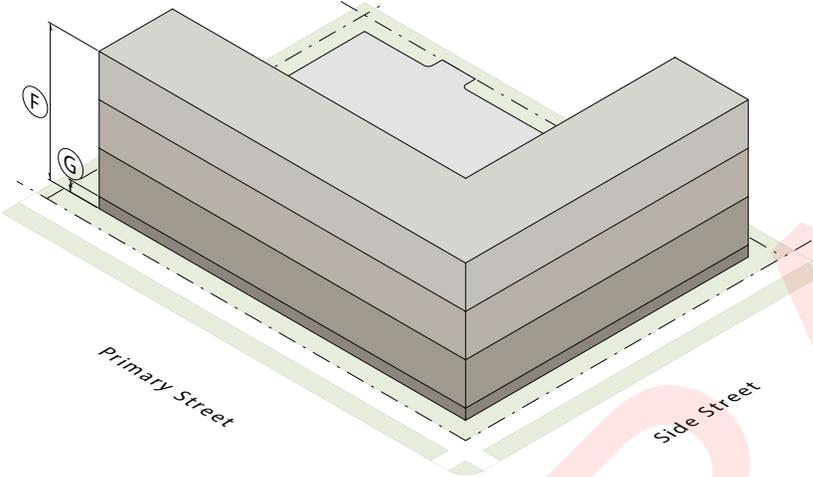
##### 1. Lot and Setback Requirements



Lot	
Area (min square feet)	10,000
Building coverage (max)	35%
Impervious coverage (max)	70%
Ⓐ Width (min)	80'
Structure Setbacks	
Ⓑ Front (min)	25'
Ⓒ Side, street (min)	25'
Ⓓ Side, interior (min)	15'
Ⓔ Rear (min)*	3' or 20'

\* 20' required for vehicular access to structure, otherwise 3'

2. Building Requirements



<b>Principal Structure Height</b>	
Ⓕ Stories (max)	n/a*
Ⓕ Feet (max)	n/a*
Ⓒ Ground story elevation (min)	n/a
<b>Bulk Plane</b>	
Bulk Plane abutting R-AG-5 thru R-3-Z districts (1:1 above 40') required	Yes
<b>Accessory Structure Height</b>	
Stories (max)	2
Feet (max)	30'

\*Subject to Fire Department Approval

## Sec. 22-2(b)(13) R-3-E District Regulations

### Medium Density Senior Housing

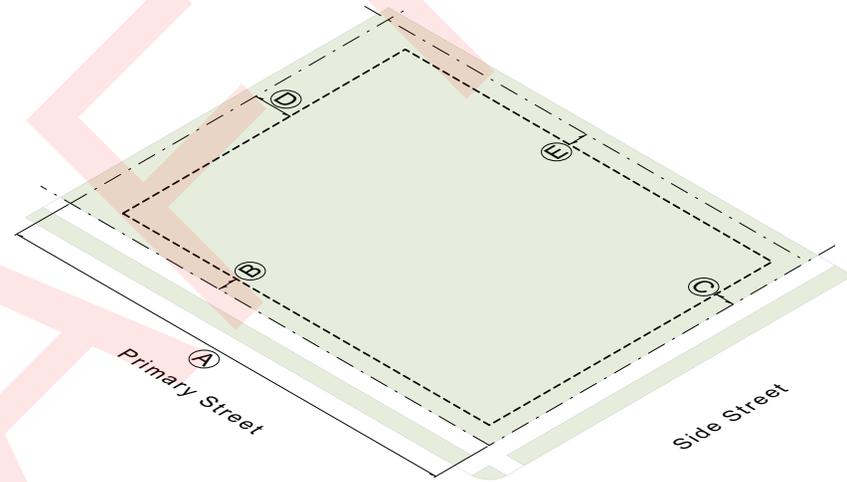
#### a. Allowed Uses.

1. **Allowed Residential Use Categories.** All detached living [SUP required], except: *cottage homes [prohibited]*; attached living; multifamily living; upper-story living; all group living;
2. **Allowed Public Use Categories.** All civic [SUP required]; all parks & open space; all minor utilities; all major utilities [SUP required];
3. **Allowed Commerce Use Categories.** All day care; all medical; all overnight lodging [prohibited], except: *bed and breakfast [SUP Required]*; all restaurant/bar [SUP required]; all retail sales [prohibited], except: *art studio/gallery, convenience store without gas [SUP Required], dry cleaning [SUP Required]*;
4. **Allowed Employment Use Categories.** None allowed;
5. **Allowed Open Use Categories.** None allowed.

b. **Maximum Density.** 25 dwelling units per acre.

#### c. Development Standards.

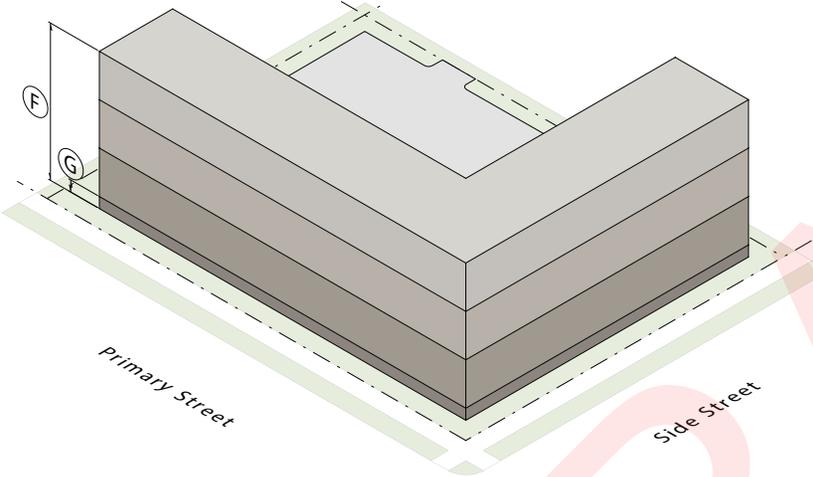
##### 1. Lot and Setback Requirements



Lot	
Area (acres)	2
Building coverage (max)	35%
Impervious coverage (max)	70%
(A) Width (min)	150'
Structure Setbacks	
(B) Front (min)	25'
(C) Side, street (min)	15'
(D) Side, interior (min)	15'
(E) Rear (min)*	3' or 20'

\* 20' required for vehicular access to structure, otherwise 3'

2. Building Requirements



<b>Principal Structure Height</b>	
Ⓕ Stories (max)	n/a*
Ⓕ Feet (max)	n/a*
Ⓖ Ground story elevation (min)	n/a
<b>Bulk Plane</b>	
Bulk Plane abutting R-AG-5 thru R-3-Z districts (1:1 above 40') required	Yes
<b>Accessory Structure Height</b>	
Stories (max)	2
Feet (max)	30'

\*Subject to Fire Department Approval

## Sec. 22-2(b)(14) R-3-M25 District Regulations

### Medium Density Multiple Family Housing

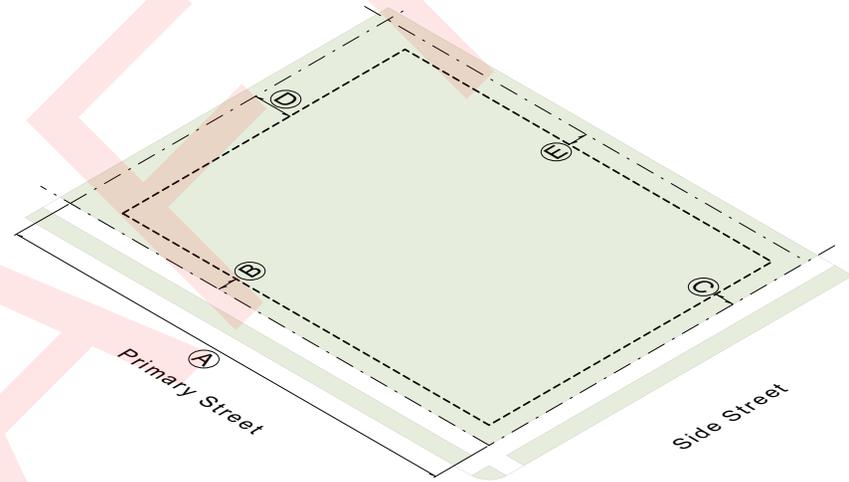
#### a. Allowed Uses.

1. **Allowed Residential Use Categories.** Multifamily living; upper-story living; all group living;
2. **Allowed Public Use Categories.** All civic; all parks & open space; all minor utilities; all major utilities [SUP required];
3. **Allowed Commerce Use Categories.** All commercial parking [SUP required]; all day care; all overnight lodging, except: *bed and breakfast* [SUP Required]; all restaurant/bar [SUP required]; all retail sales [prohibited], except: *art studio/gallery, convenience store without gas* [SUP required], *dry cleaning* [required];
4. **Allowed Employment Use Categories.** None allowed;
5. **Allowed Open Use Categories.** None allowed.

#### b. Maximum Density. 25 dwelling units per acre.

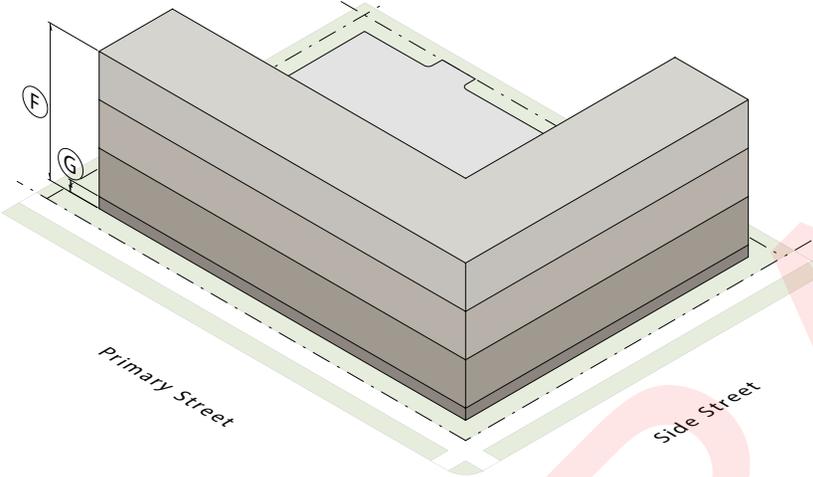
#### c. Development Standards.

##### 1. Lot and Setback Requirements



Lot	
Area (min square feet)	10,000
Building coverage (max)	60%
Impervious coverage (max)	80%
(A) Width (min)	80'
Structure Setbacks	
(B) Front (min)	15'
(C) Side, street (min)	15'
(D) Side, interior (min)	5'
(E) Rear (min)	5'

2. Building Requirements



<b>Principal Structure Height</b>	
Ⓕ Stories (max)	n/a*
Ⓕ Feet (max)	n/a*
Ⓖ Ground story elevation (min)	n/a
<b>Bulk Plane</b>	
Bulk Plane abutting R-AG-5 thru R-3-Z districts (1:1 above 40') required	Yes
<b>Accessory Structure Height</b>	
Stories (max)	2
Feet (max)	30'

\*Subject to Fire Department Approval

## Sec. 22-2(b)(15) R-3-MU District Regulations

### Medium Density Mixed Use

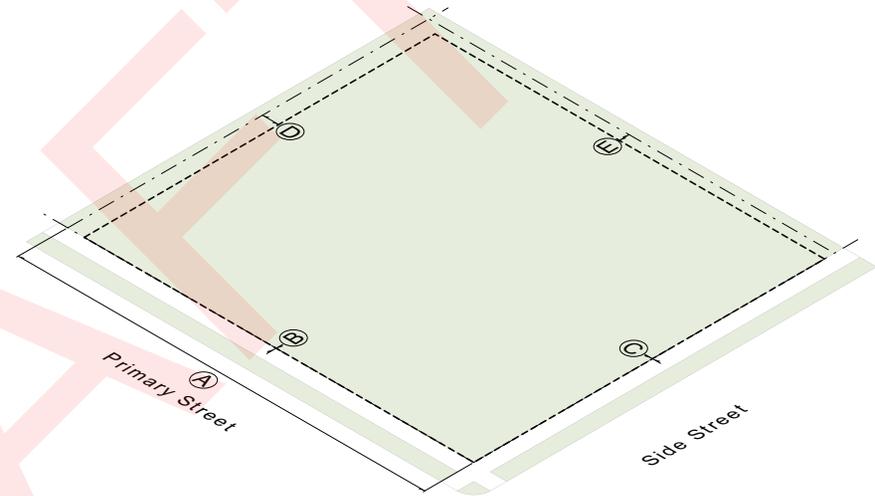
#### a. Allowed Uses.

1. **Allowed Residential Use Categories.** Multifamily living; upper-story living; all group living; all social service [SUP required];
2. **Allowed Public Use Categories.** All civic; all parks & open space; all minor utilities; all major utilities [SUP required];
3. **Allowed Commerce Use Categories.** All commercial parking [SUP required]; all day care; all indoor recreation, except: *sexually oriented business [prohibited]*; all medical; all office; all overnight lodging; all passenger terminal [SUP required]; all personal service; all restaurant/bar; all retail sales, except: *convenience store with gas [SUP required]*; all vehicle sales; all water-oriented;
4. **Allowed Employment Use Categories.** All heavy commercial [SUP required]; all research & development; all self-service storage; all vehicle service [SUP required];
5. **Allowed Open Use Categories.** None allowed.
6. **Mixing of Uses Required.**
  - a. A minimum of two uses are required per lot; and
  - b. At least 15% of the floor area on the lot must be a non-residential use.

#### b. Maximum Density. 30 dwelling units per acre.

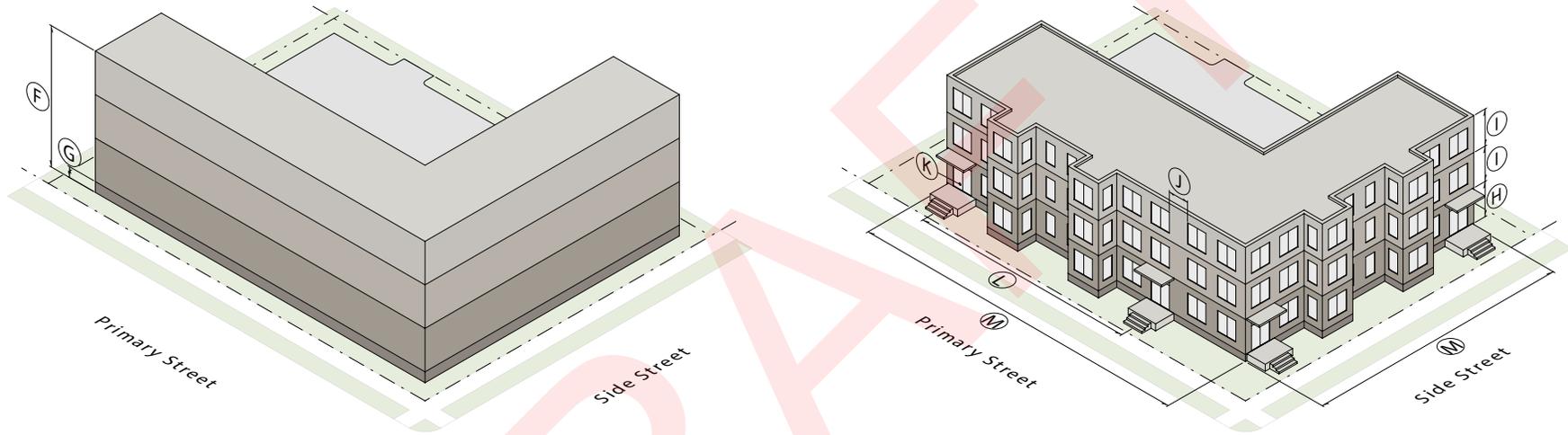
#### c. Development Standards.

##### 1. Lot and Setback Requirements



Lot	
Area (min square feet)	6,500
Building coverage (max)	70%
Impervious coverage (max)	90%
(A) Width (min)	55'
Structure Setbacks	
(B) Front (min/max)	0'/60'
(C) Side, street (min)	15'
(D) Side, interior (min)	5'
(E) Rear (min)	5'

## 2. Building Requirements



Principal Structure Height	
F Stories (max)	n/a*
F Feet (max)	n/a*
G Ground story elevation (min)	n/a
Bulk Plane	
Bulk Plane abutting R-AG-5 thru R-3-Z districts (1:1 above 40') required	Yes
Accessory Structure Height	
Stories (max)	2
Feet (max)	30'

\*Subject to Fire Department Approval

Transparency	
H Ground story (min)	40%
I Upper story (min)	20%
J Blank wall area (max)	30'
Building Entrance	
K Street facing entrance required	yes
L Entrance spacing (max)	100'
Building Mass	
M Building length (max)	150'

**a. Building Orientation.**

Buildings shall have their primary entrance facing the primary street. For developments with ground-floor residential units, each unit shall have its entrance directly accessible from the street, with a direct connection from the sidewalk to the front door of the residential that is a minimum of five (5) feet wide.

**b. Building entries.**

i. Primary street-level entries shall be made visually prominent and receive architectural emphasis. Possible techniques to accomplish this include but are not limited to:

- a). Recessed entries;
- b). Corner entries;
- c). Projecting entries, including porches, canopies and articulated lintels above the doorway;
- d). Pilasters or columns supporting and/or framing the entrance;
- e). Elevated entries with transparent stairways that are compatible with the architecture; or
- f). Landscape treatments that connect the public realm to the private realm.

- ii. A minimum of 50 percent of a required entrance must be transparent.
- iii. A required fire exit door with no transparency may front on a primary, side, or service street.

**c. Side Street Building Frontages.** Side street-facing facades, other than those facing an alley, shall comply with the transparency requirements of this district or have at least five of the following elements incorporated into the street-facing facade:

- i. Concrete or masonry plinth at the base of the wall;
- ii. Belt courses of a different texture and color;
- iii. Projecting cornice;
- iv. Decorative tile work;

v. Medallions;

vi. Opaque or translucent glass;

vii. Artwork or wall graphics;

viii. Lighting fixtures;

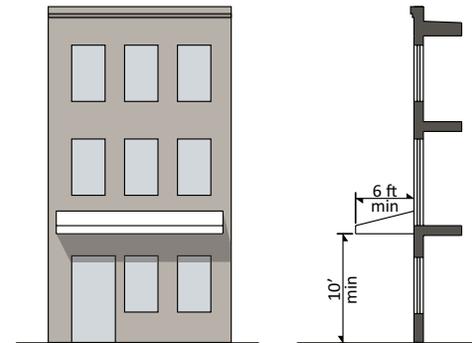
ix. Green walls; or

x. Architectural elements not listed above, if approved by the Administrator.

**d. Awnings and Canopies**

i. A ground-story awning or canopy must have a minimum clearance of 10 feet above the sidewalk and must have a minimum depth of six feet.

ii. An awning or canopy may encroach into the front setback. No awning may encroach into the public right-of-way without a license for the use of that right-of-way.



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## Sec. 22-2(b)(16) B-1 District Regulations

### Office

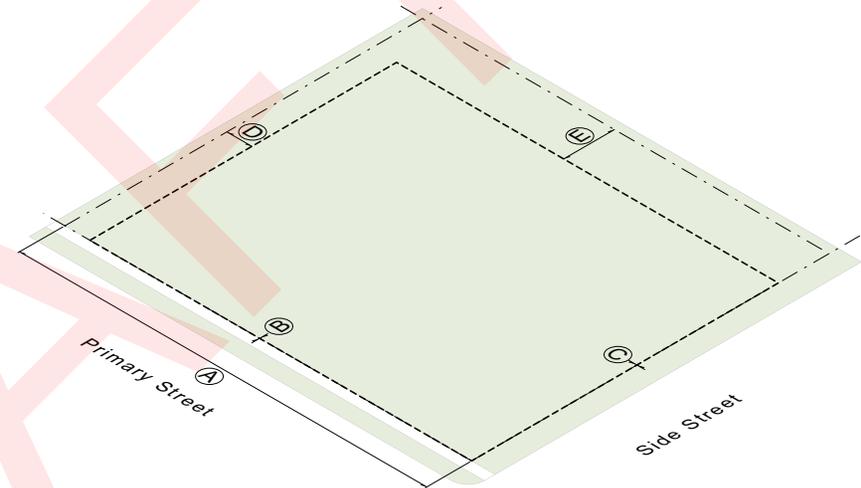
#### a. Allowed Uses.

1. **Allowed Residential Use Categories.** All all group living [SUP required]; all social service [SUP required];
2. **Allowed Public Use Categories.** All civic; all parks & open space; all minor utilities; all major utilities [SUP required];
3. **Allowed Commerce Use Categories.** All commercial parking [SUP required]; all day care; all medical; all office; all outdoor recreation [SUP required] except: *campground, travel trailer park, RV park [prohibited], horse stable, riding academy equestrian center [prohibited], hunting and fishing preserve [prohibited], retreat center [prohibited]*; all overnight lodging [prohibited], except: *bed and breakfast*; all personal service; all restaurant/bar [SUP required]; all retail sales [prohibited, except: *art studio/gallery, dry cleaning*];
4. **Allowed Employment Use Categories.** None allowed;
5. **Allowed Open Use Categories.** None allowed.

#### b. Maximum Density. Not applicable.

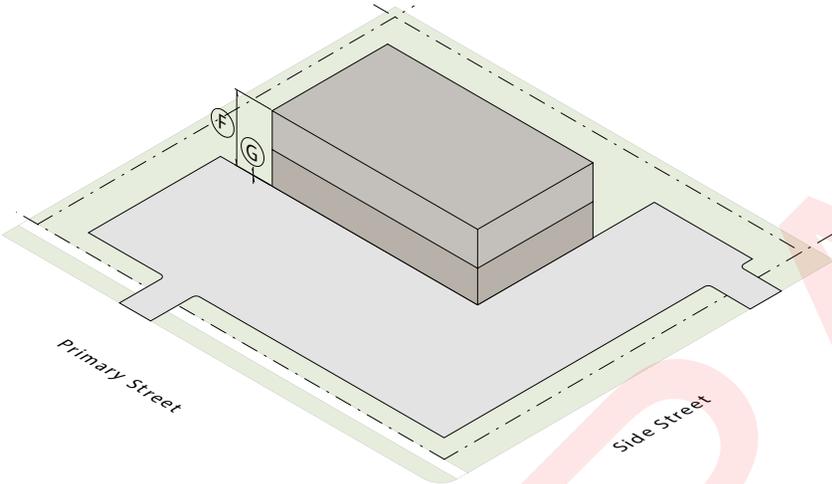
#### c. Development Standards.

##### 1. Lot and Setback Requirements



Lot	
Area (min square feet)	6,000
Building coverage (max)	45%
Impervious coverage (max)	90%
Ⓐ Width (min)	50'
Structure Setbacks	
Ⓑ Front (min)	25'
Ⓒ Side, street (min)	0'
Ⓓ Side, interior (min)	0'
Ⓔ Rear (min)	5'

2. Building Requirements



<b>Principal Structure Height</b>	
Ⓕ Stories (max)	n/a*
Ⓕ Feet (max)	n/a*
Ⓖ Ground story elevation (min)	n/a
<b>Bulk Plane</b>	
Bulk Plane abutting R-AG-5 thru R-3-Z districts (1:1 above 40') required	Yes
<b>Accessory Structure Height</b>	
Stories (max)	2
Feet (max)	30'

\*Subject to Fire Department Approval

## Sec. 22-2(b)(17) C-1 District Regulations

### Commercial

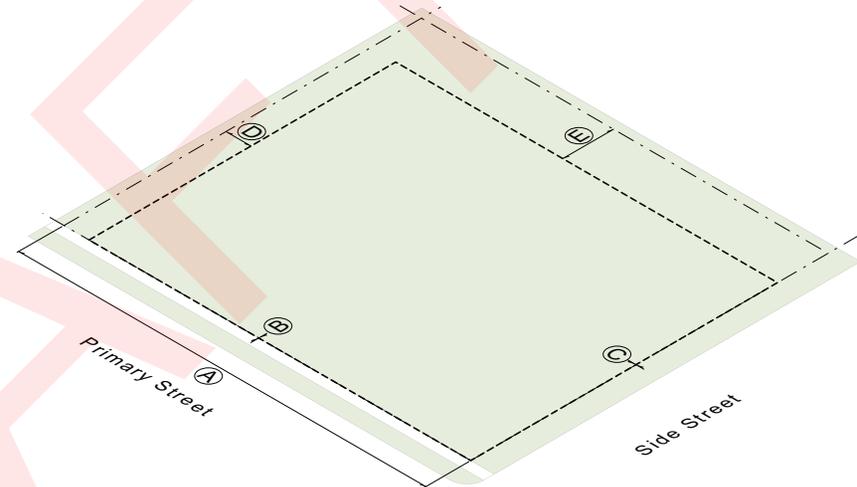
#### a. Allowed Uses.

1. **Allowed Residential Use Categories.** All group living; all social service;
2. **Allowed Public Use Categories.** All civic; all parks & open space; all minor utilities; all major utilities [SUP required];
3. **Allowed Commerce Use Categories.** All commercial parking; all day care; all indoor recreation, except: *sexually oriented business [prohibited]*; all medical; all office; all outdoor recreation [SUP required] except: *campground, travel trailer park, RV park [prohibited], hunting and fishing preserve [prohibited], retreat center [prohibited]*; all overnight lodging; all passenger terminal [SUP required]; all personal service; all restaurant/bar; all retail sales; all vehicle sales; all water-oriented;
4. **Allowed Employment Use Categories.** All self-service storage [SUP required]; all vehicle service;
5. **Allowed Open Use Categories.** None allowed.

#### b. Maximum Density. Not applicable.

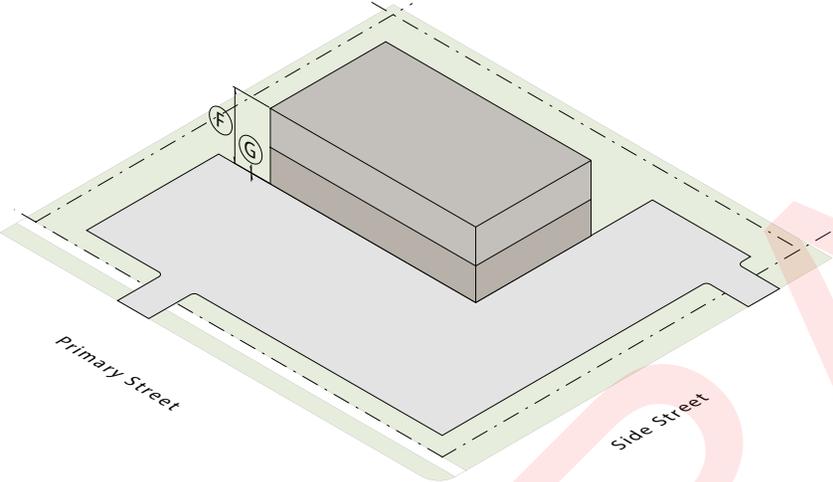
#### c. Development Standards.

##### 1. Lot and Setback Requirements



Lot	
Area (min square feet)	6,000
Building coverage (max)	45%
Impervious coverage (max)	90%
(A) Width (min)	50'
Structure Setbacks	
(B) Front (min)	0'
(C) Side, street (min)	0'
(D) Side, interior (min)	0'
(E) Rear (min)	0'

2. Building Requirements



<b>Principal Structure Height</b>	
Ⓕ Stories (max)	n/a*
Ⓕ Feet (max)	n/a*
Ⓖ Ground story elevation (min)	n/a
<b>Bulk Plane</b>	
Bulk Plane abutting R-AG-5 thru R-3-Z districts (1:1 above 40') required	Yes
<b>Accessory Structure Height</b>	
Ⓕ Stories (max)	2
Ⓕ Feet (max)	30'

\*Subject to Fire Department Approval

## Sec. 22-2(b)(18) C-2 District Regulations

### Commercial

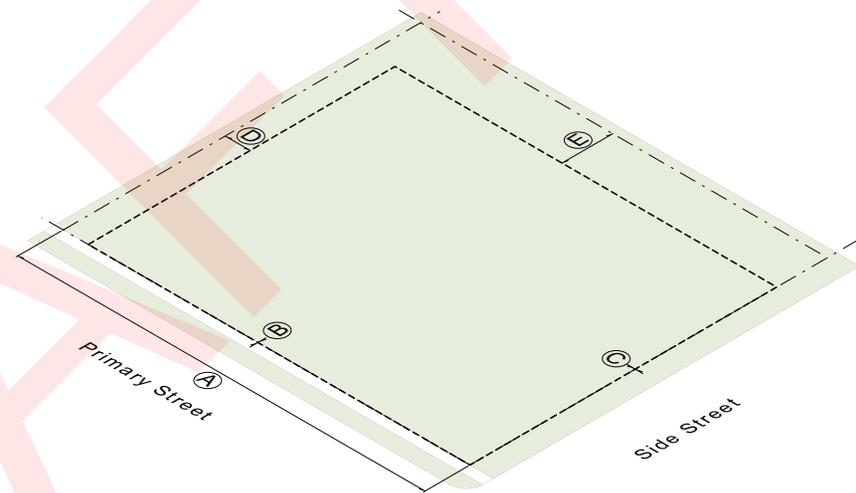
#### a. Allowed Uses.

1. **Allowed Residential Use Categories.** All group living; all social service;
2. **Allowed Public Use Categories.** All civic; all parks & open space; all minor utilities; all major utilities [SUP required];
3. **Allowed Commerce Use Categories.** All commercial parking; all day care; all indoor recreation, except: *sexually oriented business [prohibited]*; all medical; all office; all outdoor recreation [SUP required] except: *campground, travel trailer park, RV park [prohibited], hunting and fishing preserve [prohibited], retreat center [prohibited]*; all overnight lodging; all passenger terminal [SUP required]; all personal service; all restaurant/bar; all retail sales; all vehicle sales; all water-oriented;
4. **Allowed Employment Use Categories.** All heavy commercial; all research & development; all self-service storage; all vehicle service; all warehouse & distribution [SUP required for greater than 10,000 square feet]; all waste-related service [prohibited], except: *recycling facility [SUP required]*;
5. **Allowed Open Use Categories.** None allowed.

#### b. Maximum Density. Not applicable.

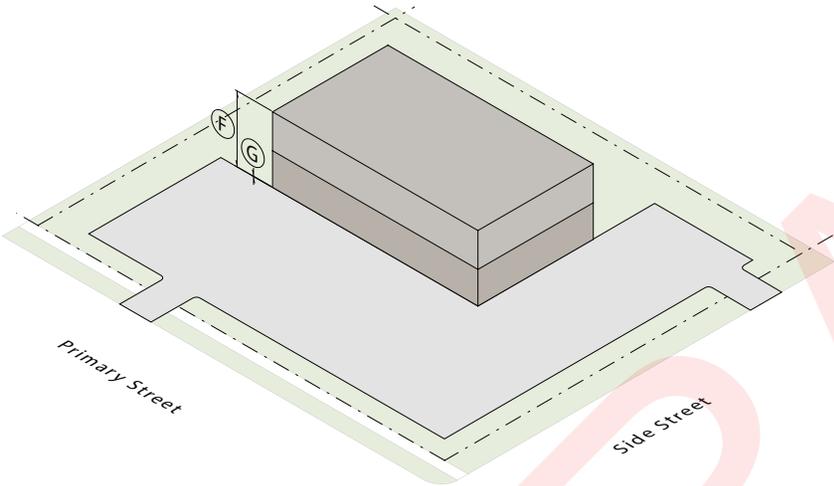
#### c. Development Standards.

##### 1. Lot and Setback Requirements



Lot	
Area (min square feet)	6,000
Building coverage (max)	45%
Impervious coverage (max)	90%
Ⓐ Width (min)	50'
Structure Setbacks	
Ⓑ Front (min)	0'
Ⓒ Side, street (min)	0'
Ⓓ Side, interior (min)	0'
Ⓔ Rear (min)	0'

2. Building Requirements



<b>Principal Structure Height</b>	
(F) Stories (max)	n/a*
(F) Feet (max)	n/a*
(G) Ground story elevation (min)	n/a
<b>Bulk Plane</b>	
Bulk Plane abutting R-AG-5 thru R-3-Z districts (1:1 above 40') required	Yes
<b>Accessory Structure Height</b>	
(H) Stories (max)	2
(H) Feet (max)	30'

\*Subject to Fire Department Approval

## Sec. 22-2(b)(19) C-MS District Regulations

### Main Street Commercial

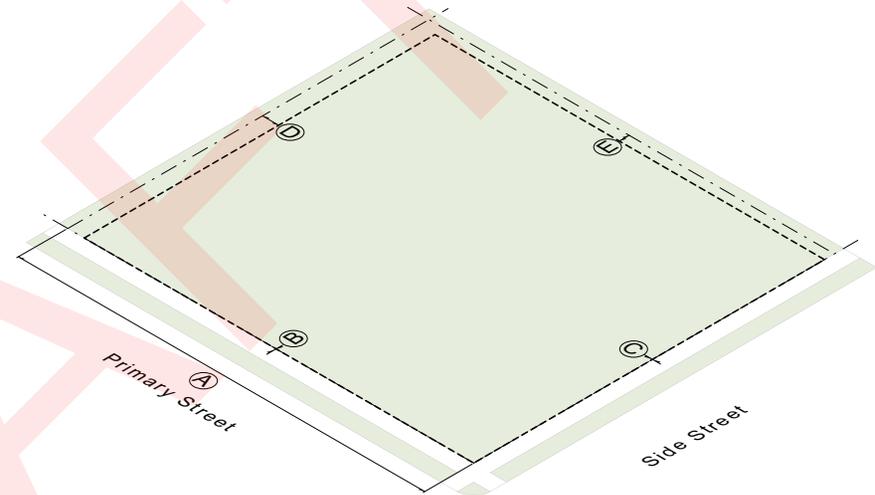
#### a. Allowed Uses.

1. **Allowed Residential Use Categories.** All upper-story living; all group living [SUP required]; all social service [SUP required];
2. **Allowed Public Use Categories.** All civic [SUP required]; all parks & open space; all minor utilities; all major utilities [SUP required];
3. **Allowed Commerce Use Categories.** All commercial parking [SUP required]; all day care; all indoor recreation, except: *sexually oriented business [prohibited]*; all medical; all office; all overnight lodging; all personal service; all restaurant/bar; all retail sales, except: *convenience store with gas [SUP required]*; all vehicle sales [SUP required]; all water-oriented [SUP required];
4. **Allowed Employment Use Categories.** All vehicle service [SUP required];
5. **Allowed Open Use Categories.** None allowed.

#### b. Maximum Density. 25 dwelling units per acre.

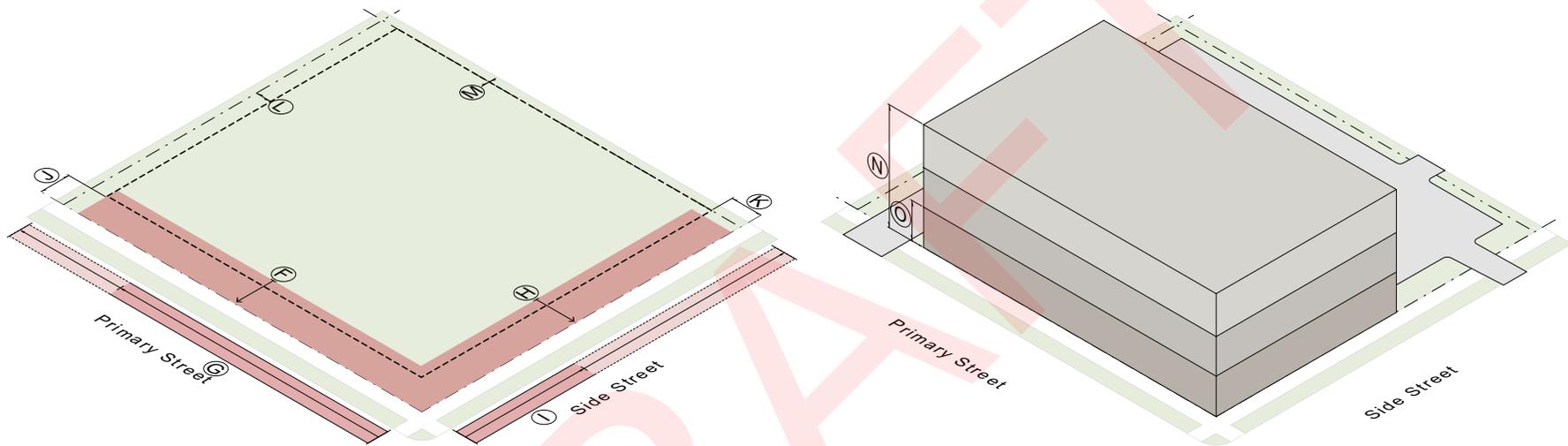
#### c. Development Standards.

##### 1. Lot and Setback Requirements



Lot	
Area (min square feet)	6,000
Building coverage (max)	85%
Impervious coverage (max)	100%
(A) Width (min)	25'
Structure Setbacks	
(B) Front (min)	0'
(C) Side, street (min)	0'
(D) Side, interior (min)	0'
(E) Rear (min)	0'

## 2. Building Requirements



### Build-to Area

Ⓕ Primary street build-to area (min/max)	0' / 15'
Ⓒ Building facade in primary street build-to area (min % of lot width)	65%
Ⓗ Side street build-to area (min/max)	0' / 15'
Ⓘ Building facade in side street build-to area (min % of lot depth)	30%

### Parking Setbacks

Ⓙ Primary street setback (min)	10'
Ⓚ Side street setback (min)	10'
Ⓛ Setback abutting R-AG-5 thru R-3-Z districts (min)	10'
Ⓛ Setback abutting any other district (min)	0' or 5'
Ⓜ Setback abutting alley (min)	0'

### Principal Structure Height

Ⓝ Stories (max)	n/a*
Ⓝ Feet (max)	n/a*
Ⓞ Ground story elevation (min)	n/a

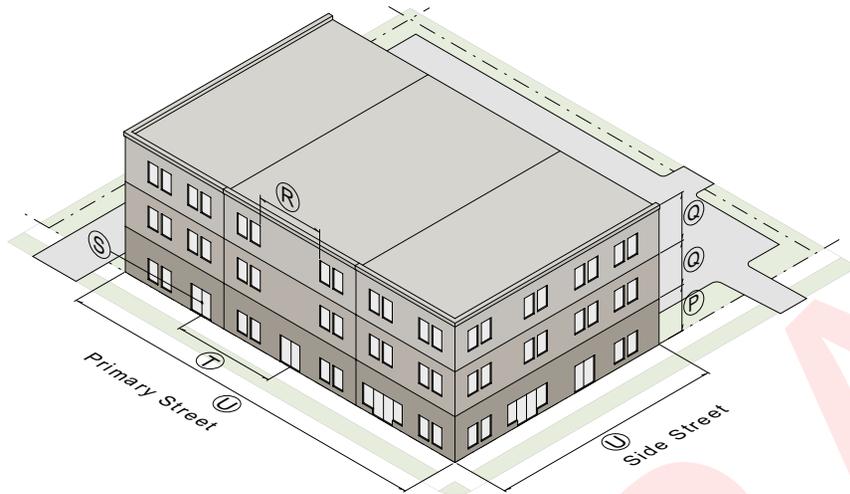
### Bulk Plane

Bulk Plane abutting R-AG-5 thru R-3-Z districts (1:1 above 40')	Yes
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### Accessory Structure Height

Stories (max)	2
Feet (max)	30'

\*Subject to Fire Department Approval



Transparency	
Ⓟ Ground story (min)	40%
Ⓠ Upper story (min)	20%
Ⓡ Blank wall area (max)	30'
Building Entrance	
Ⓢ Street facing entrance required	yes
Ⓣ Entrance spacing (max)	100'
Building Mass	
Ⓤ Building length (max)	150'

**a. Building Orientation.**

Buildings shall have their primary entrance facing the primary street. For developments with ground-floor residential units, each unit shall have its entrance directly accessible from the street, with a direct connection from the sidewalk to the front door of the residential that is a minimum of five (5) feet wide.

**b. Building entries.**

- i. Primary street-level entries shall be made visually prominent and receive architectural emphasis. Possible techniques to accomplish this include but are not limited to:
  - a). Recessed entries;
  - b). Corner entries;
  - c). Projecting entries, including porches, canopies and articulated lintels above the doorway;
  - d). Pilasters or columns supporting and/or framing the entrance;
  - e). Elevated entries with transparent stairways that are compatible with the architecture; or
  - f). Landscape treatments that connect the public realm to the private realm.
- ii. A minimum of 50 percent of a required entrance must be transparent.
- iii. A required fire exit door with no transparency may front on a primary, side, or service street.

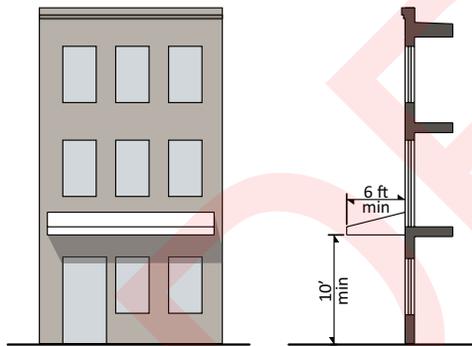
**c. Side Street Building Frontages.** Side street-facing facades, other than those facing an alley, shall comply with the transparency requirements of this district or have at least five of the following elements incorporated into the street-facing facade:

- i. Concrete or masonry plinth at the base of the wall;
- ii. Belt courses of a different texture and color;
- iii. Projecting cornice;
- iv. Decorative tile work;

- v. Medallions;
- vi. Opaque or translucent glass;
- vii. Artwork or wall graphics;
- viii. Lighting fixtures;
- ix. Green walls; or
- x. Architectural elements not listed above, if approved by the Administrator.

**d. Awnings and Canopies**

- i. A ground-story awning or canopy must have a minimum clearance of 10 feet above the sidewalk and must have a minimum depth of six feet.
- ii. An awning or canopy may encroach into the front setback. No awning may encroach into the public right-of-way without a license for the use of that right-of-way.



## Sec. 22-2(b)(20) E-1 District Regulations

### Employment

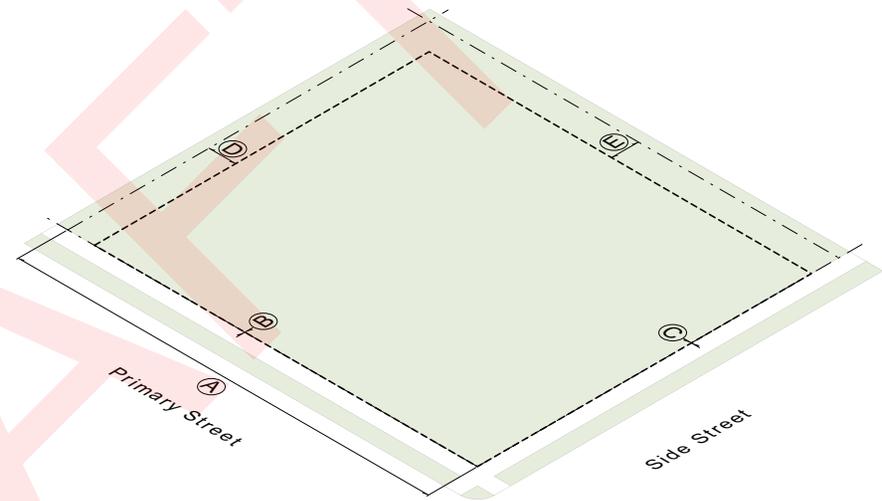
#### a. Allowed Uses.

1. **Allowed Residential Use Categories.** All group living; all social service;
2. **Allowed Public Use Categories.** All civic; all parks & open space; all minor utilities; all major utilities [SUP required];
3. **Allowed Commerce Use Categories.** All commercial parking; all day care; all indoor recreation, except: *sexually oriented business [prohibited]*; all medical; all office; all outdoor recreation [SUP required] except: *campground, travel trailer park, RV park [prohibited], horse stable, riding academy equestrian center [SUP required], hunting and fishing preserve [prohibited], retreat center [prohibited]*; all overnight lodging; all passenger terminal; all personal service; all restaurant/bar; all retail sales; all vehicle sales; all water-oriented;
4. **Allowed Employment Use Categories.** All heavy commercial; all research & development; all self-service storage; all vehicle service; all warehouse & distribution; all waste-related service [prohibited], except: *recycling facility [SUP required]*;
5. **Allowed Open Use Categories.** All agriculture, except: *agricultural airstrip [SUP required]*; all resource extraction [prohibited].

#### b. Maximum Density. 0.2 dwelling units per acre.

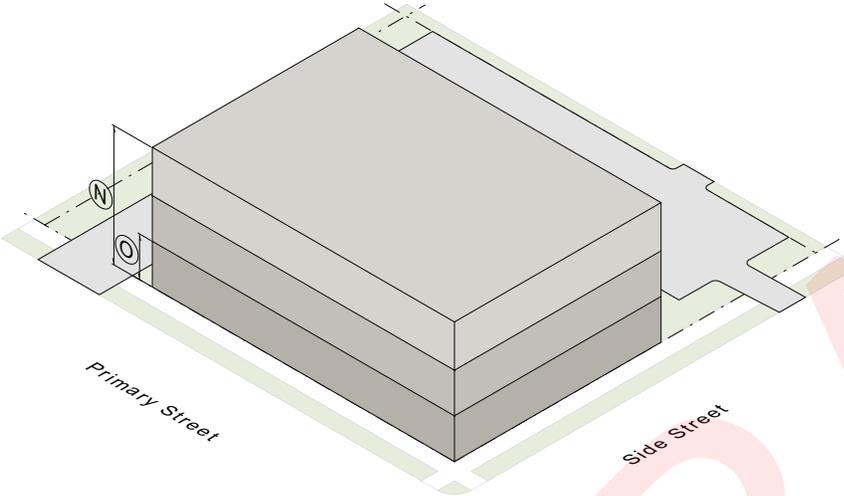
#### c. Development Standards.

##### 1. Lot and Setback Requirements



Lot	
Area (min square feet)	8,000
Building coverage (max)	100%
Impervious coverage (max)	100%
(A) Width (min)	60'
Structure Setbacks	
(B) Front (min)	20'
(C) Side, street (min)	7'
(D) Side, interior (min)	7'
(E) Rear (min)	10'

2. Building Requirements



<b>Principal Structure Height</b>	
Ⓕ Stories (max)	n/a*
Ⓕ Feet (max)	n/a*
Ⓖ Ground story elevation (min)	n/a
<b>Bulk Plane</b>	
Bulk Plane abutting R-AG-5 thru R-3-Z districts (1:1 above 40') required	Yes
<b>Accessory Structure Height</b>	
Ⓕ Stories (max)	2
Ⓕ Feet (max)	30'

\*Subject to Fire Department Approval

## Sec. 22-2(b)(21) I-1 District Regulations

### Industrial and Heavy Commercial

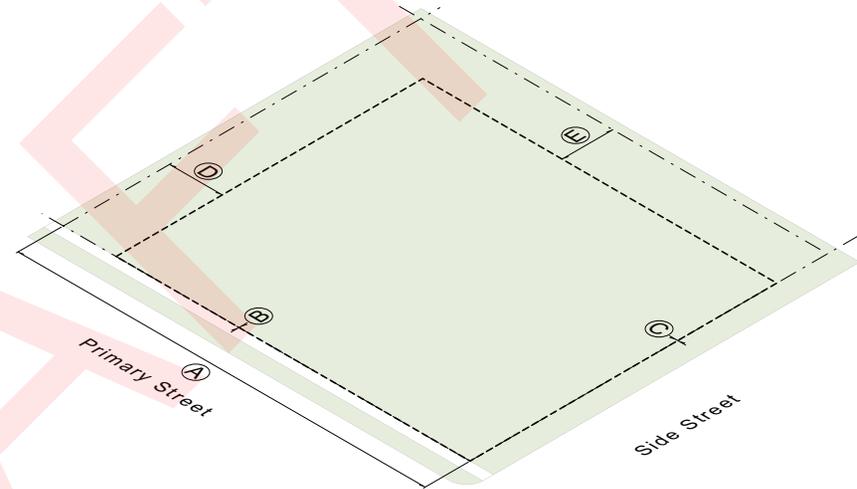
#### a. Allowed Uses.

1. **Allowed Residential Use Categories.** All group living [SUP required]; all social service;
2. **Allowed Public Use Categories.** All civic; all parks & open space; all minor utilities; all major utilities;
3. **Allowed Commerce Use Categories.** All commercial parking; all day care [SUP Required]; all indoor recreation, except: *sexually oriented business [SUP required]*; all medical; all office; all outdoor recreation [SUP required] except: *hunting and fishing preserve [prohibited], retreat center [prohibited]*; all overnight lodging; all passenger terminal; all personal service; all restaurant/bar; all retail sales [prohibited], except: *art studio/gallery, convenience store with gas, convenience store without gas, dry cleaning*; all vehicle sales; all water-oriented;
4. **Allowed Employment Use Categories.** All industrial; all heavy commercial; all research & development; all self-service storage; all vehicle service; all warehouse & distribution; all waste-related service [SUP required], except: *landfill [prohibited], recycling facility [permitted by right]*; all wholesale trade;
5. **Allowed Open Use Categories.** All agriculture, except: *agricultural airstrip [SUP required]*.

#### b. Maximum Density. Not applicable.

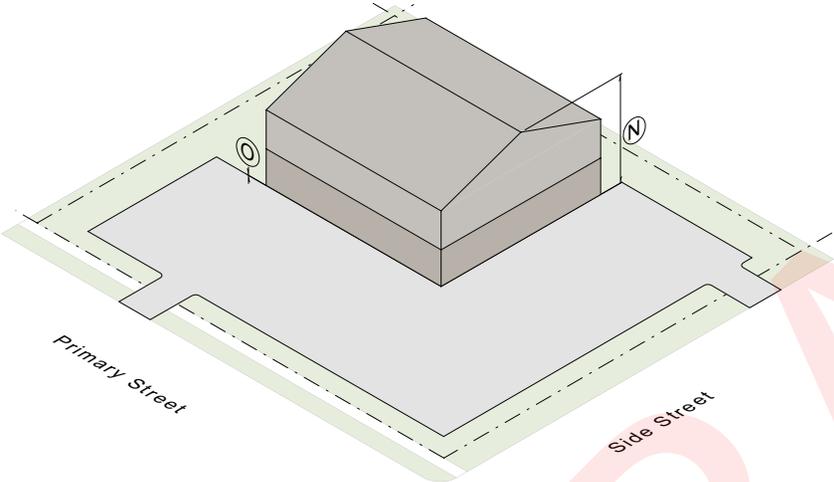
#### c. Development Standards.

##### 1. Lot and Setback Requirements



Lot	
Area (min square feet)	8,000
Building coverage (max)	100%
Impervious coverage (max)	100%
(A) Width (min)	60'
Structure Setbacks	
(B) Front (min)	20'
(C) Side, street (min)	7'
(D) Side, interior (min)	7'
(E) Rear (min)	10'

2. Building Requirements



<b>Principal Structure Height</b>	
Ⓧ Stories (max)	n/a*
Ⓧ Feet (max)	n/a*
Ⓚ Ground story elevation (min)	n/a
<b>Bulk Plane</b>	
Bulk Plane abutting R-AG-5 thru R-3-Z districts (1:1 above 40') required	Yes
<b>Accessory Structure Height</b>	
Ⓛ Stories (max)	2
Ⓛ Feet (max)	30'

\*Subject to Fire Department Approval

## Sec. 22-2(b)(22) TND District Regulations

### Traditional Neighborhood Development

#### a. Applicability.

The standards outlined in this zoning code for TND Districts apply to TND projects approved after [effective date of this zoning code].

#### b. Allowed Uses.

1. Allowed uses are established on an approved concept plan approved by City Council following the process outlined in Sec. 22-XX Traditional Neighborhood Development. The following uses are specifically prohibited:
  - a. **Prohibited Residential Use Categories.** All social service;
  - b. **Prohibited Public Use Categories.** All major utilities;
  - c. **Prohibited Commerce Use Categories.** All indoor recreation; all medical; all outdoor recreation; all overnight lodging, except Bed and Breakfast; all passenger terminal; animal care; all vehicle sales; all water-oriented;
  - d. **Prohibited Employment Use Categories.** All employment use categories;
  - e. **Prohibited Open Use Categories.** All open use categories.
2. At the completion of each phase of a traditional neighborhood development, a final certificate of occupancy shall not be issued by the City until such time that a mixture of all uses have been completed in the subject phase in proportion to uses shown in the approved site plan.

#### c. Maximum Density.

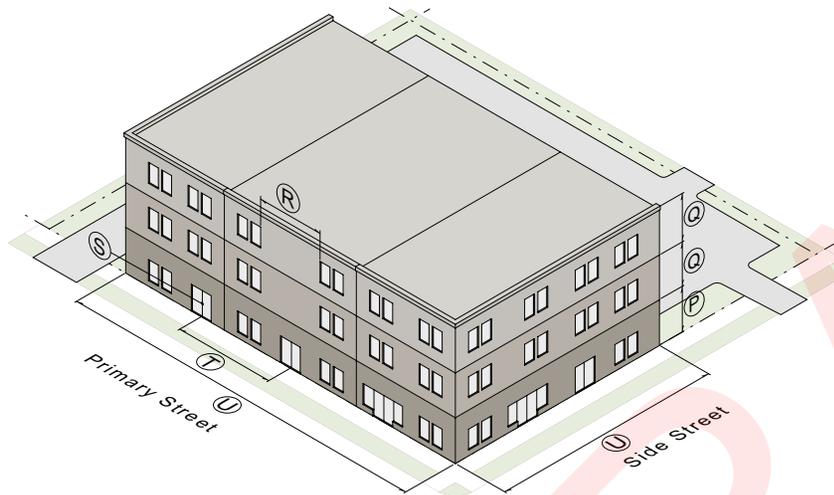
Maximum density is established on an approved concept plan approved by City Council following the process outlined in Sec. 22-XX Traditional Neighborhood Development.

#### d. Development Standards

1. **Minimum project size.** 100 acres
2. **Minimum required open space.** 20 percent.
3. **Building setbacks.** All building setbacks shall be established on an approved concept plan approved by City Council following the process outlined in "Sec. 22-6(b)(8) Traditional Neighborhood Development (TND)".
4. **Maximum structure height.** None, subject to Fire Department approval.
5. **Building Orientation.**  
Buildings shall have their primary entrance facing the primary street. For developments with ground-floor residential units, each unit shall have its entrance directly accessible from the street, with a direct connection from the sidewalk to the front door of the residential that is a minimum of five (5) feet wide.
6. **Building entries.**
  - a. Primary street-level entries shall be made visually prominent and receive architectural emphasis. Possible techniques to accomplish this include but are not limited to:
    - i. Recessed entries;
    - ii. Corner entries;
    - iii. Projecting entries, including porches, canopies and articulated lintels above the doorway;
    - iv. Pilasters or columns supporting and/or framing the entrance;
    - v. Elevated entries with transparent stairways that are compatible with the architecture; or
    - vi. Landscape treatments that connect the public realm to the private realm.
  - b. A minimum of 50 percent of a required entrance must be transparent.

- c. A required fire exit door with no transparency may front on a primary, side, or service street.

**7. Transparency, Entry and Massing Requirements.**



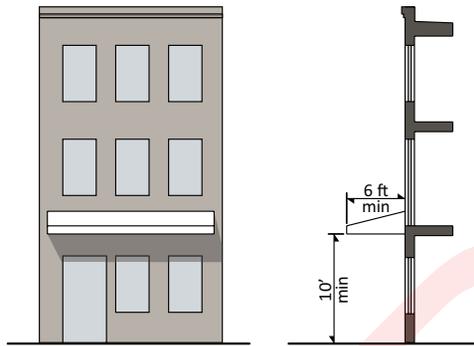
<b>Transparency</b>	
Ⓟ Ground story (min)	40%
Ⓠ Upper story (min)	20%
Ⓡ Blank wall area (max)	30'
<b>Building Entrance</b>	
Ⓢ Street facing entrance required	yes
Ⓣ Entrance spacing (max)	100'
<b>Building Mass</b>	
Ⓤ Building length (max)	150'

- 8. All Other Building Frontages.** All other street-facing facades, other than those facing an alley, shall comply with the transparency requirements of this district or have at least five of the following elements incorporated into the street-facing facade:

- a. Concrete or masonry plinth at the base of the wall;
- b. Belt courses of a different texture and color;
- c. Projecting cornice;
- d. Decorative tile work;
- e. Medallions;
- f. Opaque or translucent glass;
- g. Artwork or wall graphics;
- h. Lighting fixtures;
- i. Green walls; or
- j. Architectural elements not listed above, if approved by the Administrator.

9. Awnings and Canopies

- a. A ground-story awning or canopy must have a minimum clearance of 10 feet above the sidewalk and must have a minimum depth of six feet.
- b. An awning or canopy may encroach into the front setback. No awning may encroach into the public right-of-way without a license for the use of that right-of-way.



# SEC. 22-3 USE PROVISIONS

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## Sec. 22-3(a) Allowed Uses

### 22-3(a)(1) General Provisions

#### a. Use Categories

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

#### b. Principal Uses

Allowed principal uses by district are listed in the Allowed Use Table in "22-3(a)(3) Allowed Use Table". Principal uses are grouped into use categories outlined in "Sec. 22-3(b) Use Categories". The uses listed are not an exhaustive list. When a proposed use is not identified on the allowed use table or in "Sec. 22-3(b) Use Categories", the Administrator may determine that the proposed use is sufficiently similar to an identified use.

#### c. Accessory Uses

Accessory uses are allowed in conjunction with an allowed principal use as set forth in "Sec. 22-3(h) Accessory Uses".

#### d. Temporary Uses

Temporary uses are allowed as set forth in "Sec. 22-3(i) Temporary Uses".

### 22-3(a)(2) Uses Not Listed

- A. The Administrator is responsible for categorizing all uses. If a proposed use is not listed in a use category, but is similar to a listed use, the Administrator may place the proposed use under that use category.
- B. When determining whether a proposed use is similar to a listed use in "Sec. 22-3(b) Use Categories", the Administrator will consider the following criteria:

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

### 22-3(a)(3) Allowed Use Table

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

#### a. Allowed by Right (■)

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

#### b. Special Use Permit (□)

Indicates a use may be permitted in the respective district only where approved by the City Council in accordance with "Sec. 22-6(b)(6) Special Use Permit". Special use permits are subject to all other applicable requirements of this zoning code, including all applicable use standards.

**c. Approved Concept Plan (\*)**

Indicates a use may be allowed in the respective district only where approved by the City Council as part of an approved concept plan in accordance with "Sec. 22-6(b)(8) Traditional Neighborhood Development (TND)". Unless otherwise modified by the City Council, uses allowed as part of an approved concept plan are subject to all other applicable requirements of this zoning code, including all applicable use standards.

**d. Blank Cell**

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

**e. Use Standard**

A cross-reference to any associated use standard established in "Sec. 22-3(c) Residential Use Standards" through "Sec. 22-3(g) Open Use Standards". Where no cross-reference is shown, no additional use standard applies.

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	N-CON	R-AG-5	R-3-NC	R-15	R-10	R-8	R-6	R-3-Z	R-3-D	R-3-TH	R-3-M	R-3-E	R-3-M25	R-3-MU	B-1	C-1	C-2	C-MS	E-1	I-1	SP-TND	Use Standard
<b>Residential Use Categories</b>																						"22-3(c)(1) All Residential Uses"
Household living:																						
All detached living except as listed below:		■	■	■	■	■	■	■	■	□	□	□									*	"22-3(c)(2) Detached Living"
Cottage homes							□	■	■	□											*	"22-3(c)(2) Detached Living"
Attached living								□	■	■	■	■	■								*	"22-3(c)(3) Multifamily Living"
Multifamily living										□	■	■	■	■				■			*	"22-3(c)(3) Multifamily Living"
Upper-story living											■	■	■	■							*	"22-3(c)(3) Multifamily Living"
Manufactured home park			■																		*	"22-3(c)(4) Manufactured Home Park"
Camps	□	■	□																		*	"22-3(c)(4) Manufactured Home Park"
All group living				□	□	□	□	□	□	□	■	■	■	■	□	■	■	□	■	□	*	"22-3(c)(5) Group Living"
All social service														□	□	■	■	□	■	■	*	"22-3(c)(5) Group Living"
<b>Public Use Categories</b>																						
All civic	□	■	■	■	■	■	■	■	■	■	□	□	■	■	■	■	■	□	■	■	*	"22-3(d)(1) Civic"
All parks & open space	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	*	"22-3(d)(2) Parks and Open Space"
All minor utilities	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	*	"22-3(d)(3) Minor Utilities"
All major utilities	□	□	□	□	□	□	□	□	□	□	□	□	□	□	□	□	□	□	□	■		"22-3(d)(4) Major Utilities"
<b>Commerce Use Categories</b>																						
All commercial parking													□	□	□	■	■	□	■	■	*	"22-3(e)(1) Commercial Parking"
All day care		□	□	□	□	□	□	□	□	□	■	■	■	■	■	■	■	■	■	□	*	"22-3(e)(2) Day Care"
All indoor recreation except as listed below:														■		■	■	■	■			"22-3(e)(3) Indoor Recreation"
Adult oriented establishment																				□		
All medical												□		■	■	■	■	■	■	■		
All office														■	■	■	■	■	■	■	*	
All outdoor recreation, except as listed below:		□	□												□	□	□		■	■		"22-3(e)(4) Outdoor Recreation"
Golf courses		□	□	□	□	□	□	□	□						□	□	□		■	■		
Campground, travel trailer park, RV park																				□		"22-3(e)(4) Outdoor Recreation"
Horse stable, riding academy equestrian center	□	■	■													□	□		□	■		"22-3(e)(4) Outdoor Recreation"
Hunting and fishing preserve	■	■	■																			"22-3(e)(4) Outdoor Recreation"
Retreat center	■	■	■																			"22-3(e)(4) Outdoor Recreation"
All overnight lodging except as listed below:														■		■	■	■	■	■		
Bed and breakfast		□			□	□	□	□	□	□	□	□	□	■	■	■	■	■	■	■	*	
All passenger terminal														□		□	□		■	■		

KEY: ■ Allowed by right    □ Allowed by special use permit    \* May be allowed by the City Council as part of an approved concept plan

Blank cell = Not allowed

	N-CON	R-AG-5	R-3-NC	R-15	R-10	R-8	R-6	R-3-Z	R-3-D	R-TH	R-3M	R-3E	R-3-M25	R-3-MU	B-1	C-1	C-2	C-MS	E-1	I-1	SP-TND	Use Standard
<b>Commerce Use Categories (continued)</b>																						
All personal service, except as listed below:															■	■	■	■	■	■	*	"22-3(e)(5) Personal Service"
Animal care		□													■	■	■	■	■	■		"22-3(e)(5) Personal Service"
All restaurant/bar										□	□	□			■	□	■	■	■	■	*	"22-3(e)(6) Restaurant/Bar"
All retail sales except as listed below:															■		■	■	■	■	*	"22-3(e)(7) Retail Sales"
Art studio/gallery		□	□								■	■	■		■	■	■	■	■	■	*	"22-3(e)(7) Retail Sales"
Convenience store w/ gas														□		■	■	□	■	■		"22-3(e)(7) Retail Sales"
Convenience store w/o gas										□	□	□			■	■	■	■	■	■	*	"22-3(e)(7) Retail Sales"
Dry cleaning										□	□	□			■	■	■	■	■	■	*	"22-3(e)(7) Retail Sales"
All vehicle sales															■	■	■	□	■	■		"22-3(e)(8) Vehicle Sales"
All water-oriented		□													■	■	■	□	■	■		
<b>Employment Use Categories</b>																						
All industrial																				■		
All heavy commercial														□			■	■	■	■		"22-3(f)(1) Heavy Commercial"
All research & development															■		■	■	■	■		
All self-service storage except as listed below:															■		■	■	■	■		"22-3(f)(2) Self-Service Storage"
Mini-warehouse															■		■	■	■	■		"22-3(f)(2) Self-Service Storage"
Indoor multi-story															■	□	■	■	■	■		"22-3(f)(2) Self-Service Storage"
All vehicle service														□		■	■	□	■	■		"22-3(f)(3) Vehicle Service"
All warehouse & distribution																	■	□	■	■		"22-3(f)(4) Warehouse and Distribution"
All waste-related service except as listed below:																					□	
Landfill																						
Recycling facility																		□	□	■		
All wholesale trade																					■	
<b>Open Use Categories</b>																						
All agriculture, except as listed below:	■	■	■																■	■		"22-3(g)(1) Agriculture"
Agricultural airstrip																			□	□		"22-3(g)(1) Agriculture"
All resource extraction		□	□																		■	

**KEY:** ■ Allowed by right    □ Allowed by special use permit    \* May be allowed by the City Council as part of an approved concept plan  
Blank cell = Not allowed

## Sec. 22-3(b) Use Categories

### 22-3(b)(1) Residential Use Categories

#### a. Household Living

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

**Example Uses:**

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

#### b. Group Living

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

**Example Uses:**

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

#### c. Social Service

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

**Example Uses:**

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

### 22-3(b)(2) Public Use Categories

#### a. Civic

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

**Example Uses:**

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

#### b. Parks & Open Space

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

**Example Uses:**

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

**c. Utilities**

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

**Example Uses:**

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

**22-3(b)(3) Commerce Use Categories**

**a. Commercial Parking**

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

**Example Uses:**

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

**b. Day Care**

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

**Example Uses:**

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

**c. Indoor Recreation**

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

**Example Uses:**

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

#### d. Medical

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

**Example Uses:**

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

#### e. Office

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

**Example Uses:**

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

#### f. Outdoor Recreation

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

**Example Uses:**

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

#### g. Overnight Lodging

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

**Example Uses:**

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

#### h. Passenger Terminal

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

**Example Uses:**

1. Airport, heliport

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

**i. Personal Service**

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

**Example Uses:**

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

**j. Restaurant/Bar**

Establishments that prepare and sell food or drink for on- or off-premise consumption. In accordance with Louisiana Revised Statute 26 Alcoholic Beverages, to be considered a restaurant, a business' average monthly revenue from food and non-alcoholic beverages must exceed 50% of its total average monthly revenue from the sale of food, non-alcoholic beverages, and alcoholic beverages.

**Example Uses:**

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

**k. Retail Sales**

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

**Example Uses:**

1. Sale, lease or rental of alcoholic beverages, antiques, appliances, art supplies, baked goods, bicycles, books, building supplies, cameras, carpet and floor coverings, crafts, clothing, computers, convenience goods, dry goods, electronic equipment, fabric, flowers, fuel (including gasoline and diesel fuel), furniture, garden supplies, gifts or novelties, groceries, hardware, home improvement, household products, jewelry, medical supplies, music, musical instruments, office supplies, package shipping, pets, pet supplies, pharmaceuticals, photo finishing, picture frames, plants, printed materials, produce, souvenirs, sporting goods, stationery, tobacco, used or secondhand goods, vehicle parts and accessories, videos, and related products.
2. Art studio, gallery
3. Check cashing
4. Drop-in child care center
5. Pawnshop
6. Seafood market, farm stand
7. Convenience store(with gas)
8. Convenience store (without gas)
9. Dry-cleaning or laundry drop-off facility

### I. Vehicle Sales

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

**Example Uses:**

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

### m. Water-Oriented

Uses that require direct access to navigable waters.

**Example Uses:**

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

## 22-3(b)(4) Employment Use Categories

### a. Industrial

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

**Example Uses:**

1. Animal processing, packing, treating, and storage, livestock or poultry slaughtering, concentrate plant, processing of food and related products, production of lumber, tobacco, rubber, leather, clay, bone, plastic, stone, or glass materials or products, commercial feed lot

2. Bulk storage of flammable liquids, chemical, cosmetics, drug, soap, paints, fertilizers and abrasive products
3. Earth moving, heavy construction equipment, transportation equipment
4. Detention center, jail, prison
5. Fabricated metal products and machinery
6. Impound lot, wrecker service includes vehicle wreckers, auto storage
7. Labor hall, leather and leather products includes tanning and finishing
8. Manufactured or modular housing sales
9. Scrap metal processors, sawmill, secondary materials dealers
10. Trailer leasing, auction vehicle, broker vehicle, pawn shop vehicle
11. Tire recapping, tobacco products, transportation equipment

### b. Heavy Commercial

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

**Example Uses:**

1. Brewery, winery
2. Bus or rail transit vehicle maintenance or storage facility
3. Contractors storage including janitorial and building maintenance service, exterminator, or other maintenance yard or facility, building, heating, plumbing, landscaping or electrical contractor and others who perform services off-site, but store equipment and materials or perform fabrication or similar work on-site
4. Crematorium, pet crematorium
5. Electronics service center
6. Food beverage products except animal slaughter, stockyards

7. Lawn, tree or garden service
8. Laundry, dry-cleaning, and carpet cleaning plants
9. Leather and leather products except tanning and finishing
10. Lumberyard and wood products, sheet metal shop, soft drink bottling
11. Stone, clay, glass, and concrete products
12. Bulk mailing service
13. Clothing, textile apparel manufacturing
14. Office showroom/warehouse
15. Printing, publishing, and lithography
16. Production of artwork and toys, sign-making, movie production facility, photo-finishing laboratory
17. Repair of scientific or professional instruments and electric motors
18. Sheet metal, welding, machine, tool repair shop or studio
19. Woodworking, including cabinet makers and furniture manufacturing

#### **c. Research and Development**

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

##### **Example Uses:**

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

#### **d. Self-Service Storage**

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

##### **Example Uses:**

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

#### **e. Vehicle Service**

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

##### **Example Uses:**

1. Audio and alarm system installation, custom accessories, quick lubrication facilities, auto detailing, minor scratch and dent repair, bedliner installation, glass repair/replacement, tire sales and mounting, full- or self-service vehicle wash
2. Alignment shop, body shop, engine replacement or overhaul, repair of cars, trucks, RVs and boats, repair or replacement of brakes, shocks, mufflers and transmissions
3. Service station
4. Towing service, truck service, vehicle towing station

#### **f. Warehouse and Distribution**

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

##### **Example Uses:**

1. Bulk storage, including nonflammable liquids, cold storage plants, including frozen food lockers, household moving and general freight storage, separate warehouse used by retail store such as furniture or appliance store

2. Bus barn
3. Commercial packing for fruits and vegetables
4. Distribution facility, central postal facility
5. Freight, service facility
6. Outdoor storage yard
7. Parcel services
8. Railroad switching yard, freight terminal, piggyback yard
9. Transfer and storage business where there are no individual storage areas or where employees are the primary movers of the goods to be stored or transferred
10. Temporary trailer storage or drop off lot
11. Truck or motor freight terminal, service facility
12. Trucking operation
13. Warehouse

#### **g. Waste-Related Service**

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

**Example Uses:**

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

#### **h. Wholesale Trade**

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

**Example Uses:**

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

### **22-3(b)(5) Open Use Categories**

#### **a. Agriculture**

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

**Example Uses:**

1. Agricultural airstrip
2. Animal raising including horses, hogs, cows, sheep, goats, and swine, poultry, rabbits, and other small animals, apiculture, aquaculture, dairying, personal or commercial animal breeding and development
3. Crop production, soil preparation, agricultural services, large animal and veterinary services, farm labor and management services
4. Floriculture, horticulture, pasturage, row and field crops, viticulture, tree or sod farm, silviculture, sale of agriculture products
5. Fish hatcheries and preserves
6. Grain, fruit, field crop and vegetable cultivation and storage

7. Hunting, trapping and game propagation
8. Livestock, horse, dairy, poultry and egg products
9. Livestock auction
10. Milk processing plant
11. Packing house for fruits or vegetables
12. Plant nursery, plant nursery with landscape supply
13. Poultry slaughtering and dressing
14. Timber tracts, forest nursery gathering of forest products

#### b. Resource Extraction

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

##### Example Uses:

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

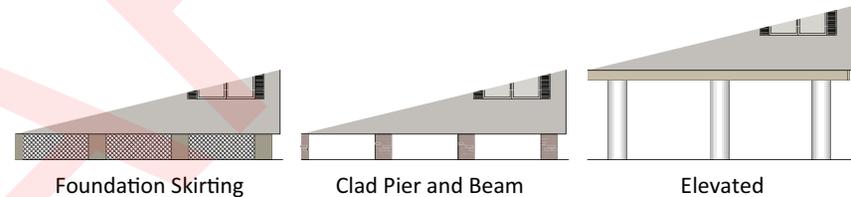
## Sec. 22-3(c) Standards for Residential Uses

### 22-3(c)(1) All Residential Uses

#### A. Foundations

##### 1. General Foundation Treatments Required

- a. All residential buildings must be built upon a permanent foundation.
- b. One of the following foundation treatments must be applied to new residential buildings not built on a slab foundation.

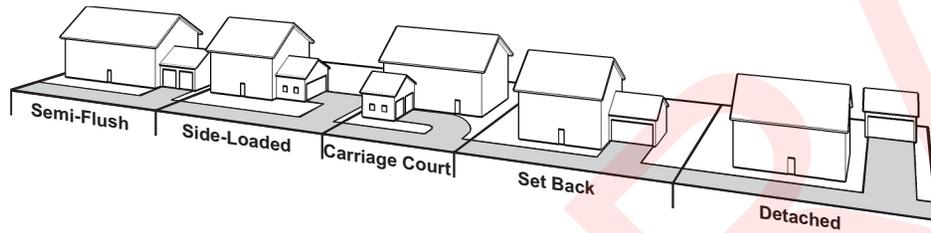


- i. Foundation Skirting. A curtain skirting wall constructed of brick, stone, lattice or a siding material consistent with the siding material used on the primary building. Additional materials may be approved by the Administrator.
  - ii. Clad Pier and Beam. Traditional pier and beam treatment, provided that the piers are clad in brick or other material approved by the Administrator.
  - iii. Elevated. In the event that the ground story elevation of the residential building type is in a flood prone area and is more than 60 inches above the natural grade; the foundation may be treated with either one of the above mentioned methods or may be left without skirting.
- c. All foundation treatments shall be in accordance with applicable building code regulations.
  - d. All skirting shall be installed under the perimeter of the home and shall be uninterrupted except for required ventilation and access. If required due to flood regulations, skirting must be designed to

breakaway during a flood event to allow water to freely move underneath the home.

**B. Garage and Carport Placement**

1. In addition to the standards provided below, attached garages and carports are considered part of the principal structure and must meet all applicable requirements for the principal structure.
2. Garages for Detached and Attached Living
  - a. Street facing garages and carports are not permitted on lots 40 feet or less in width.
  - b. Street-facing garages and carports must be positioned as described below, however, carports are not permitted in the carriage court form.



- i. Semi-Flush. Garage or carport is positioned between three and 10 feet behind the front wall plane, extending no more than 30 percent of the width of the building.
- ii. Side-Loaded. Garage or carport face is oriented perpendicular to the street and at least three feet behind the front wall plane. Windows must cover a minimum of 15 percent of the street-facing garage façade.
- iii. Carriage Court. Carriage courts are allowed only on lots at least 70 feet wide. Garage is oriented perpendicular to the street. Windows must cover a minimum of 15 percent of the street-facing garage façade.

- iv. Set Back. Garage or carport is positioned more than 10 feet behind the front wall plane of the building.
- v. Detached. Garage or carport is positioned to the rear of the principal building.

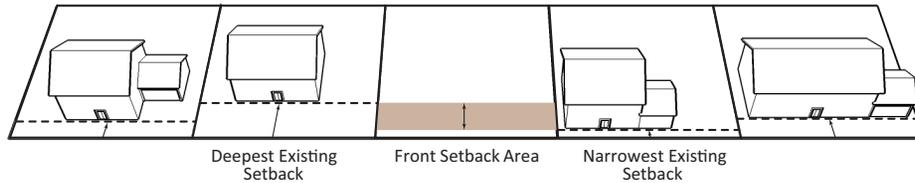
**3. Rear Loaded Garages for Attached Living**

- a. Rear loaded tuck-under parking is desired.

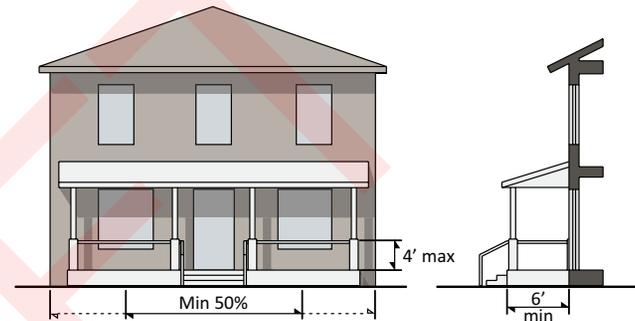
**22-3(c)(2) Detached Living**

**A. Infill Standards**

1. Intent. The following standards are intended to accommodate infill development in a residential district consisting predominately of single-family houses. They have been crafted to allow an applicant and the Administrator to look to the surrounding character for guidance. These standards are intended to encourage reinvestment in existing neighborhoods and reinforce the traditional character of established residential neighborhoods.
2. Applicability. The infill development standards shall be applied to any residential project that is less than two acres in size and is located within a residential district consisting predominately of single-family houses legally established before 1950.
3. Residential projects two acres or more in size or in areas constructed after 1950 shall follow the applicable district standards.
4. Front Setbacks. Structures shall be located within the range of front setbacks on the street. This range of setbacks is measured on the basis of the four lots surrounding the project site (the two closest lots in either direction along the street). The new structure shall be located within the range of setbacks (no closer than the narrowest setback, no further than the deepest setback). Where a setback in these four lots is significantly out of the range of setbacks along the street, it may be eliminated from the range. Where the calculation of a range of setbacks is not practicable, the structure shall meet the district standards.



5. Height. The maximum building height shall be 1.5 times the average building height of the four lots surrounding the project site (the two closest lots in either direction along the same side of the street). In no case shall the infill development be restricted to less than 2 stories or an additional 12 feet taller than the calculated average.
6. Garages and Carports. Street-facing garages and carports may be allowed where an alley is not present and street-facing garages or carports are part of the dominant character of properties fronting on the same block face. Any new garage or carport shall meet the standards of Sec. 22-4(e)(1) Garage and Carport Placement.
7. Front Porches. A front porch is required where front porches are part of the dominant character of properties fronting on the same block face.
  - a. A porch must be a minimum of six feet deep (not including the steps).
  - b. A porch must extend across not less than 50 percent of the building facade from which it projects.
  - c. A porch may be roofed, but not enclosed.
  - d. Partial walls on a porch can be no higher than four feet.
  - e. A porch may encroach into a required setback in accordance with the terms of "Sec. 22-4(a)(4) Setbacks".



8. Ground Floor Elevation. Raised ground floors shall be required where raised ground floors are part of the dominant character of properties fronting on the same block face. Any project that requires a raised ground floor must have a foundation height of at least 18 inches measured from top of grade to the first finished floor. In the event of a demonstrated disability-related hardship, the Administrator may approve an alternative zero-step entry design.
- B. Cottage Homes. Allowed by right in duplex and zero lot line districts, by sup in R-6 and R-TH districts.
1. Site Standards
    - a. Required frontage on public open space: 75% of cottages shall abut public open space
    - b. Public open space: Public open space shall have cottages abutting on at least 2 sides
    - c. Cottage orientation: Cottages adjacent to common open space shall be oriented around and have the main entry from the common open space
    - d. Maximum distances from public open space: Each cottage shall be within 60 feet walking distance of public open space
    - e. Minimum public open space: 400 square feet per cottage
    - f. Minimum private open space: 200 square feet per cottage

- g. Clustering Required: Minimum of 4 and a maximum of 12 cottages per cluster; a development site may contain more than one cluster.
  - h. Parking location: Must be on the same property and located to the side or rear of cottage clusters and not between the street and cottages. Parking is prohibited within front and side setback areas.
  - i. Screening required: Parking and vehicular areas shall be screened from public street and adjacent residential uses by landscaping or architectural screens. For parking lots adjacent to the street, a minimum 10-foot landscape buffer shall be provided between the sidewalk and the parking area. For parking lots along adjacent residential uses, minimum 5-foot landscape buffer shall be required. The Administrator will consider alternative landscaping techniques provided they effectively mitigate views into the parking area from the street or adjacent residential uses and enhance the visual setting for the development.
  - j. Parking configuration: Parking shall be located in clusters of not more than five adjoining uncovered spaces (except where adjacent to an alley). Exceptions will be considered by the Administrator provided alternative configurations improve the visual setting for development.
  - k. Private enclosed garages allowed: Garages may be attached to individual cottages provided all other standards herein are met and the footprint of the ground floor, including garage, does not exceed 1,500 square feet. Such garages shall be located away from the common open spaces.
  - l. Maximum number of driveways: No more than one driveway per cottage cluster shall be permitted, except where clusters front onto more than one street.
2. Building Standards:
- a. Maximum building height: 22 feet
  - b. Bulk: Second floor can be no larger than 50% of the first floor
  - c. Minimum front porch: 80 square feet, with a minimum dimension of 8 feet in any direction
- d. Additional Design Standards for Cottages Facing a Public Street. Alternative design treatments may be considered by the Administrator provided the design treatments provide visual interest to the pedestrian.
- i. Minimum covered entry feature: Six feet by six feet visible from the street
  - ii. Minimum landscaped open space: 10 feet between cottage and street
  - iii. At least two architectural details required: Decorative lighting; Decorative trim; Trellis or decorative building element; and/or Bay window
- e. Character Standards for Each Cottage Cluster. Cottages and accessory buildings within a particular cluster shall be designed within the same "family" of architectural styles. Examples elements include:
- i. Similar building/roof form and pitch;
  - ii. Similar siding materials;
  - iii. Similar porch detailing; and/or
  - iv. Similar window trim;
  - v. A diversity of cottages shall be achieved within a "family" of styles by:
    - a) Alternating porch styles (such as roof forms);
    - b) Alternating siding details on facades and/or roof gables; or
    - c) Different siding color.

### 22-3(c)(3) Multifamily Living

- A. Standards for Increasing Density. These standards are required for multifamily living development, whether part of a mixed use project or not, exceeding 11 dwelling units per acre. These standards ensure that medium to high density multifamily housing is attractive, innovative, and high quality, while promoting livability, public safety and a sense of community throughout the City. The regulations identify characteristics of good site

and building design, which contribute to livability, safety, and sustainability, help create a stronger community and foster a quality environment for people utilizing the development and surrounding neighborhood.

1. Site Standards

- a. Site amenity options. Each multifamily development site shall include four of the following seven options:
  - i. Clubhouse;
  - ii. Swimming pool;
  - iii. Dog park;
  - iv. Playground;
  - v. Splash park;
  - vi. Walking/multi-use path; and
  - vii. car wash station.

2. Street and Sidewalk Standards

- a. Enhanced perimeter landscaping.
  - i. A minimum of twenty percent (20%) of the net site shall be landscaped. Required buffer landscaping shall be credited toward the minimum standard. A paved pedestrian walk, when integrated within the landscaped area, may satisfy up to five percent (5%) of this requirement. All landscaped setback areas, landscaped common open spaces, eco-roofs, preserved natural areas and planter areas can be credited toward the minimum landscape standard.
  - ii. At least twenty percent (20%) of the landscape area shall be planted with drought resistant canopy trees, shrubs, groundcovers, perennials and grasses.
  - iii. Landscaping shall be included that provides interest by including a minimum of two (2) of the following:
    - a) Variety in scale;
    - b) Variety in color; and

c) The use of canopy trees, shrubs, perennial grasses, groundcovers and annuals.

- iv. In front of all ground floor units , a minimum of sixty percent (60%) of the street-facing front yard shall be landscaped.
- v. All yard setbacks shall be landscaped and shall have at least 5 canopy trees per one hundred (100) linear feet. Such trees shall be capable of at least twenty-five (25) feet in height and spread at maturity and be not less than ten (10) feet in height and two and one-half (2.5) inches in caliper size at the time of planting.
- vi. Landscaping must be maintained in a healthy growing condition. Any plant material required to meet these standards that dies, must be replaced.

3. Building Standards

- a. Building amenity options. Each multifamily development site shall include three of the following four options:
  - i. Dog wash station,
  - ii. Exercise room,
  - iii. Bike rental/storage/repair,
  - iv. Business center
- b. Interior Corridors Required. Access to individual units above street level that are part of a multifamily development shall be from an interior-facing corridor. Corridors may be air-conditioned or open air breezeways.
- c. Private Balconies. Dwelling units above ground level shall have attached a directly accessible outdoor private space of not less than eighty (80) square feet in area.

**22-3(c)(4) Manufactured Home Park**

All manufactured home parks shall be subject to the following standards:

- A. All manufactured homes shall be installed in a manner consistent with Louisiana Revised Statute 51:912.22.
- B. No manufactured home park may be located on a site less than 10 acres.

- C. Site amenity options. Each manufactured home park development site shall include four of the following six options:
1. Clubhouse,
  2. Swimming pool,
  3. Dog park,
  4. Playground,
  5. Splash park,
  6. Walking/multi-use path
- D. When located within 600 feet of a residential use, a buffer as established in "Sec. 22-4(f)(2) Stie and Landscape Requirements", shall be installed around the property. An equivalent alternative buffer may be approved through the site plan review process established in "Sec. 22-6(b)(5) Site Plan Review".
- E. For the purpose of this section, measurement shall be made in a straight line, without regard to intervening structures or objects, from the nearest property line of the mobile home park, to the nearest property line of the premises where the ground floor residential use is occurring.
- F. All structures, including but not limited to buildings, parking pads and parking spaces shall be set back a minimum of 75 feet from all property lines.

### **22-3(c)(5) Group Living**

- A. No group living facility shall be located within 1,500 feet of any other group living facility.
- B. For the purpose of this section, measurement shall be made in a straight line, without regard to intervening structures or objects, from the nearest property line of the premise where the group living facility is located, to the nearest property line of the premises of any other group living facility.

## **Sec. 22-3(d) Standards for Public Uses**

### **22-3(d)(1) Civic**

#### **a. Police, Fire, EMS Station and Sub-station**

A buffer as established in "Sec. 22-4(f)(2) Stie and Landscape Requirements", shall be installed along any common property line adjacent to a residential use. An equivalent alternative buffer may be approved through the site plan review process established in "Sec. 22-6(b)(6) Site Plan Review".

#### **b. Places of Worship**

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

### **22-3(d)(2) Parks and Open Space**

#### **a. Cemetery and Mausoleum**

1. A cemetery shall be located on a site of at least three acres.
2. A mausoleum which is not located in a cemetery shall be located on a site of at least one acre.
3. All structures six feet in height or over including, but not limited to mausoleums, monuments and buildings, shall be set back at least 20 feet from all property lines.
4. All graves or burial lots shall be set back at least 20 feet from all property lines.
5. A buffer as established in "Sec. 22-4(f)(2) Stie and Landscape Requirements", shall be installed along any common property line adjacent to a residential use. An equivalent alternative buffer may be approved through the site plan review process established in "Sec. 22-6(b)(6) Site Plan Review".

**b. Neighborhood Recreational Fields**

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

- 1. Neighborhood recreational fields may be no larger than four acres.
- 2. A buffer as established in "Sec. 22-4(f)(2) Stie and Landscape Requirements", shall be installed along any common property line adjacent to a ground floor residential use. An equivalent alternative buffer may be approved through the site plan review process established in "Sec. 22-6(b) (5) Site Plan Review".

**22-3(d)(3) Minor Utilities**

**a. Stealth Wireless Communication Device**

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

**1. Height**

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

**2. Setbacks**

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

**3. Aesthetics**

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

**b. Electric, Telephone and Cable Lines**

- 1. Where functionally feasible, all new electric services in the R-15, R-10, R-8, R-6, R-3-D, R-3-Z, R-TH, R-3-M, R-3-E, R-3-M25, R-3-MU, C-MS Dis-

tricts shall be placed underground. Temporary construction service may be permitted above ground.

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

**22-3(d)(4) Major Utilities**

**a. Wireless Communication Tower**

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

**1. Location**

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

- a. The planned equipment would exceed the structural capacity of existing or approved structure and those structures cannot be reinforced to accommodate planned or equivalent equipment at a reasonable cost.

- b. The planned equipment would result in technical or physical interference with or from other existing or planned equipment and the interference cannot be prevented at a reasonable cost.
- c. There is no appropriate existing or pending structure to accommodate the planned equipment.
- d. Other technical reasons that make it impractical to place equipment planned by the applicant on existing or approved structures.

**2. Height**

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

Districts	Tower Height (max)
N-CON, R-AG-5, R-3-NC Districts	150'
R-15, R-10, R-8, R-6, R-3-D, R-3-Z, R-TH, R-3-M, R-3-E, R-3-M25 Districts	120'
R-3-MU, B-1, C-1, C-2, C-MS, TND Districts	150'
E-1, I-1 Districts	200'

**3. Setbacks**

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

**4. Distance and Spacing**

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

**5. Co-Location**

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

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

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

**6. Screening and Fencing**

- a. Existing on-site vegetation shall be preserved to the maximum extent practicable and shall be supplemented as required by the City of Gonzales.
- b. Where the site is within or abuts a residential district, public park, or street, a buffer as established in "Sec. 22-4(f)(2) Stie and Landscape Requirements", shall be installed along the side of the abutting property.
- c. Security fencing shall be required around the base and guy anchors of any tower.

**7. Lighting**

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

## 8. Submittal Requirements

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

- a. A site plan showing property boundaries, tower, guy wire anchors, existing structures, proposed transmission buildings and other accessory uses, access, parking, fences, a landscaping plan and existing abutting land uses around the site.
- b. A study from a professional engineer which specifies the tower height and design including a cross-section of the structure, demonstrates the tower's compliance with applicable structural standards, including a certification that the tower will withstand at a minimum sustained winds in accordance with the appropriate building code, and a description of the tower's capacity, including the number and type of antennas which it can accommodate.
- c. Written statements that the proposed tower will comply with regulations administered by the Federal Aviation Administration, Federal Communications Commission, and all applicable governmental bodies or that the tower is exempt from those regulations; and
- d. A letter of intent committing the tower owner and his or her successors to allow shared use of the tower if capacity exists based on existing and planned use, and if a future applicant agrees in writing to pay any reasonable charge of shared use, the potential use is technically compatible and the future applicant is in good standing.

## 9. Exemptions

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

- a. Regular maintenance or upgrade of antenna elements of any existing wireless communications facility that does not include the addition of any new antenna elements, feed lines, or associated support equipment on the facility or the placement of any new wireless communications facility.
- b. Any government-owned wireless communications facility, upon the declaration of a state of emergency by federal, state, or local government, and a written determination of public necessity by the City

of Gonzales designee; except that such facility must comply with all federal and state requirements. No wireless communications facility shall be exempt from the provisions of this section beyond the duration of the state of emergency.

- c. Antenna-supporting structures, antennae and/or antenna arrays for AM/FM/TV/HDTV broadcasting transmission facilities that are licensed by the Federal Communications Commission.

## Sec. 22-3(e) Standards for Commerce Uses

### 22-3(e)(1) Commercial Parking

#### a. Restrictions in B-1 Districts.

No above-grade parking structures are permitted in B-1 Districts.

### 22-3(e)(2) Day Care

#### a. General

1. A day care facility located in the R-15, R-10, R-8, R-6, R-3-D, R-3-Z, or R-3-TH Districts may only be located in a single-family house.
2. The minimum site for a day care center located on a single-family lot shall be 20,000 square feet.
3. A buffer as established in "Sec. 22-4(f)(2) Stie and Landscape Requirements", shall be installed along any common property line adjacent to a ground floor residential use. An equivalent alternative buffer may be approved through the site plan review process established in "Sec. 22-6(b)(5) Site Plan Review".
4. Sufficient off-street passenger drop-off and loading area shall be provided on-site.

#### b. Adult Day Care Center

1. No adult day care center proposed to be located in the R-15, R-10, R-8, R-6, R-3-D, R-3-Z, or R-3-TH Districts may be located within 1,500 feet of any other adult day care center.
2. For the purpose of this section, measurement shall be made in a straight line, without regard to intervening structures or objects, from the nearest property line of the premise where the adult day care center is located, to the nearest property line of the premises of any other adult day care center.

#### c. Day Care Center For Children

1. These standards apply to Class A Child Day Care Centers as defined by Louisiana Administrative Code Title 48 - Chapter 53. Home Occupation Day Care Centers shall comply with "22-3(h)(2) Home Occupations".
2. The maximum number of children to be accommodated on-site shall be specified. Children who are related to the child care provider by blood or marriage and are kept at the facility shall be counted for purposes of determining enrollment and facility compliance with these standards.
3. Enrollment shall mean the total number of children on-site at any one time.
4. No playground equipment shall be permitted within the front building setback.

### 22-3(e)(3) Indoor Recreation

#### a. Adult Oriented Establishment

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

1. It shall be a violation of this zoning code for a person, corporation, or other legal entity to operate or cause to be operated any adult oriented establishment within 1,500 feet of:
  - a. A duly organized and recognized place of worship;
  - b. A public or private elementary or secondary school;
  - c. A public or private day care facility for children or kindergarten;
  - d. A residential use;
  - e. A public park; or
  - f. Any other adult oriented establishment
2. For the purpose of this section, measurement shall be made in a straight

line, without regard to intervening structures or objects, from the nearest property line of the premise where the adult oriented establishment is located, to the nearest property line of the premises of a place of worship, public or private elementary or secondary school, public or private day care facility for children or kindergarten, residential use, public park or any other adult oriented establishment.

## 22-3(e)(4) Outdoor Recreation

### a. Generally

All outdoor recreational uses located in the R-AG-5, R-3-NC, B-1, C-1, or C-2 Districts that are equipped with outdoor lighting shall be subject to the following standards:

1. When located within 250 feet of a residential use, a buffer as established in "Sec. 22-4(f)(2) Stie and Landscape Requirements", shall be installed around the property. An equivalent alternative buffer may be approved through the site plan review process established in "Sec. 22-6(b)(6) Site Plan Review".
2. For the purpose of this section, measurement shall be made in a straight line, without regard to intervening structures or objects, from the nearest property line of the outdoor recreational use, to the nearest property line of the premises where the residential use is occurring.

### b. Campground, Travel Trailer Park, and RV park

1. No campground, travel trailer park or RV park may be located on a site less than 10 acres.
2. When located within 600 feet of a ground floor residential use, a buffer as established in "Sec. 22-4(f)(2) Stie and Landscape Requirements", shall be installed around the property. An equivalent alternative buffer may be approved through the site plan review process established in "Sec. 22-6(b)(5) Site Plan Review".
3. For the purpose of this section, measurement shall be made in a straight line, without regard to intervening structures or objects, from the near-

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

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

### c. Horse Stable, Riding Academy, Equestrian Center

The following standards apply to all horse stables, riding academies, or equestrian centers in the N-CON, R-AG-5, or R-3-NC Districts.

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

### d. Hunting and Fishing Preserve

The following standards apply to all hunting and fishing preserves in the N-CON, R-AG-5, or R-3-NC Districts.

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

### e. Retreat Center

The following standards apply to all retreat centers in the N-CON, R-AG-5, or R-3-NC.

1. No retreat center may be located on a site less than 40 acres.
2. The buildings located on the site may not cover more than two percent of the site.

3. No single building on the site may be larger than 30,000 square feet.

### 22-3(e)(5) Personal Service

#### a. Animal Care

1. Outdoor runs shall only be permitted in the R-AG-5, C-1, C-2, E-1, and I-1 Districts.
2. Outdoor runs shall only be permitted on sites larger than two acres in size.
3. When located within 250 feet of a residential use, animal care facilities with outdoor runs in the shall install a buffer as established in "Sec. 22-4(f)(2) Stie and Landscape Requirements". An equivalent alternative buffer may be approved through the site plan review process established in "Sec. 22-6(b)(6) Site Plan Review".
4. For the purpose of this section, measurement shall be made in a straight line, without regard to intervening structures or objects, from the nearest property line of the animal care facility, to the nearest property line of the premises where the residential use is occurring.
5. All overnight care of animals in the B-1, C-1, C-2, E-1, or I-1 Districts must occur indoors and all pens, kennels and runs must be located within an enclosed building.

### 22-3(e)(6) Restaurant/Bar

#### a. In General.

1. It shall be a violation of this zoning code for a person, corporation, or other legal entity to operate or cause to be operated any bar within 300 feet of a public playground, or of building used exclusively as a church or synagogue, public library, school, full-time day care center or correctional facility housing inmates, including but not limited to a halfway house.
2. For the purpose of this section, measurement shall be made in a straight line, without regard to intervening structures or objects, from the near-

est property line of the premise where the bar is located, to the nearest property line of the premises of a public playground, or of building used exclusively as a church or synagogue, public library, school, full-time day care center or correctional facility housing inmates, including but not limited to a halfway house.

#### b. Restaurant/Bar Adjacent to Residential Uses

1. A buffer as established in "Sec. 22-4(f)(2) Stie and Landscape Requirements", shall be installed along the common property line adjacent to a residential use. An equivalent alternative buffer may be approved through the site plan review process established in "Sec. 22-6(b)(5) Site Plan Review".
2. Neither drive-thru nor pick-up windows are allowed.
3. No outdoor speakers are permitted.

#### c. Restaurant/Bar in the Residential Multifamily Districts

The following standards shall apply to restaurants or bars allowed by special use permit.

1. Part of the contiguous use shall be within 100 feet of the right-of-way of a street intersection.
2. The use shall be located on the first floor of a two-story or greater building.
3. Maximum floor area of each individual use may not exceed 4,000 square feet.
4. Parking on the lot shall be located at the side or rear of a building and not between the building and the street.
5. Neither drive-thru nor pick-up windows are allowed.

#### d. Restaurant/Bar in the R-3-MU District

The following standards shall apply to restaurants or bars allowed in the R-3-MU District.

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

#### **e. Restaurant/Bar in the C-MS District**

The following additional standards shall apply to restaurants or bars allowed in the C-MS District.

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

### **22-3(e)(7) Retail Sales**

#### **a. Art Studio/Gallery**

The following standards apply to art or photography studios or galleries permitted in the R-3-M, R-3-E, or R-3-M25 Districts.

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

#### **b. Convenience Store with Gas Pumps, Gas Station**

##### **1. General Standards**

- a. The primary building, including the full canopy, shall conform to all building envelope standards.
- b. Gasoline pumps, tanks, vents and pump islands shall be located no closer than 20 feet to any side or rear property line or right-of-way.

- c. No sign of any type or any gasoline pump or tank shall be located within 20 feet of a residential use.
- d. A buffer as established in "Sec. 22-4(f)(2) Site and Landscape Requirements", shall be installed along any common property line adjacent to a residential use. An equivalent alternative buffer may be approved through the site plan review process established in "Sec. 22-6(b)(6) Site Plan Review".

##### **2. Fuel Canopies**

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

##### **3. Single-Bay Automatic Car Wash**

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

- a. The car wash structure shall be located no closer than 50 feet to any side or property line adjacent to a residential use.
- b. The car wash structure shall be constructed of building materials consistent with that of the principal building, including the roof.
- c. When located adjacent to a residential use, the car wash facility shall not operate before 6 AM or after 10 PM.

#### **c. Convenience Store without Gas Pumps**

The following standards apply to convenience stores without gas pumps permitted in the R-3-M, R-3-E, or R-3-M25 Districts.

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

**d. Dry Cleaning Pick Up Station**

The following standards apply to dry cleaning pick up stations permitted in the R-3-M, R-3-E, or R-3-M25 Districts.

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

**22-3(e)(8) Vehicle Sales**

**a. General**

1. A buffer as established in "Sec. 22-4(f)(2) Site and Landscape Requirements", shall be installed along any common property line adjacent to a residential use. An equivalent alternative buffer may be approved through the site plan review process established in "Sec. 22-6(b)(6) Site Plan Review".
2. All outdoor lighting shall be directed downward and shall not glare onto any property occupied by a residential building type.

3. Vehicle display may not be artificially elevated above the general topography of the site.
4. No outside speaker system shall be allowed.

**b. Main Street Districts**

The following additional standards shall apply to all vehicle sales facilities in the C-MS District.

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

## Sec. 22-3(f) Standards for Employment Uses

### 22-3(f)(1) Heavy Commercial

- a. **Limited uses in C-2 Districts.** Heavy commercial uses are limited to indoor only in C-2 Districts.

### 22-3(f)(2) Self-Service Storage

#### a. General

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

#### b. Warehouse, Self-service, Mini-warehouse

1. All storage shall be contained within a fully-enclosed building. However, the outdoor storage of boats, RV's or other similar vehicles may be permitted through the site plan review process. See "Sec. 22-6(b)(5) Site Plan Review".
2. A buffer as established in "Sec. 22-4(f)(2) Stie and Landscape Requirements", shall be installed along any common property line adjacent to a residential use. An equivalent alternative buffer may be approved

through the site plan review process established in "Sec. 22-6(b)(5) Site Plan Review".

3. Where the end wall of a self-service storage building is visible from a public right-of-way, the wall shall be buffered by a hedge that has a mature height of at least six feet.

#### c. Warehouse, Self-Service, Indoor Multi-story

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

### 22-3(f)(3) Vehicle Service

#### a. General

1. A buffer as established in "Sec. 22-4(f)(2) Stie and Landscape Requirements", shall be installed around the property. An equivalent alternative buffer may be approved through the site plan review process established in "Sec. 22-6(b)(5) Site Plan Review".
2. All outdoor lighting shall be directed downward and shall not glare onto any property occupied by a residential use.
3. No outside speaker system shall be allowed.
4. Vehicle storage is prohibited, except for vehicles currently being serviced at the facility.

#### b. Main Street Districts

The following additional standards shall apply to all vehicle service facilities in the C-MS District.

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

### **22-3(f)(4) Warehouse and Distribution**

#### **a. Size limitations in C-2 Districts.**

Warehouse and distribution uses exceeding 10,000 square feet of floor area require an SUP in C-2 Districts.

## **Sec. 22-3(g) Open Use Standards**

### **22-3(g)(1) Agriculture**

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

## **Sec. 22-3(h) Accessory Uses**

### **22-3(h)(1) General**

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

### **22-3(h)(2) Home Occupations**

#### **a. Prohibited Home Occupations**

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

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

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

**b. Allowed Home Occupations**

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

1. The use of the dwelling unit for the home occupation must be clearly incidental and subordinate to its use for residential purposes by its occupants, and must under no circumstances change the residential character of the structure.
2. There must be no change in the outside appearance of the building or premises, or other visible evidence of the conduct of a home occupation.
3. No business, storage or warehousing of material, supplies or equipment is permitted outside of the primary dwelling unit.
4. No equipment or process may be used that creates excessive noise, vibration, glare, fumes, odors, or electrical interference.
5. No display of products are visible from the street.
6. A home occupation is subject to all applicable licenses and business taxes.
7. With the exception of one employee, no persons other than members of the family residing on the premises may be engaged in the home occupation.

8. Storage space and the operation of the business inside the dwelling unit may not exceed 25 percent of the floor area of the residence.
9. No signage is permitted.

**22-3(h)(3) Accessory Dwellings Units**

**a. SUP Required**

An accessory dwelling unit (subject to the standards listed below) may be permitted by the City Council as a special use permit under "Sec. 22-6(b)(6) Special Use Permit".

**b. Standards**

1. The living area of the accessory dwelling unit may not exceed the living area of the principal structure. In no case shall the total floor area of the accessory dwelling unit exceed 1,000 square feet.
2. One additional parking space on the same premises is required for the accessory dwelling unit.
3. The accessory dwelling unit shall be of complimentary design and constructed of building materials consistent with that of the principal building. The Administrator may require elevation drawings to evaluate compliance with this standard.

**22-3(h)(4) Drive-Through Facilities**

- A. A drive-through is permitted in conjunction with a permitted ground floor nonresidential use, except where expressly prohibited elsewhere in this zoning code.
- B. The drive-through facility must orient to an alley, driveway, or interior parking area, and not a street.
- C. None of the drive-through facilities (e.g., driveway queuing areas, windows, teller machines, service windows, kiosks, drop-boxes, or similar facilities) may be located within 20 feet of a street and may not be oriented to a street corner.

- D. The minimum spacing of drive-through facilities receiving access onto the same street is 400 linear feet, measured along that street's block face (same side of street).
- E. Outside speakers are not permitted within 50 feet of another lot in a residential district. Outside speakers, when permitted, must face away from adjacent properties.

## Sec. 22-3(i) Temporary Uses

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

### 22-3(i)(1) Temporary Uses Exempt from Zoning Permit

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

#### a. Garage or Yard Sales

1. As used in this division the term "garage sales" shall mean any sale of what is held out to be or is commonly known as a garage, porch, rummage, backyard, yard, patio sales, moving sale, or flea market or any other type of general sale conducted from or on any premises not located in a zoning district which permits such sales, where goods or articles of any type are held out for sale to the public. This definition shall not include a situation where specific items are held out for sale and all advertisement of such sale specifically names the items to be sold.
2. Frequency of sales.
  - a. No person shall hold, conduct, engage in or participate in any manner or allow a garage sale to be held or conducted on premises under his/her control or ownership more than one (1) time in any three-month period, nor more than three (3) times in any calendar year, and said sale shall not be continued for a period of more than three (3) consecutive days.
  - b. Garage sales shall be supervised and are the responsibility of the occupant or the tenant who occupies the dwelling unit. This person shall not permit vehicles to impede the passage of traffic on any roads or streets in the area of the person's property.
3. Signs.
  - a. No person shall place any cards or placards advertising a garage sale on any property other than property owned by the person conducting the sale without the consent of the owner. Said signs shall not be

posted more than forty-eight (48) hours prior to the sale and shall be removed within twelve (12) hours after the close of the sale.

- b. The display surface of a sign or device shall not exceed four (4) square feet on each side.
  - c. No signs may be posted on any utility pole or in any public right-of-way.
4. Permit required.
- a. No person shall hold, conduct, engage in, or participate, in any manner, in a garage sale without a permit. A separate permit shall be required for each location at which a garage sale is to be held under the provisions of the article.
  - b. An applicant for a permit required by the provisions of this article shall furnish the city with the following information:
    - i. Full name and address of applicant.
    - ii. The location at which the proposed garage sale is to be held.
    - iii. The date or dates upon which the sale shall be held.
    - iv. An affidavit from the applicant to the effect that all goods to be sold at the residential sale are owned by the applicant or that the applicant has written authority from the owner of said goods to sell same at the sale for the owner and have not been obtained for the purpose of reselling them at the sales as a business venture.
    - v. A statement from the applicant that there will be no more than five (5) families participating in or at said garage sale.
  - c. A permit shall be issued for a garage sale for a period not to exceed three (3) consecutive days to any person applying who otherwise complies with the requirements of this Code. The following exception will be allowed:
    - i. If the sale cannot be held because of inclement weather or other emergency causes, and upon the submittal of an affidavit stating the particular reasons why the sale was not held, the city may issue another permit to the applicant for a garage sale to be

conducted at the same location within thirty (30) days from the date when the first sale was to be held.

- d. No fee will be required for this permit.
- e. Nonprofit organizations are exempt from the provisions of this division.

#### **b. Storage Containers**

- 1. One storage container for off-site storage of household or other goods located in any setback is permitted for a maximum of 30 consecutive days in R-3-NC through R-TH districts, and a maximum of 90 consecutive days in other districts.
- 2. The storage container must be placed completely on-site (and is not permitted to be placed in any type of public right-of-way).
- 3. The storage must be placed on a paved surface.

#### **c. Construction Dumpsters**

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

### **22-3(i)(2) Temporary Use Zoning Permit Required**

The following temporary uses are allowed subject to approval of a zoning permit in the frequency stated below except that no property may have more than four of the events listed below in one calendar year. See "Sec. 22-6(b)(2) Zoning Permit".

#### **a. Commercial Circuses, Carnivals or Fairs**

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

#### **b. Temporary Religious or Revival Activities**

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

**c. Special Events**

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

**d. Grand Opening Sales**

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

**e. Other Temporary Uses**

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

D. The following uses in connection with such a project require a temporary use zoning permit:

1. Offices for sale of real estate or for persons engaged in the development.
2. Construction materials storage, general contractor's business office, processing, or fabrication.
3. Equipment storage.
4. Model homes or sample apartments.

**22-3(i)(3) Mobile Home or Trailer for Temporary Use**

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

**22-3(i)(4) Real Estate Development Projects**

- A. A developer may request a temporary use zoning permit for necessary commercial promotional, storage or fabrication activities at a development site that occur during construction of that developer's project. See "Sec. 22-6(b) (2) Zoning Permit".
- B. When the request is for a temporary sales office, model home or apartment, the application must list the lots, apartment units or dwelling units to be initially sold.
- C. The temporary use zoning permit will be restricted to only those activities and properties listed on the petition. Such activities may not include any sale of properties outside the development site or any resale of properties.

# SEC. 22-4 RULES AND DEVELOPMENT STANDARDS

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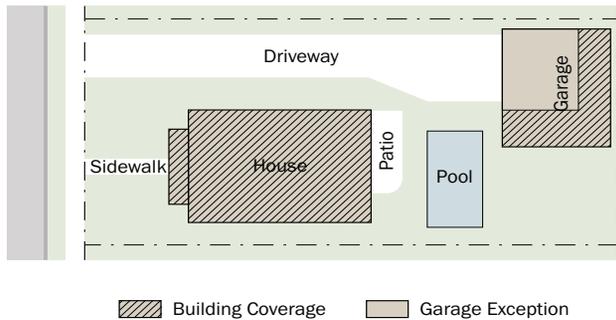
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## Sec. 22-4(a) Measurement & Exceptions

### Sec. 22-4(a)(1) Building Coverage



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

### Sec. 22-4(a)(2) Primary, Side and Service Street Frontage

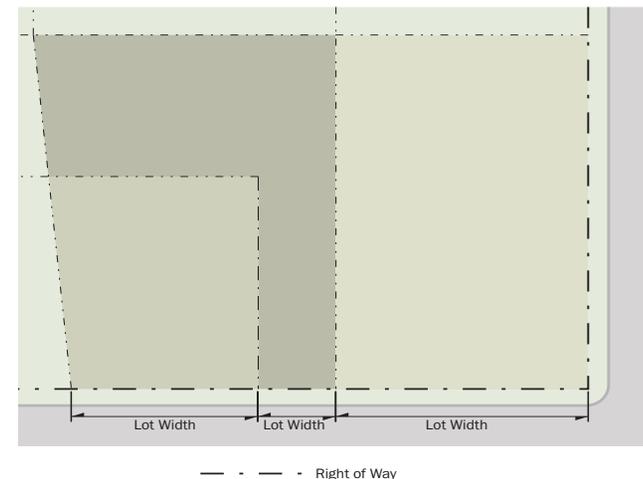
A site's primary, side and service street frontages shall be designated by the Administrator. See "Sec. 22-6(b)(5) Site Plan Review". In making a determination the Administrator shall consider the following standards:

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

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

### Sec. 22-4(a)(3) Lot Width

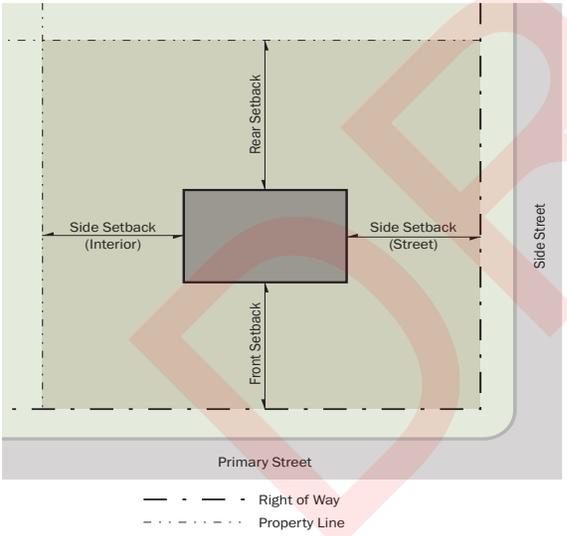
The minimum lot width of all lots shall be measured from side property line to side property line along the right-of-way of the primary street providing access to the lot.



### Sec. 22-4(a)(4) Setbacks

#### A. General

1. No part of a setback or other open space required for any structure or use for the purpose of complying with the provisions of this development code may be included as a part of a setback or other open space similarly required for another structure or use.
2. Front, side street, and parking setbacks are measured from the front lot line or the required right-of-way as determined by the Master Street Plan, whichever creates the greater setback. When the city council by ordinance establishes a specific right-of-way line for a street, the front yard setback is measured from that right-of-way line. Interior side setbacks are measured from the side property line. Rear setbacks are measured from the rear property line or the edge of the right-of-way if there is an alley.



#### B. Build-To Area

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

#### C. Parking Setback

1. On-site surface parking must be located behind the parking setback line, if one is established.

#### D. Encroachments

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

##### 1. Building Features

- a. Chimneys, flues or smokestacks may encroach a maximum of two feet.
- b. Building eaves or roof overhangs may extend up to two feet; provided that such extension is at least two feet from the property line, its lower edge is at least 7½ feet above the ground, and it is located at least five feet from any other building or eave.
- c. Bay windows, entrances and similar features that are less than 10 feet wide may extend up to 3½ feet into the setback but must remain at least five feet from the property line.
- d. Cornices, belt courses, sills, buttresses, or other similar architectural features may project within 2 feet of a lot line.

- e. Unenclosed fire escapes or stairways may project up to four feet.
- f. Unenclosed patios, decks, and terraces may extend up to four feet into a required side setback, or up to eight feet into a required rear setback but may not project within two feet of a common lot line.

## 2. Building Elements

- a. Porches may extend up to eight feet into a required setback but may not project within two feet of a common lot line. A porch may not encroach into the public right-of-way without a license for the use of public right-of-way.
- b. Stoops may extend a maximum of five feet into a required setback but may not project within two feet of a common lot line. A stoop may not encroach into the public right-of-way without a license for the use of public right-of-way.
- c. Balconies may extend up to six feet into a required setback but may not project within five feet of a common lot line. A balcony may not encroach into the public right-of-way without a license for the use of public right-of-way.
- d. Awnings, light shelves, galleries and arcades may extend into a required front setback. Awnings, light shelves, galleries and arcades may not encroach into the public right-of-way without a license for the use of public right-of-way.

## 3. Mechanical Equipment and Utilities Lines

- a. Mechanical equipment associated with residential uses, such as HVAC units and security lighting, may extend into a required rear or side setback but must remain at least four feet from a common lot line.
- b. Solar and wind energy systems may extend into a required rear or side setback, but must remain at least three feet from a common lot line.

- c. Minor structures accessory to utility lines (such as hydrants, manholes, stormwater inlets, and transformers and other cabinet structures) may extend into any required setback.

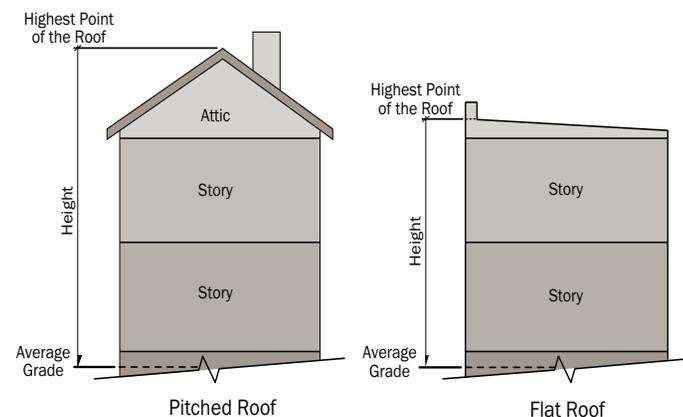
## 4. Other Encroachments

- a. The following encroachments may extend into any required setback.
  - i. Outdoor dining.
  - ii. Fence and walls as set forth in "Sec. 22-4(f)(3) Screening".
  - iii. Benches, trash receptacles, public art, water features, bicycle racks, bollards, planters and other street furniture.
  - iv. Pedestrian lighting.
  - v. Landscaping, sidewalk, trees, tree grates and planters.
- b. Pedestrian amenities such as benches, trash receptacles, galleries, arcades, awnings, and outdoor seating may be allowed in the right-of-way subject to approval by the Public Works Director.

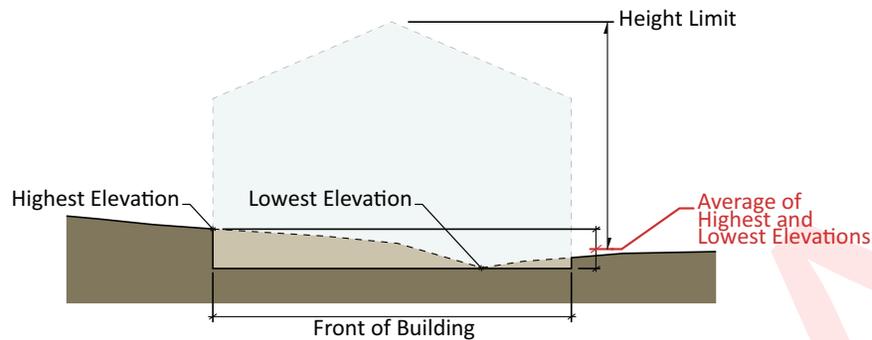
## Sec. 22-4(a)(5) Height

### A. Structure Height

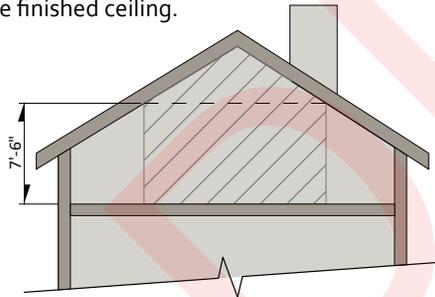
1. Structure height is measured in both number of stories and feet from the average grade to the top of the highest point of the roof.



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



3. A basement with 50 percent or more of its perimeter wall area surrounded by natural grade is not considered a story.
4. An attic is not a story where 50 percent or more of the attic floor area has a clear height of less than 7 1/2 feet; measured from the finished floor to the finished ceiling.



### B. Ground Story Height and Elevation

1. Ground story height is measured from the finished floor to the ceiling above.

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

### C. Height Exceptions

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

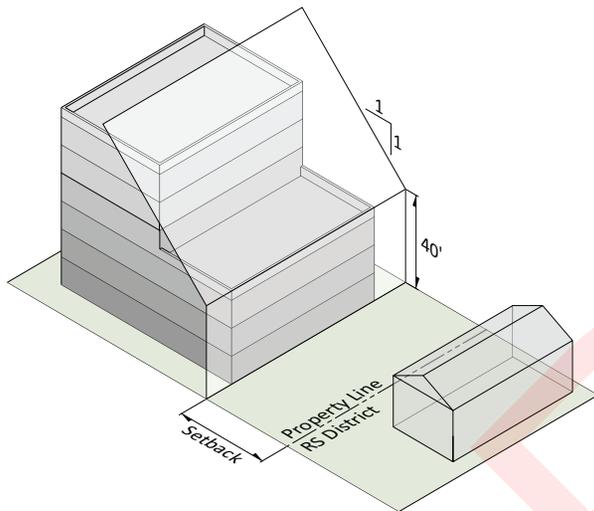
1. Cooling tower;
2. Clerestory;
3. Chimney and vent stack;
4. Elevator penthouse or bulkhead;
5. Flagpole;
6. Mechanical equipment room;
7. Ornamental cupola or dome;
8. Parapet wall, limited to a height of four feet.
9. Roof top deck;
10. Skylights;
11. Solar panels;
12. Spire, belfry;
13. Stairway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

### D. Additional Height

Additional height for principal or accessory structures may be granted through the process under "Sec. 22-6(b)(6) Special Use Permit".

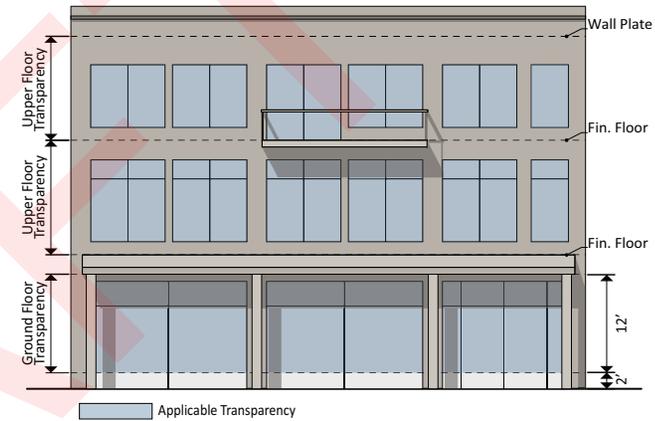
**E. Bulk Plane**

For buildings whose height is limited by a bulk plane as required in "Sec. 22-2 Zoning Districts", no structure shall exceed a bulk plane starting at 40 feet in height at the side or rear setback line, and extending upward one foot for every additional foot into the site from the setback line.



**Sec. 22-4(a)(6) Transparency**

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



- b. Upper floor transparency is measured from between the finished floor of the second story to the top wall plate.
- c. Windows shall not be mirrored or have glass tinted darker than 40% in order to meet this requirement.

**Sec. 22-4(a)(7) Blank Wall Area**



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

## Sec. 22-4(b) Principal Buildings per Lot

### Sec. 22-4(b)(1) One Principal Building Per Tract or Lot

Unless otherwise permitted in "[Sec. 22-4\(b\)\(2\) Multiple Principal Buildings on a Lot](#)", no more than one principal building may be erected on a single lot. Wireless communication towers and facilities, or power lines on a site shall not constitute an additional principal building.

### Sec. 22-4(b)(2) Multiple Principal Buildings on a Lot

#### A. Defined

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

#### B. General

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

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

## Sec. 22-4(c) Accessory Structures

### Sec. 22-4(c)(1) General

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

### Sec. 22-4(c)(2) Accessory Structure Separation

Except in the C-MS, accessory structures shall be separated from all principal structures by a minimum of 10 feet.

## Sec. 22-4(d) Building Standards for All Buildings

### Sec. 22-4(d)(1) General

- a. Purpose and Intent. To provide a range of development standards that promote and encourage consistency in the quality of design and encourage design innovation that provides for a building stock that contributes to the overall quality of life.
- b. Relationship to Other Regulations. In the event of a conflict between this section and other sections of this zoning code, the more restrictive shall apply.

### Sec. 22-4(d)(2) Building Materials

- a. Building Materials.
  1. The following primary building materials shall be utilized on a minimum of sixty-five percent (65%) of the street-facing building facade or greater:
    - a. Brick;
    - b. Stone;
    - c. Stucco;
    - d. Wood siding and wood simulation materials;
    - e. Metal panels, including recycled panels and blocks;
    - f. Fiber reinforced cement siding or panels;
    - g. Ceramic tile; and
    - h. Other as approved by the Administrator.
  2. The following building materials are prohibited as primary cladding on new street-facing building facades and shall not be allowed on more than thirty-five percent (35%) of each individual building facade:
    - a. Corrugated metal;
    - b. Plain concrete block;
    - c. Plain concrete;

- d. Spandrel glass; and
  - e. Sheet pressboard.
3. The following building materials are permitted as accent materials on no greater than five percent (5%) of each individual building façade (e.g., flashing, projecting features, ornamentation, etc.):
- a. Split-faced block (for piers and foundation walls); and
  - b. Gypsum reinforced fiber concrete (for trim elements).
4. The following building materials are prohibited:
- a. T-111 plywood; and
  - b. Exterior Insulation Finishing System (EIFS)

## Sec. 22-4(e) Parking Standards

### Sec. 22-4(e)(1) Applicability

- a. Unless specifically exempted in this zoning code, all existing and proposed development shall provide parking facilities and manage access in accordance with this zoning code. No certificate of occupancy may be issued until these standards have been met.
- b. With the exception of restriping a parking area or other vehicular use area which does not result in a reconfiguration of the parking spaces, any modification to existing parking facilities shall conform to the requirements of this zoning code.
- c. Buildings and uses lawfully existing as of October 17, 1977 may be renovated or repaired without providing additional parking facilities, provided there is no increase in gross floor area or change in use of existing floor area that would increase parking demand. In order to encourage the reuse of existing buildings, any building constructed prior to October 17, 1977 having fewer spaces than required shall be credited with one parking space for each 250 square feet of gross area inside the building without regard to the number of parking spaces, if any, that actually exist on the site.
- d. Where a building or use existed as of October 17, 1977, and the building or use is enlarged in gross floor area or impervious area by 10 percent or 2,000 square feet, whichever is less, parking as specified in this zoning code shall be required for the enlarged area. The addition of an accessory building or structure shall be considered an enlargement of the building or use.
- e. A change in use of a building or use existing as of the effective date of this zoning code shall require additional parking facilities to comply with the requirements of this zoning code for the new use unless:
  - 1. The building is less than 2,000 square feet in floor area; or
  - 2. The new use has the same parking requirement or a lesser requirement than the previous one.

## Sec. 22-4(e)(2) General Provisions

### A. Parking Required

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

### B. Location of Parking Spaces

Unless otherwise approved in an alternative parking plan under "Sec. 22-5(a)8 Alternative Parking Plan" parking spaces shall be located within a district which permits the use that such parking serves, or in a district that permits parking as a principle use.

### C. Clear Sight Distance

No parking lot or vehicular use area shall interfere with a clear sight distance as set forth in "Sec. 22-4(f) Site and Landscaping Standards".

### D. Use of Parking Spaces

Except as provided in "Sec. 22-3(i) Temporary Uses", required parking spaces shall not be used for the storage or sale of merchandise, vehicles for sale, or vehicle repair.

## Sec. 22-4(e)(3) Parking Ratios

### A. Calculation of Ratios

#### 1. Standard Requirements

- a. Every use shall include the number of Parking spaces indicated under the classifications and formulas set forth in this section.
- b. Parking calculations shall include the floor area of all structures and includes outdoor seating areas. Storage areas, halls and bathrooms are excluded from floor area calculations.

#### 2. Mixed Uses

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

including any adjustments made under an approved alternative parking plan under "Sec. 22-5(a)8 Alternative Parking Plan".

### 3. Fractional Measurements

Where fractional spaces result, the parking spaces required shall be rounded to the nearest whole number.

### B. Minimum

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

### C. Required Parking Ratios

Unless specifically reduced in "Sec. 22-4(e)(4) Parking Reductions", the following parking ratios shall apply to all development.

Specific Use	Minimum Parking	
	All Districts, except as noted	C-MS, R-3-MU, and TND Districts
<b>Residential</b>		
Detached living	2.0 per unit, not to exceed 4 spaces	
Accessory dwelling	1.0 per unit, not to exceed 4 spaces	
Attached living	2.0 per unit, not to exceed 4 spaces	
Household Living	1.0 per each studio/unit	1.0 per each studio/unit
	1.0 per each 1 bedroom unit	1.0 per each 1 bedroom unit
	2.0 per each 2 bedroom unit	1.50 per each 2 bedroom unit
	2.50 per each 3 bedroom unit	2.0 per each 3 bedroom unit
Multifamily living, Upper-story living	4.0 per each 4-bedroom unit	4.0 per each 4-bedroom unit
Group Living	All uses	1.0 per 300 SF
Social Service	All uses	1.0 per 300 SF
All other residential uses	2.0 per unit, not to exceed 4 spaces	

	Specific Use	Minimum Parking	
		All Districts, except as noted	C-MS, R-3-MU, and TND Districts
<b>Public</b>			
	Community Center	1.0 per 50 SF of assembly floor area	
	Convention center	1.0 per 50 SF of assembly floor area	1.0 per 65 SF of assembly floor area
	Library or Museum	1.0 per 500 SF	
Civic	Religious Institution	1.0 per 50 SF of assembly floor area	1.0 per 65 SF of assembly floor area
	School	2.0 per each elementary classroom 4.0 per each junior high classroom 10.0 per each senior high classroom	
	All other uses	As determined by Administrator	
Parks & open space	All uses	As determined by Administrator	
Utilities	All uses	As determined by Administrator	
All other public uses		As determined by Administrator	
<b>Commerce</b>			
Day care	All uses	1.0 per 300 SF	1.0 per 400 SF
Indoor recreation	Gaming	1.0 per 50 SF floor area + 1.0 per 100 SF of employee area	
	Theater	1.0 per 5 seats	1.0 per 7 seats
	All other uses	1.0 per 250 SF	
Medical	Hospital	1.0 per 400 sf	1.0 per 500 SF
	Medical, dental office chiropractor	1.0 per 200 SF	1.0 per 250 SF
Office	All other uses	1.0 per 300 SF	1.0 per 400 SF
	All uses	1.0 per 300 SF	
Outdoor recreation	Campground, travel trailer park, RV park	1.0 per space	
	Golf course or country club	3.0 per hole + 2.0 per court	
	Horse stable, riding academy equestrian center	1.0 per each 5 stalls	
	Stadium or arena	1.0 per 4 seats	
	All other uses	1.0 per 5,000 SF (outdoor use area)	

	Specific Use	Minimum Parking	
		All Districts, except as noted	C-MS, R-3-MU, and TND Districts
<b>Commerce (continued)</b>			
Overnight lodging	Bed and breakfast	1.0 per guest room + residential required parking	1.0 per guestroom
	All other uses	1.0 per guestroom + 1 per 300 SF conference, banquet, restaurant	
Passenger terminal	All uses	1.0 per 500 SF of passenger seating area	1.0 per 1,000 SF of passenger seating area
	Animal care, except kennel	1.0 per 200 SF	1.0 per 250 SF
Personal service	Car wash (self-service)	1.0 per bay	
	Health and fitness facility	1.0 per 150 SF	1.0 per 250 SF
Restaurant/Bar	Kennel	1 per 400 SF	
	All uses	1.0 per 150 SF	1.0 per 250 SF
Retail sales	If greater than 100,000 SF	1.0 per 300 SF	1.0 per 330 SF
	Antique store	1 per 500 SF	
	Art studio/gallery	1.0 per 500 SF	
	Building material sales	1.0 per 500 SF	
Vehicle sales	Furniture store	1 per 500 SF	1.0 per 1,000 SF
	All uses	1 per 500 SF indoor area + 1 per 10,000 SF outdoor lot area + 3 per repair bay	
All other commerce uses		1.0 per 250 SF	1.0 per 330 SF
<b>Employment</b>			
Self-service storage	All uses	3 spaces + 1.0 per 100 storage units	
Vehicle service	All uses	3.0 per bay	
Warehouse & distribution	All uses	1.0 per 1,250 SF	
	Heavy equipment sales	1 per 500 SF	
Wholesale trade	All other wholesale trade	1.0 per 1,250 SF	
	All other employment uses	1.0 per 600 SF (office) + 1.0 per 4,000 SF (non-office)	

	Specific Use	Minimum Parking	
		All Districts, except as noted	C-MS, R-3-MU, and TND Districts
<b>Open</b>			
Agriculture	All uses	1.0 per 250 SF GFA (office)	
Agricultural airstrip	All uses	1.0 per 250 SF GFA (office) + 1.0 per 5,000 SF of hanger area	
Resource extraction	All uses	1.0 per 250 SF GFA (office)	

**D. Handicapped Accessible Parking**

Every use shall include the number of handicapped accessible parking spaces set forth below. The location and design of such spaces shall conform to the requirements of the Americans with Disabilities Act.

Total Parking Spaces	Required Handicapped Accessible Parking Spaces
1-25	1
26-50	2
51-75	3
76-100	4
101-150	5
151-200	6
201-300	7
301-400	8
401-500	9
501-1,000	2% of total
over 1,000	20 + 1 for each 100 over 1,000 spaces

**E. Unlisted Uses**

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

**F. Administrative Modification**

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

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

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

**Sec. 22-4(e)(4) Parking Reductions**

Parking may be reduced according to the following standards.

**A. Bus Transit Availability**

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

**B. Provision of Structured Parking**

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

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

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

**D. Tree Preservation**

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

### Sec. 22-4(e)(5) Alternative Minimum Parking

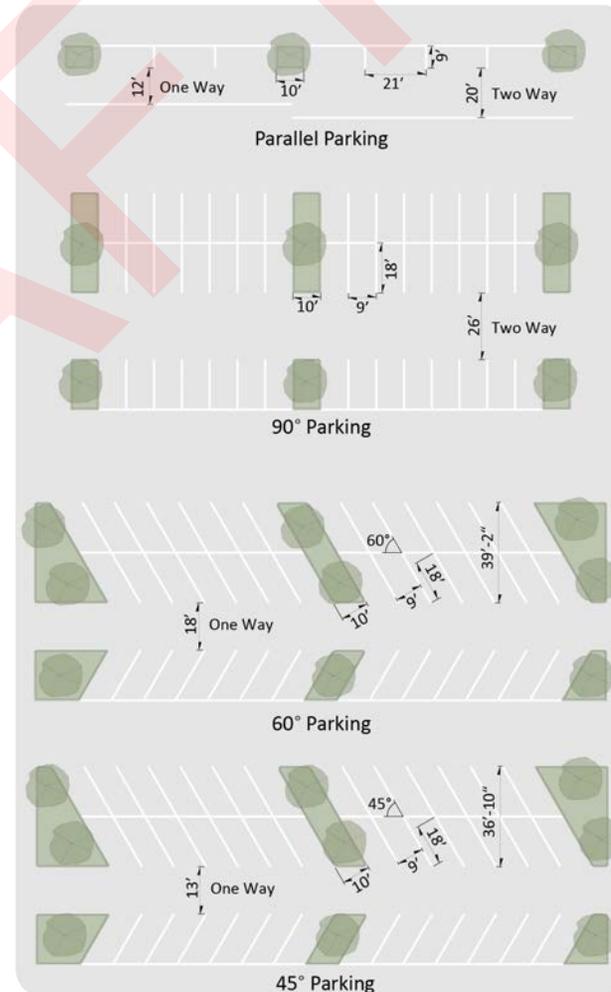
The Administrator may modify the parking requirements in "Sec. 22-4(e)(3) Parking Ratios" when an applicant submits parking data illustrating that the standards do not accurately apply to a specific development. The data submitted for an alternative parking plan shall include, at a minimum, the size and type of the proposed development, and the anticipated peak and average parking loads of all uses. The Administrator may approve a parking requirement that is based on:

- a. An analysis conducted using the Urban Land Institute's data and methodology as described in the most recent version of the publication Shared Parking; or,
- b. The data and methodology as described in the latest version of the Institute of Transportation Engineers publication Parking Generation; or,
- c. An alternative analysis that the Administrator deems to have met the requirements of this section.

### Sec. 22-4(e)(6) Parking Area Design Standards

#### A. Parking Space Layout

1. Non-residential parking spaces shall meet the following:



2. Residential parking spaces shall be a minimum of 9' x 20'.
3. Parking spaces using geometric standards other than those specified above may be approved if developed and sealed by a registered engineer with expertise in parking facility design, subject to a determination by the Administrator that the proposed facility will satisfy these parking requirements as well as would a facility using the dimensions specified above.
4. The minimum dimensional requirements of parking spaces in a structured parking facility shall be shown on a parking plan designed and sealed by a professional engineer and shall be established by the Administrator.

**B. Location Standards**

1. Parking and maneuvering areas shall not be located in any required buffer described in "C. Required Buffers" in this Chapter.

**C. Landscaping and Screening**

Landscaping and screening of parking areas shall be provided in accordance with the requirements of "Sec. 22-4(f) Site and Landscaping Standards"

**D. Surfacing**

**1. Surfacing Required**

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

**2. Pervious Parking Surfaces**

- a. All parking spaces may be surfaced with pervious parking surface that is engineered for parking or driveways.
- b. Where an existing tree is adjacent to parking; paver bricks or other pervious surface shall be used within the dripline of the tree. No

parking shall be located closer than five feet from the trunk of an existing tree.

- c. Where provided, pervious parking surfaces shall be maintained in a smooth, well-graded condition.

**E. Setback**

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

**F. Striping**

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

**Sec. 22-4(e)(7) Bicycle Parking**

Minimum Bicycle Parking Requirements in R-3-MU, C-MS, and TND Districts:

**A. Parking Spaces**

Except where indicated otherwise in this zoning code, every use shall provide one bicycle parking space for every 20 Parking spaces provided to a maximum of 50 bicycle parking spaces. The Planning Director may approve a reduction in the amount of bicycle parking per Section 22-5a-4.1.B., Alternative Minimum Parking.

**B. Exemptions**

1. No bicycle parking spaces shall be required for any of the following:
  - a. Any single family dwelling, two-family dwelling, or group home.
  - b. Any industrial use.

### Sec. 22-4(e)(8) Stacking

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

#### A. Minimum Number of Spaces

Off-street stacking spaces shall be provided as follows:

Facility	Spaces (min)	Measured From
Automated teller machine	2	Machine
Bank teller lane	2	Teller or window
Dry cleaning/laundry	3	Cleaner/laundry window
Pharmacy	3	Pharmacy window
Restaurant drive through	6	Order box/speaker
Restaurant drive through	4*	Order box to pick-up window
Other	Determined by Administrator. Such determination shall consider any study prepared by a registered engineer having expertise in transportation engineering and provided by the special exception applicant.	

\* These spaces are required in addition to the stacking spaces required to be located behind the order box/speaker and shall be located between the pickup window and the order box/speaker.

#### B. Design and Layout

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

##### 1. Dimensions

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

##### 2. Location

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

#### 3. Design

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

### Sec. 22-4(e)(9) Off-Street Loading

#### A. General Requirements

##### 1. Location of Loading Areas and Docks

- a. All required loading areas and docks shall be located on the same lot as the use served unless a central loading facility is incorporated as part of a single development.
- b. All loading docks that abut a residential zoning district or are visible from a public right-of-way shall be completely screened by building walls, a solid concrete or masonry wall, or a door designed to be compatible with the principal building that it serves. The screening wall shall not be less than six nor more than eight feet in height.
- c. No loading dock shall be located within 30 feet of the nearest point of intersection of any two streets.
- d. No loading areas or docks shall be located in a required front or side yard abutting a residential zoning district.

##### 2. Dimensions of Loading Docks

- a. Unless otherwise specified, a required loading dock shall be at least 12 feet in width by at least 35 feet in length exclusive of aisle and maneuvering space, and shall have a vertical clearance of at least 19 feet.
- b. Maneuvering aprons for docks shall be at least 60 feet in length.
- c. Access lanes for docks, shall be 14 feet in width for one-way lanes and 24 feet in width for two-way lanes. Space dedicated for access lanes may also be considered as space for the maneuvering apron.

**3. Access**

Each required loading area or dock shall be designed with appropriate means of vehicular access to a street or alley in a manner which will least interfere with traffic movement, shall be separated from required customer and employee parking, and shall be subject to approval by the Director of the Department of Development.

**B. Required Loading Areas**

Except where indicated otherwise in this zoning code, every use listed in the table below, shall provide the identified number of loading areas or docks with each facility being at least 12 feet wide and 35 feet deep with a vertical clearance of 35 feet.

**C. Receiving Areas**

Uses that require loading facilities that are located in buildings with less floor area than the minimum described in the table below, shall provide adequate receiving facilities accessible by motor vehicles off any adjacent alley, service drive, or open space on the same zoning lot.

Uses	Gross Floor Area of all Buildings or Structures Served (SF)	Number of Loading Areas Required
<b>Residential Uses</b>		
Group living, limited to nursing or care home	over 10,000	1
<b>Public Uses</b>		
Public or private (K-12) schools	10,000 - 100,000 Each additional 100,000 up to 500,000	1 1
<b>Commerce Uses</b>		
Indoor recreation, except theater	Over 10,000	1

Uses	Gross Floor Area of all Buildings or Structures Served (SF)	Number of Loading Areas Required
Medical	10,000 - 100,000 Each additional 100,000	1 1
Office	10,000 - 100,000 Each additional 100,000 up to 500,00	1 1
Overnight Lodging	10,000 - 100,000 Each additional 100,000	1 1
Theater	10,000 - 25,000 Each additional 50,000	1 1
<b>Employment Uses</b>		
Industrial, Heavy Commercial, Research & Development, Warehouse & Distribution, Wholesale Trade	5,000 - 10,000 10,000 - 40,000 40,000 - 100,00	1 1 additional 2 additional

## Sec. 22-4(f) Site and Landscaping Standards

### Sec. 22-4(f)(1) Applicability

These landscape standards shall apply to all developments that meet any of the following categories, with exceptions granted to agricultural uses.

- a. Residential
  1. Building a structure that contains three or more dwelling units.
  2. Developing a new parking lot that contains 10 or more spaces.
- b. Non-residential
  1. Building a structure of greater than one thousand gross square feet.
  2. Converting a residential structure to non-residential use.
  3. Developing a new parking lot that contains 10 or more spaces.
- c. Expansions / Renovations
  1. Multi-family expansion of 10% of the number of units or 10 units, whichever is less.
  2. Cumulative non-residential expansion of a building by more than 2,500 square feet or 40% of the original building's square footage, whichever is less.
  3. Reconstruction after any voluntary demolition.
  4. Parking lot expansion (excluding re-striping and re-surfacing) of 10 spaces or more.

### Sec. 22-4(f)(2) Site and Landscape Requirements

#### A. Preparation of Landscape Plan

1. Landscape plans shall be prepared by a Professional Landscape Architect licensed in the State of Louisiana and shall bear the Landscape Architect's seal and signature.
2. All landscape plans shall contain a statement, signed and dated by the preparer, certifying that the landscape architect will inspect the

landscaping following installation to certify that the landscaping was installed in compliance with the approved plan.

#### B. Street Yard

1. Except in C-MS Districts, a minimum 10-foot landscape strip and a 5-foot sidewalk is required along the entire public street frontage, except for driveways providing access to the property.
2. In C-MS Districts, a minimum 5-foot landscape strip and a 5-foot sidewalk is required along the entire public street frontage, except for driveways providing access to the property.
3. One tree shall be planted for every 40 linear feet, or part thereof, and may be grouped or spaced at irregular intervals.
4. The landscape strip shall be covered in sod or ground cover.
5. When a parking lot is adjacent to the street, a continuous 3-foot screen is required the length of the parking lot, consisting of:
  - a. continuous evergreen shrubs, or
  - b. a wall, fence, or berm.
6. In C-MS, R-3-MU, and TND Districts:
  - a. Sidewalk Lighting. Pedestrian lighting is required to maintain a minimum 0.5 foot-candles with an average of 1.5 foot-candles measured three feet above the pavement surface. Lighting may be attached to buildings or freestanding.
  - b. Pedestrian and Sidewalk Amenities. The following pedestrian amenities are required:
    - i. Benches at one per 300 feet of frontage on at least one primary street.
    - ii. Trash receptacles at one per 300 feet of frontage on at least one primary street.
    - iii. Bicycle parking at one five-bicycle rack per 300 feet of frontage on at least one primary street.
  - c. Driveway Access and Design

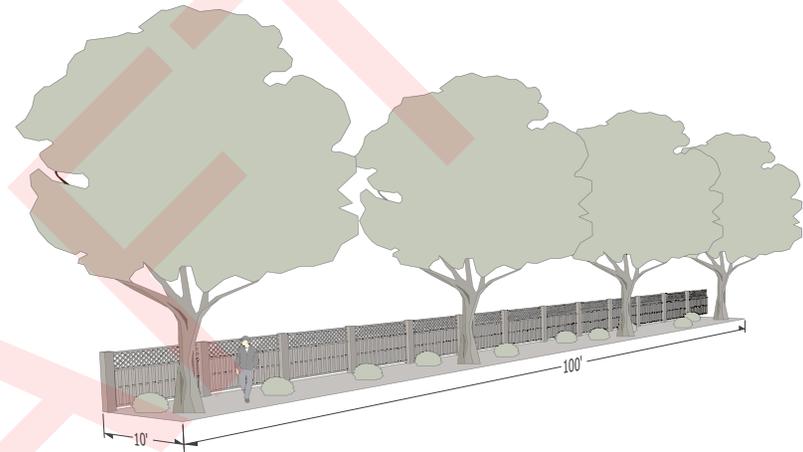
- i. Vehicular access to parking may not be from the primary street, unless access is not available from secondary streets or commercial alleys.
- ii. Where vehicular access to parking must occur from primary street, driveways shall be designed to maintain continuous pedestrian flow across the driveway by maintain grade and materiality of pedestrian surface in order to indicate primacy of pedestrian traffic. Maximum driveway width is 18 feet for two access and 10 feet for one-way.

### C. Required Buffers

#### 1. Generally

- a. Buffers are required as specified in "Section 22-3 Use Provisions."
- b. Properties zoned Mixed Use or Main Street are not required to construct buffers internal to the development.
- c. The required buffer shall be measured from the property line and may be located wholly or partially within a required setback.
- d. It is the responsibility of the more intensive use to construct the buffer.
- e. Design variations may be permitted by the Administrator.

#### 2. Buffer Standards



- a. Width. The buffer shall be an average of 10 feet wide.
- b. Screen. The required screen shall be a minimum of six feet and maximum of eight feet in height and composed of:
  - i. A fence constructed of materials, such as treated wood or other material approved by the Administrator; or
  - ii. Continuous evergreen shrubs.
- c. Trees. One tree shall be planted for every 40 linear feet, or part thereof and may be grouped or spaced at irregular intervals.

### Sec. 22-4(f)(3) Screening

#### A. Fences and Walls in General

- 1. Fences and walls, other than those required for screening, shall be constructed of wood, decorative metal, or masonry (other than unfinished or painted concrete block). The structural support members of wooden

perimeter fences shall be located on the interior of the fence and shall not be visible from adjacent properties.

2. Fences located in front yards may not be higher than four feet in height unless they are constructed to permit 50% visibility into the yard or are required for screening.

### **B. Loading Areas**

Loading docks shall be fully screened from the street or from adjacent residential property with screening a minimum of 8 feet in height and complementary to the principal building architecture.

### **C. Mechanical Equipment and Dumpsters**

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

### **D. Utilities**

With the exception to those located in the right-of-way, all above-ground utilities and appurtenances to underground utilities which require above-ground installation, shall be screened by a continuous planting of shrubs, with a minimum mature height equal to that of the utility structure or with screening made materials the same or complimentary color and/or style

as the building. Required access points to these utilities are exempt from screening.

## **Sec. 22-4(f)(4) Design and Installation**

### **A. Plant Material**

#### **1. General**

- a. Plant materials shall be cold hardy for the specific location where they are to be planted.
- b. Trees and shrubs shall be drought-tolerant and able to survive on natural rainfall once established with no loss of health.
- c. All plant heights shall be measured from the top of the root ball to the tip of the highest branch.

#### **2. Required Trees**

- a. All trees shall have a minimum 2-inch caliper and must measure a minimum of 8 feet tall at time of planting.
- b. Trees shall be of a species that normally grows to an overall height of at least 50 feet, usually with one main stem or trunk and many branches.
- c. Trees planted under existing power lines may be of a species that normally grows to an overall height of at least 25 feet, with either one main stem or trunk with many branches, or several stems or trunks.

#### **3. Required Shrubs**

- a. All required shrubs shall be a minimum of 20 inches in height in a minimum three-gallon container.
- b. Shrubs shall be of a species that under average conditions will reach a minimum height of 24 inches within 12 months.
- c. When planted as a hedge to screen parking, the maximum spacing for 20-inch high shrubs shall be 36 inches on center. Spacing for other size shrubs shall be determined by the Administrator.

#### 4. Ground Cover

Ground cover shall be of a type that will provide 80% coverage within 5 years of planting.

### B. Credit for Existing Plant Material

1. Required landscaped areas shall incorporate existing natural vegetation to the maximum extent feasible. Prior to disturbance of a required planting area, approval shall be obtained from the Administrator. Where existing vegetation is inadequate to meet the required landscaping standards, additional plant material shall be required.
2. Existing native habitat or vegetation located within planting areas and meeting the requirements of this zoning code may be counted.
3. In the event that the existing vegetation has been credited and is subsequently removed or dies, it shall be replaced with the appropriate planting material.
4. Credit may also be permitted for existing plant material, fences and walls on abutting property, provided such items are in a permanently protected area, including, but not limited to:
  - a. A conservation easement or preserve area on adjacent property; or
  - b. An existing utility or drainage easement exceeding 100 feet in width.

### C. Sight Distance Planting

1. A clear sight triangle shall be established at the intersection of a driveway and a street measuring ten feet from the back of the right-of-way and extending 70 feet from the edge of each side of the driveway and on all corner lots (the intersection of two streets) measuring 25 feet from the corner of both sides of the intersecting streets at the back of the right-of-way.

### D. Soils

Planting areas shall have un-compacted coarse loam that is a minimum of 12 inches deep. Soils shall be appreciably free of gravel, stones, rubble

or trash. All compacted soil, contaminated soil or road base fill shall be removed.

### E. Irrigation

A water source shall be supplied within 200 feet of any planting requiring watering to become established. Where non-native or non-drought tolerant native vegetation is incorporated, an irrigation system shall be required.

### F. Tree Protection During Construction

1. Existing trees to remain on the site as required landscaping shall be protected from vehicular movement and material storage over their root spaces during construction. An undisturbed area with a porous surface shall be reserved below the dripline of each tree or group of trees.
2. Trees designated for protection must be completely enclosed by a fence. Fencing must be in place prior to any clearing or site work. Fencing must remain in place until all construction has been completed or a certificate of occupancy has been issued, whichever is latest.

### G. Issuance of Certificate of Occupancy

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

### H. Constrained Sites

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

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

scaped area to take maintenance action. The cost of such maintenance shall be charged to the party having the primary responsibility for maintenance of the landscaped area.

## **Sec. 22-4(f)(5) Maintenance**

### **A. Responsibility**

1. The responsibility for maintenance of required landscaping shall remain with the owner, his or her successors, heirs, assignees or any consenting grantee.
2. The responsibility for maintenance of landscaping within the adjacent rights-of-way shall remain with the owner, his or her successors, heirs, assignees or any consenting grantee.

### **B. Maintenance**

1. All plant materials shall be maintained in an attractive and healthy condition.
2. Dead or diseased plant materials shall be removed. Replacement plant materials shall be provided for any required plants that die or are removed for any reason.
3. Landscape structural features such as walls, fences, berms or water features shall be maintained in a structurally safe and attractive condition.
4. All landscape areas shall be kept free of refuse and debris.

### **C. Failure to Maintain**

1. In the event that any owner of a landscaped area fails to maintain the area according to the standards of this paragraph, the City of Gonzales shall have the right to recover the cost of enforcement, including reasonable attorney fees.
2. The City of Gonzales may also, following reasonable notice and a demand that deficiency of maintenance be corrected, enter the land-

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# CHAPTER 22-5. MASTER STREET PLAN

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## Sec. 22-5(a) General Provisions

### Sec. 22-5(a)(1) Purpose.

The Master Street Plan identifies the location and type of roadway facilities that are needed to meet projected growth and ensure mobility and access for the public. The objective of the Master Street Plan is to ensure adequate right-of-way is preserved to allow for orderly and efficient roadway expansion if needed.

### Sec. 22-5(a)(2) Street Types Established.

- A. The following street types are established, and are shown on the map in the Comprehensive Plan adopted in August 24, 2015, which is herein made a part of this chapter and is on file in the clerk's office.
1. Arterials serve major centers of metropolitan areas, provide a high degree of mobility and can also provide mobility through rural areas. Unlike their access-controlled counterparts, abutting land uses can be served directly. Forms of access include driveways to specific parcels and at-grade intersections with other roadways.
  2. Collectors serve a critical role in the roadway network by gathering traffic from local roads and funneling them to the arterial network. Within the context of functional classification, collectors are broken down into major collectors and minor collectors.
  3. Local Roads are not intended for use in long distance travel, except at the origin or destination end of the trip, due to their provision of direct access to abutting land. Bus routes generally do not run on local roads. Local roads are often designed to discourage through traffic. As public roads, they should be accessible for public use throughout the year.

### Sec. 22-5(a)(3) Right-of-Way Requirements.

- A. Master Street Plan Proposed Minimum Widths.

Street Type	Proposed R.O.W. Width
Freeway/expressway	180 ft
Arterial	100 ft
Collector	60 ft
Local [curbed subsurface drainage]	50 ft
Local [open drainage]	60 ft

# CHAPTER 22-6. ADMINISTRATION

## SEC. 22-6. ADMINISTRATION . . . . .6-1

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## Sec. 22-6(a) REVIEW BODIES

### Sec. 22-6(a)(1) City Council

#### A. Authority for Final Action

The City Council is responsible for final action regarding:

1. Special Use Permits;
2. Zoning Map Amendments;
3. Traditional Neighborhood Development (TND);
4. Text Amendments;
5. Final Plats; and
6. Development Agreements.

### Sec. 22-6(a)(2) Planning and Zoning Commission

#### A. Establishment

A Planning and Zoning Commission is established, which shall consist of five members to be appointed by the Mayor with the advice and consent of the City Council. Members must be qualified voters of the City of Gonzales, but not employees or elected officials. All members serve without compensation. This zoning code grants the Planning and Zoning Commission powers and duties in accordance with La. R.S. 33:101 et seq. and La R.S. 33:4726.

#### B. Terms

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

#### C. Removal and Vacancy

1. The Mayor with the advice and consent of the City Council may remove any member of the Planning and Zoning Commission who has missed three consecutive meetings without proper excuse as deemed by the mayor.
2. The Mayor with the advice and consent of the City Council may remove any member of the Planning and Zoning Commission, after public hearing, for inefficiency, neglect of duty, or malfeasance in office.
3. The Mayor with the advice and consent of the City Council is authorized to fill any vacancy for an unexpired term on the Planning and Zoning Commission caused by death, resignation or otherwise.

#### D. Chair

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

#### E. Secretary

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

#### F. Rules

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

#### G. Staff and Finances

1. At the request of the Planning and Zoning Commission, the City Council may appoint employees necessary to complete the work of the Planning and Zoning Commission. The employees' appointment, promotion, demotion, and removal shall be subject to the same provisions of law as govern other employees of the City of Gonzales.
2. The City of Gonzales may contract with planning experts, engineers, architects and other consultants for such services as it may require.
3. Members of the Planning and Zoning Commission, when duly authorized by the Planning and Zoning Commission, may attend planning conferences or meetings of planning institutes or hearings on pending planning legislation, and the Planning and Zoning Commission may pay the reasonable traveling expenses related to such attendance.
4. The expenditures of a commission, exclusive of those made from funds received by gift, shall be within the amounts appropriated for the purpose by the City Council.

#### H. Meetings

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

**I. Quorum**

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

**J. Voting**

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

**K. Conflict of Interest**

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

**L. Training**

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

**M. Authority for Final Action**

The Planning and Zoning Commission is responsible for final action regarding:

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

**N. Review Authority**

The Planning and Zoning Commission is responsible for review and recommendations regarding:

1. Zoning Map Amendments; and
2. Planned Neighborhood Development (PND).

**Sec. 22-6(a)(3) Administrator**

**A. General Authority**

Unless and until the City Council states otherwise, the Administrator shall be the City Clerk. The Administrator is responsible for:

1. Maintaining a map showing the current zoning classification of all land in City of Gonzales;
2. Maintaining written records of all actions taken under this zoning code; and
3. Making interpretations of this zoning code.

**B. Authority for Final Action**

The Administrator is responsible for final action regarding:

1. Zoning permits;
2. Administrative adjustments;
3. Minor plats; and
4. Minor site plans

**C. Review Authority**

The Administrator is responsible for review and recommendations regarding:

1. Preliminary plats;
2. Major site plans;
3. Special use permits;
4. Zoning map amendments;
5. Planned development (PD);
6. Planned industrial development (PID);
7. Planned neighborhood development (PND);
8. Text amendments; and
9. Development agreements.

**D. Delegation of Authority**

The Administrator may designate any staff member to represent the Administrator in any function assigned by this zoning code. The Administrator remains responsible for any final action.

**Sec. 22-6(a)(4) Summary of Authority**

The following table summarizes the review and approval authority of the various review bodies with regard to this zoning code.

	Administrator	Planning and Zoning Commission	City Council
Zoning Permit	Decision		
Administrative Adjustment	Decision		
Appeal of Administrative Decision			Decision*
Subdivision:			
Minor Plat	Decision		
Major Subdivision Preliminary Plat	Recommend	Decision*	
Final Plat			Decision*
Site Plan Review:			
Minor	Decision		
Major	Recommend	Decision	
Special Use Permit	Recommend	Recommend*	Decision*
Zoning Map Amendment	Recommend	Recommend*	Decision*
Traditional Neighborhood Development (TND)	Recommend	Recommend*	Decision*
Text Amendment	Recommend	Recommend*	Decision*
Development Agreement	Recommend		Decision*

\* Public Hearing Required

## Sec. 22-6(b) Procedures

### Sec. 22-6(b)(1) Common Review Procedures

#### A. General

The following requirements are common to many of the following procedures, and apply to applications submitted under this Article. Additional details may be included in the specific procedure.

#### B. Pre-Application Conference

##### 1. Optional

Before submitting an application for development approval, an applicant may schedule a pre-application conference with the Administrator to discuss the procedures, standards and regulations required for approval. A pre-application conference is optional, except for the procedures listed below.

##### 2. Mandatory

Before submitting an application for the following types of review, an applicant must schedule a pre-application conference with the Administrator to discuss the procedures, standards and regulations required for approval in accordance with this Article.

- a. Major Subdivision;
- b. Major Site Plan Review;
- c. Special Use Permit;
- d. Zoning Map Amendment;
- e. Planned Development (PD);
- f. Planned Industrial Development (PID);
- g. Planned Neighborhood Development (PND); and
- h. Text Amendment.

#### C. Application

##### 1. Initiation

Parties allowed to file an application are summarized below. More detailed information may be included with each specific procedure.

APPLICATION AUTHORITY	Owner or Agent	Planning and Zoning Commission	City Council
Zoning Permit	■		
Administrative Adjustment	■		
Appeal of Administrative Decision	■		
Subdivision:			
Minor Plat	■		
Major Subdivision Preliminary Plat	■		
Final Plat	■		
Site Plan Review:			
Minor	■		
Major	■		
Special Use Permit	■		
Zoning Map Amendment	■	■	■
Traditional Neighborhood Development (TND)	■		■
Text Amendment	■	■	■

##### 2. Application Forms

Applications, containing all information requested on the application, must be submitted on such forms, in such numbers, and in such a manner as required by the Administrator.

##### 3. Fees

Filing fees are established from time to time by the City Council in an ordinance or resolution designed to defray the cost of processing the application. Prior to review of an application, all associated fees must be paid in full. Where the City Council or Planning and Zoning Commission initiates an application, no fees shall be required.

##### 4. Complete Applications

- a. All applications shall be complete and sufficient for processing before the Administrator is required to review the application.
- b. An application is complete when it contains all of the information necessary to decide whether or not the development as proposed will comply with all of the requirements of this zoning code.

- c. The presumption is that all of the information required in the application forms is necessary to satisfy the requirements of this zoning code. However, it is recognized that each application is unique, and more or less information may be required according to the needs of the particular case. The applicant may rely on the determination of the Administrator as to whether more or less information may be submitted.

**5. Concurrent Applications**

- a. Applications may be filed and reviewed concurrently, at the option of the applicant.
- b. Applications submitted concurrently are subject to approval of all other related applications; denial of any concurrently submitted application shall stop consideration of any related applications until the denied application is resolved.

**6. Modification of Application**

An application may be modified at the applicant’s request following approval of the Administrator. Modifications to the application by the applicant, Planning & Zoning Commission, or City Council that result in a more intense or less restrictive zoning change than the intial application shall require a new hearing and associated notice. The Planning & Zoning Commission and/or City Council may recomend and/or approve a zoning change that is less intense or more restrictive than the original application without requiring additional notice.

**D. Public Notice and Hearings**

**1. Public Notice Required**

Required public notices are summarized below. More detailed information may be included with each specific procedure.

<b>PUBLIC NOTICE REQUIREMENTS</b>	Written Notice	Posted Notice of Public Hearing	Published Notice of Public Hearing
Appeal of Administrative Decision	■	■	
Subdivision:			
Minor Plat, 10 lots or less	■		
Minor Plat, more than 10 lots	■		■
Major Subdivision Preliminary Plat	■		■
Final Plat	■		■
Special Use Permit	■	■	■
Zoning Map Amendment	■	■	■
Planned Development (PD)	■	■	■
Planned Industrial Development (PID)	■	■	■
Planned Neighborhood Development (PND)	■	■	■
Text Amendment			■
Preliminary Plat		■	■

**2. Written Notice of Public Hearing**

At least 10 days prior to the hearing, a good faith attempt to notify the owner of record of all adjacent property shall be made by sending an official notice by regular U.S. mail of the time, place and subject matter of the hearing. Where more than 10 parcels are to be initially zoned or rezoned, no written notice is required.

**3. Posted Notice of Public Hearing**

Notice shall be posted for at least 15 days prior to the hearing. A posted notice shall be in number, size, location and content as prescribed by the Administrator and shall indicate the time and place of the public hearing and any other information prescribed by the Administrator. Posted notices shall be removed by the applicant from the subject area within 15 days after the public hearing has been held.

**4. Published Notice of Public Hearing**

Notice of the time and place of a public hearing shall be published once a week in three different weeks in the official journal, if designated, or

a newspaper of general circulation in the area. The first notice shall be published at least 15 days prior to the hearing.

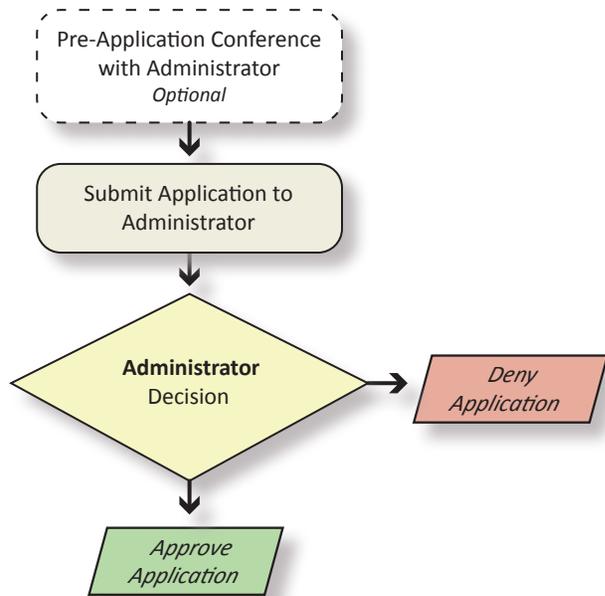
**5. Notice to Military Installations**

- a. When considering any action to be taken on an application for a zoning request affecting property within 3,000 feet of the boundary of a military installation, notification to the commander of the installation shall be provided at least thirty days in advance of taking such action.
- b. As used here, "military installation" shall include any base, military airport, camp, post, station, yard, center, home port facility for a ship, or any other military activity center that is under the jurisdiction of the United States Department of Defense.

**6. Specific Notice Requirements for Preliminary Plats**

- a. Notice of the time and place of the public hearing shall be sent to the applicant by certified mail not less than five days before the date of the hearing.
- b. The Planning and Zoning Commission shall give notice of preliminary plat hearings, including the purpose, time, and place, by at least one publication in a newspaper of general circulation in the area surrounding the proposed subdivision, not less than five days prior to the hearing date.

## Sec. 22-6(b)(2) Zoning Permit



### A. When Required

1. A zoning permit is issued to show that a proposed use, placement, and design of a property and its structures are in accordance with the city's zoning code. A zoning permit is required for the following:
  - a. Change in use.
  - b. Building permits that do not require site plan review.
  - c. Temporary uses.
  - d. Sign permits.
2. It shall be unlawful to begin moving, constructing, altering or repairing (except ordinary repairs) any building or other structure on a site, including an accessory structure, until a zoning permit has been issued.
3. It shall be unlawful to change the use of land or the occupancy of any building until a zoning permit has been issued for the intended use.
4. No certificate of occupancy may be issued without a properly issued zoning permit.

### B. Application and Fees

1. A pre-application conference is optional.
2. All applications for zoning permit review shall be filed in writing with the Administrator. See "Sec. 22-6(b)(1) Common Review Procedures".
3. Application shall be made prior to or concurrent with the application for a building permit.

### C. Decision by Administrator

1. The Administrator may refer the application to other affected or interested agencies for review and comment.
2. In deciding to approve, approve with conditions or deny the proposed zoning permit, the Administrator shall consider relevant comments of all interested parties and the review criteria below.
3. The decision of the Administrator must be consistent with prior decisions.
4. The Administrator may attach any condition to the permit necessary to ensure compliance with the standards of this zoning code.

### D. Review Criteria

The Administrator shall consider the following criteria in approving or denying a zoning permit:

1. The proposed development is consistent with the pertinent elements of the City of Gonzales comprehensive plan and any other adopted plans;
2. The proposed development meets the requirements of this zoning code; and
3. The proposed development is in compliance with any prior approvals.

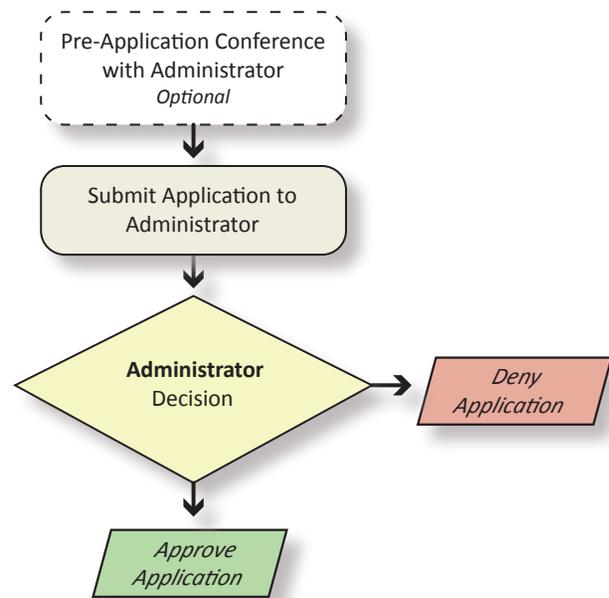
### E. Appeal

A final decision by the Administrator on a zoning permit may be appealed to the City Council. See "Sec. 22-6(b)(4) Appeal of Administrative Decision".

### F. Expiration

A zoning permit expires after six months if a building permit application has not been filed.

## Sec. 22-6(b)(3) Administrative Adjustment



### A. When Allowed

The administrative adjustment procedure allows the Administrator to approve modest variations from the standards of this zoning code. Administrative adjustment is allowed for the following:

1. Reduction of any required setback by up to 15 percent.
2. Increase or reduce any build-to area by up to 10 percent.
3. Reduce the percent of lot width or depth that the building facade must occupy by up to five percent.
4. Increase in the maximum height of any building by the lesser of five feet or five percent.
5. An increase in lot coverage by no more than five percent.
6. Any other administrative adjustment authorized by a specific section of this zoning code.

### B. Application and Fees

1. A pre-application conference is optional.
2. All applications for an administrative adjustment shall be filed in writing

with the Administrator. See "Sec. 22-6(b)(1) Common Review Procedures".

### C. Decision by Administrator

1. The Administrator may refer the application to other affected or interested agencies for review and comment.
2. In deciding to approve, approve with conditions or deny the proposed administrative adjustment, the Administrator shall consider relevant comments of all interested parties.
3. The Administrator may attach any condition to the adjustment necessary to protect the health, safety and welfare of City of Gonzales and minimize adverse impacts on adjacent properties.

### D. Review Criteria

The Administrator shall consider the following criteria in approving or denying an administrative adjustment:

1. The proposed adjustment is consistent with the pertinent elements of the City of Gonzales comprehensive plan and any other adopted plans;
2. The proposed development meets the requirements of this zoning code;
3. The proposed development is in compliance with any prior approvals.

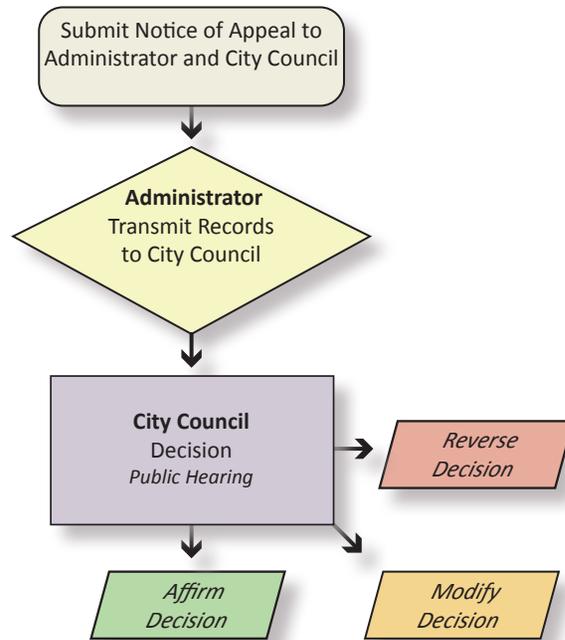
### E. Appeal

A final decision by the Administrator on an administrative adjustment may be appealed to the City Council. See "Sec. 22-6(b)(4) Appeal of Administrative Decision".

### F. Expiration

An administrative adjustment expires after six months if a building permit application has not been filed.

## Sec. 22-6(b)(4) Appeal of Administrative Decision



### A. When Allowed

Appeals to the City Council may be taken by any person aggrieved or by any officer, department, administrative board, or bureau of the City of Gonzales affected by any decision of the Administrator. Appeals shall be taken within 30 days of the decision.

### B. Application and Fees

1. No pre-application conference is necessary.
2. An application and notice of appeal for administrative review shall be filed in writing with the Administrator and with the City Council. See "Sec. 22-6(b)(1) Common Review Procedures".
3. The appellant shall provide a written notice of appeal citing the decision that is being appealed, and any reasons why the appeal should be granted.

### C. Action by Administrator

The Administrator shall transmit to the City Council all the papers constituting the record upon which the action appealed from was taken,

after all transcript costs and all other costs of appeal are paid by the person or entity taking the appeal.

### D. Stay of Proceedings

An appeal stays all proceedings in furtherance of the action appealed from, unless the Administrator certifies to the City Council after the notice of appeal has been filed that, by reason of facts stated in the certificate, a stay would, in the Administrator's opinion, cause imminent peril of life or property. In such case proceedings shall not be stayed except by a restraining order that may be granted by the City Council or by a court of record on application or notice to the Administrator and on due cause shown.

### E. Public Hearing and Decision by City Council

1. Following notice and a public hearing as required in "Sec. 22-6(b)(1) Common Review Procedures", the City Council shall hear and decide appeals where it is alleged there is error in any order, requirement, decision, or determination made by the Administrator.
2. The Council may reverse or affirm, wholly or partly, or may modify the order, requirement, decision or determination appealed from and may make such order, requirement, decision or determination as ought to be made, and to that end shall have the powers of the Administrator.
3. Any party may appear at the hearing in person or by agent or by attorney.

### F. Testimony and Evidence

The City Council shall limit testimony and other evidence to that contained in the record at the time the Administrator took final action.

### G. Review Criteria

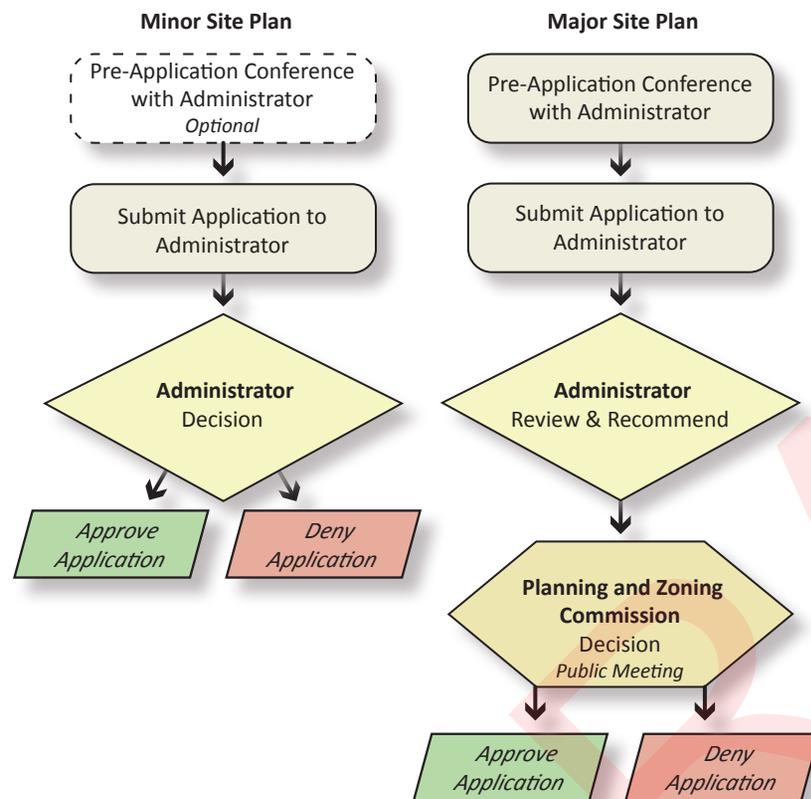
The City Council shall consider the following criteria in deciding an appeal:

1. Whether the decision by the Administrator was in accordance with the intent and requirements of this zoning code.
2. Whether the Administrator made erroneous findings based on the evidence and testimony on the record, or failed to fully consider mitigating measures or revisions offered by the applicant that would have brought the proposed project into compliance; or
3. Whether the Administrator acted arbitrarily or capriciously.

### H. Appeal

A final decision by the City Council on an administrative appeal may be appealed to District Court.

## Sec. 22-6(b)(5) Site Plan Review



### A. When Required

#### 1. Major Site Plan

Major site plan review by the Planning and Zoning Commission is required for:

- a. Construction of 10 or more residential units on a platted lot of record.

#### 2. Minor Site Plan

Minor site plan review by the Administrator is required for:

- a. Construction of more than two, but less than 10, residential units on a platted lot of record.

- b. Creation of more than 1,000 square feet of additional impervious surface (paving).

- c. Construction of accessory structures in nonresidential districts.

### 3. No Site Plan Required

No site plan review is required for the following:

- a. Construction or expansion of one or two units in a single structure on a platted lot of record.
- b. Creation of up to 1,000 square feet of additional impervious surface (paving).
- c. Construction of accessory structures in residential districts.

### B. Application and Fees

1. A pre-application conference is optional for a minor site plan and mandatory for a major site plan.
2. All applications for site plan review shall be filed in writing with the Administrator. See "Sec. 22-6(b)(1) Common Review Procedures".

### C. Review by Administrator

1. The Administrator may refer the application to other affected or interested agencies for review and comment.
2. The Administrator shall provide notice as set out in "Sec. 22-6(b)(1) Common Review Procedures".
3. The Administrator shall recommend approval, approval with conditions, or denial of a Major Site Plan.

### D. Minor Site Plan Decision by Administrator

1. In deciding to approve, approve with conditions or deny the proposed site plan, the Administrator shall consider relevant comments of all interested parties and the review criteria below.
2. The Administrator may attach any condition to the site plan necessary to ensure the site plan meets the requirements of the zoning code.

### E. Major Site Plan Decision by Planning and Zoning Commission

1. The Planning and Zoning Commission shall approve or deny the major site plan.
2. In deciding, the Planning and Zoning Commission shall consider the recommendation of the Administrator, relevant comments of all interested parties and the review criteria below.
3. The Planning and Zoning Commission may attach any condition to the

site plan necessary to ensure the site plan meets the requirements of the zoning code.

#### F. Review Criteria

The Administrator and Planning and Zoning Commission shall consider the following criteria in approving or denying a site plan:

1. The proposed development is consistent with the pertinent elements of the City of Gonzales comprehensive plan and any other adopted plans.
2. The proposed development meets the requirements of this zoning code;
3. The site plan demonstrates compliance with any prior approvals.

#### G. Building Permit

No building permit shall be issued for development requiring a site plan until the site plan has been approved.

#### H. Dedication and Improvements

1. In developing property requiring a site plan under this zoning code, the applicant must follow all dedication and improvement regulations specified in Chapter 17, Subdivision of Land..
2. The applicant shall bear the costs of installation of any on-site or off-site improvements required by this zoning code, including provisions for stormwater management, paving and utilities.

#### I. Improvement Guarantee

1. Prior to the approval of any site plan, the applicant shall submit a cost estimate and time schedule for installation of each phase of site improvements.
2. A nonnegotiable letter of credit posted by the applicant in favor of the city shall be required guaranteeing all on-site and off-site improvements. The letter of credit shall be in an amount equal to 125 percent of the improvement cost estimate, as determined by the City of Gonzales engineer, and in a form approved by the City of Gonzales attorney.
3. As each phase of improvements is installed and inspected by City of Gonzales, the letter of credit may be reduced by the cost of the installed improvements.

#### J. Modification of Approved Site Plan

The Administrator is authorized to approve minor modifications to an approved site plan. All modifications not listed as minor below shall be con-

sidered by the body that approved original site plan. The following modifications shall be considered minor:

1. Up to a 10 percent increase or any decrease in gross floor area of a single building;
2. Up to a 10 percent reduction or any increase in the approved setbacks from exterior property lines; and
3. Relocation of parking areas, internal streets or structures where such relocation occurs more than 100 feet from exterior property lines.

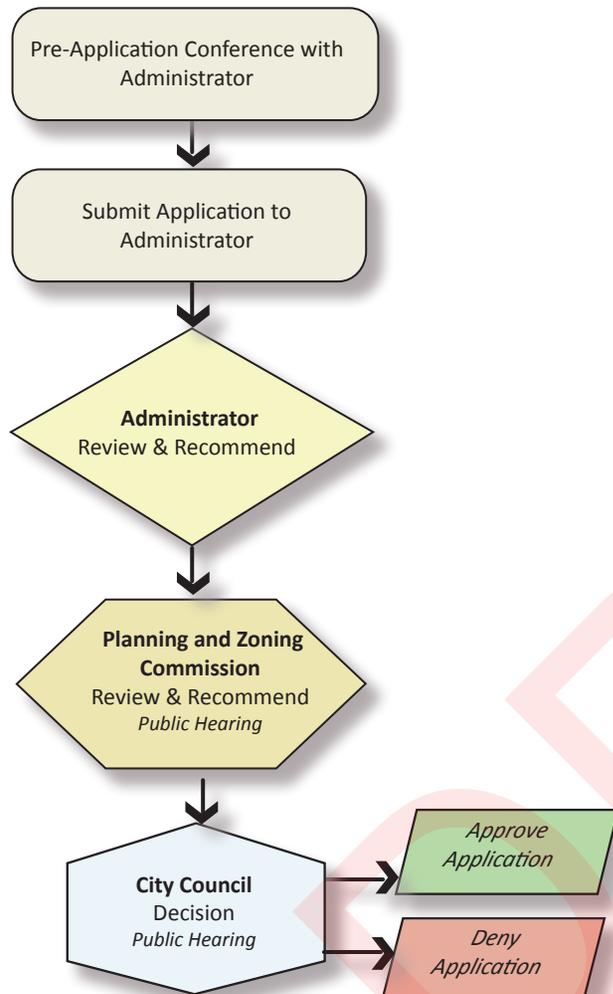
#### K. Appeal

1. A final decision by the Administrator on a minor site plan may be appealed to the City Council. See "Sec. 22-6(b)(4) Appeal of Administrative Decision".
2. A final decision by the Planning and Zoning Commission on a major site plan may be appealed to District Court.

#### L. Expiration

A site plan expires after one year if a building permit application has not been filed.

## Sec. 22-6(b)(6) Special Use Permit



### A. When Required

A special use permit is required for any use or building type identified with a hollow box on any applicable building type or permitted use table.

### B. Application and Fees

1. A pre-application conference with the Administrator is required.
2. All applications for a special use permit shall be filed in writing with the Administrator. See "Sec. 22-6(b)(1) Common Review Procedures".

### C. Review by Administrator

1. The Administrator may refer the application to other affected or interested agencies for review and comment.
2. The Administrator shall provide notice as set out in "Sec. 22-6(b)(1) Common Review Procedures".
3. The Administrator shall recommend approval, approval with conditions, or denial of the Special Use Permit.

### D. Public Hearing and Decision by City Council

1. Following notice and a public hearing as required in "Sec. 22-6(b)(1) Common Review Procedures", the City Council shall approve, approve with conditions or deny the special use permit.
2. In deciding, the City Council shall consider the recommendation of the Administrator, relevant comments of all interested parties and the review criteria below.
3. The City Council may attach any condition to the site plan necessary to protect the health, safety and welfare of City of Gonzales and minimize adverse impacts on adjacent properties. Such conditions may include,

but are not limited to: additional screening or buffering, or limitation in scale, intensity or hours of operation.

**E. Review Criteria**

The City Council shall consider the following criteria in approving or denying a special use permit:

1. The proposed special use permit is consistent with the pertinent elements of the City of Gonzales comprehensive plan and any other adopted plans;
2. The proposed development meets the requirements of this zoning code;
3. The proposed special use permit will reinforce the existing or planned character of the neighborhood;
4. The special use permit complies with any specific use standards or limitations in "SEC. 22-3 USE PROVISIONS"; and
5. The special use permit will not substantially or permanently injure the appropriate use of adjacent conforming properties.

**F. Effect of Denial**

The denial of a special use permit application shall ban the subsequent application for the same or similar use for a period of 12 months.

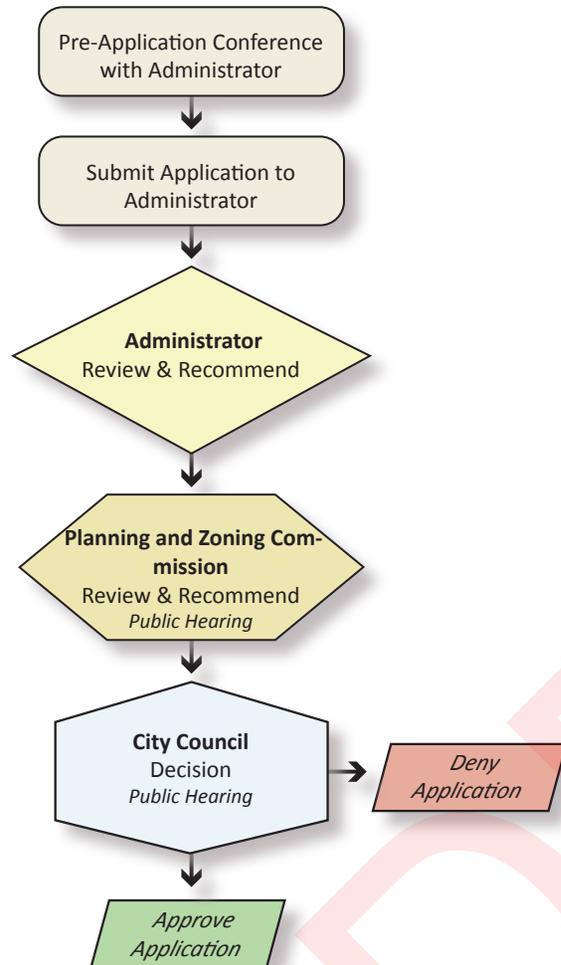
**G. Expiration**

A special use permit shall expire after one year if a building permit application has not been filed. Once the use is constructed, the special use permit runs with the land and does not expire.

**H. Revocation of Special Use Permit**

If any conditions of a special use permit or other requirements of this zoning code are violated, the special use permit may be revoked by the City Council.

## Sec. 22-6(b)(7) Zoning Map Amendment



### A. When Allowed

The boundaries of zoning districts as shown on the zoning map may, from time to time, be amended or modified by ordinance, as determined by the City Council. The City Council or Planning and Zoning Commission may from time-to-time, on its own motion or on petition, after public notice and

hearing, initiate amendments to the Official Zoning Map established by the zoning code.

### B. Application and Fees

1. A pre-application conference with the Administrator is required.
2. All applications for a zoning map amendment shall be filed in writing with the Administrator. See "Sec. 22-6(b)(1) Common Review Procedures".

### C. Review by Administrator

1. The Administrator may refer the application to other affected or interested agencies for review and comment.
2. The Administrator shall provide notice as set out in "Sec. 22-6(b)(1) Common Review Procedures".
3. The Administrator shall recommend approval, or denial of the zoning map amendment.

### D. Review by Planning and Zoning Commission

1. Following notice and a public hearing as required in 22-7(b)(1), Common Review Procedures, the Planning and Zoning Commission shall recommend approval or denial of the zoning map amendment.
2. In recommending, the Planning and Zoning Commission shall consider

the recommendation of the Administrator, relevant comments of all interested parties and the review criteria below.

#### **E. Public Hearing and Decision by City Council**

1. Following notice and a public hearing as required in "Sec. 22-6(b)(1) Common Review Procedures", the City Council shall approve or deny the zoning map amendment.
2. In deciding, the City Council shall consider the recommendations of the Administrator and Planning and Zoning Commission, relevant comments of all interested parties and the review criteria below.
3. In case of a protest duly signed and acknowledged by the owners of 20 percent or more either of the areas of land (exclusive of streets and alleys) included in a proposed change or within an area determined by lines drawn parallel to and two hundred feet distant from the boundaries of the district proposed to be changed, the amendment shall not become effective except by the favorable vote of a majority of the members of the entire City Council.

#### **F. Review Criteria**

The City Council shall consider the following criteria in approving or denying a zoning map amendment:

1. The proposed zoning map amendment is consistent with the pertinent elements of the City of Gonzales comprehensive plan and any other adopted plans;
2. The proposed zoning map amendment is consistent with the areas designated context;
3. The proposed zoning map amendment will reinforce the existing or planned character of the neighborhood;
4. The site is appropriate for the development allowed in the proposed district;
5. There are substantial reasons why the property cannot be used according to the existing zoning;
6. Public facilities and services including but not limited to schools, roads, recreation facilities, wastewater treatment, water supply and stormwater facilities, police, fire and emergency medical services are adequate for the development allowed in the proposed district; and
7. The zoning map amendment will not substantially or permanently injure the appropriate use of adjacent conforming properties.

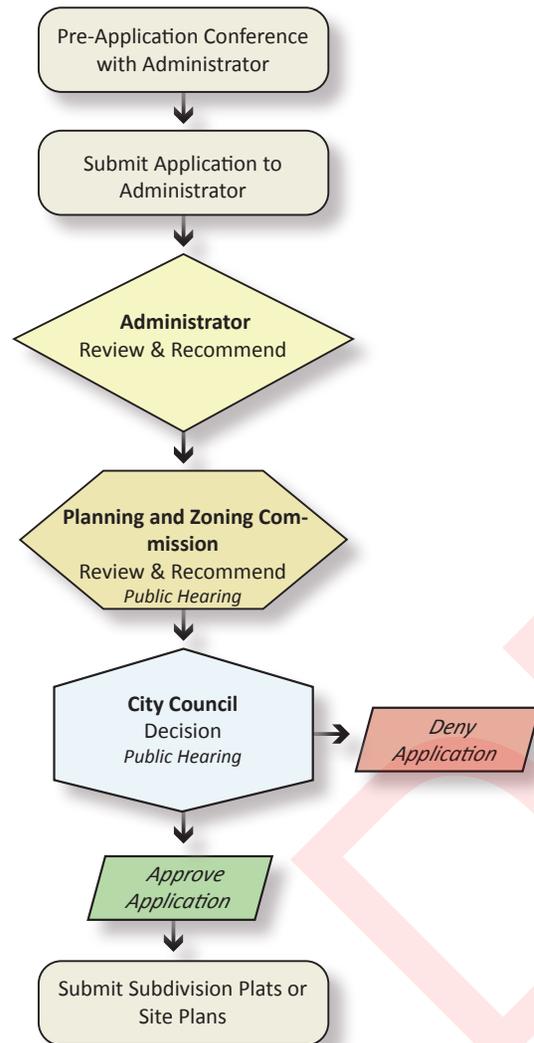
#### **G. Effect of Denial**

The denial of a zoning map amendment application shall ban the subsequent application for the same or similar district for a period of 12 months.

#### **H. Expiration**

A zoning map amendment does not expire.

## Sec. 22-6(b)(8) Traditional Neighborhood Development (TND)



### A. Purpose of a TND

A TND allows an applicant to build quality neighborhoods that provide a desirable mix of uses and building types, a more connected and walkable

development pattern, and reduce the impact on surrounding properties and infrastructure by promoting an alternative to conventional residential development patterns.

### B. Components of a TND Approval

A TND approval consists of two separate steps:

1. Approval of a concept plan and rezoning, by the City Council; and
2. The subsequent approval of a preliminary subdivision plat and site plan consistent with the TND concept plan approved by the Planning and Zoning Commission.

### C. When Allowed

1. A TND is allowed on any tract of land that is larger than 20 acres and less than 200 acres. Tracts larger than 200 acres will be required to submit applications for separate planned TNDs.

### D. Application and Fees

1. A pre-application conference with the Administrator is required.
2. All applications for a TND shall be filed in writing with the Administrator. See "Sec. 22-6(b)(1) Common Review Procedures".
3. The application shall include the following additional materials:
  - a. A narrative explaining and tabulating the land uses by net acre, number of dwelling units by building type, residential density and square footage of non-residential uses per net acre, open space acreage, the relationship of the proposed development to existing development in the area and other related development features.
  - b. A neighborhood concept plan establishing the following aspects of the proposed TND:
    - i. The location of at least three context areas to be applied within the proposed TND;
    - ii. The location of all zoning districts requested to be applied within the proposed TND;
    - iii. The location of all street and alley types, major utilities, access to existing streets, and conceptual drainage plan;
    - iv. The perimeter and block face length of all blocks;

- v. The layout and size of all lots with anticipated land use and building types; and
  - vi. The location and type of any open space.
- c. A specific list of all requested deviations and whether they are classified under this zoning code as:
- i. Administrative adjustment; or
  - ii. Waiver of a subdivision standard.
4. The applicant may provide concurrent applications for site plan or subdivision review.

#### **E. Rezoning and Concept Plan Review by Administrator**

1. The Administrator may refer the application to other affected or interested agencies for review and comment.
2. The Administrator shall provide notice as set out in "Sec. 22-6(b)(1) Common Review Procedures".
3. The Administrator shall recommend approval, approval with conditions, or denial of the TND rezoning and concept plan.

#### **F. Rezoning and Concept Plan Review by Planning and Zoning Commission**

1. Following notice and a public hearing as required in "Sec. 22-6(b)(1) Common Review Procedures", the Planning and Zoning Commission shall recommend approval, approval with conditions, or denial of the TND rezoning and concept plan.
2. In recommending, the Planning and Zoning Commission shall consider the recommendation of the Administrator, relevant comments of all interested parties and the review criteria below.

#### **G. Public Hearing and Decision by the City Council**

1. Following notice and a public hearing as required in 22-7(b)(1), Common Review Procedures, the City Council shall approve, approve with conditions, or deny the TND rezoning and concept plan.
2. In deciding, the City Council shall consider the recommendations of the Administrator and Planning and Zoning Commission, relevant comments of all interested parties and the review criteria below.
3. In case of a protest duly signed and acknowledged by the owners of 20 percent or more either of the areas of land (exclusive of streets and

alleys) included in a proposed change or within an area determined by lines drawn parallel to and two hundred feet distant from the boundaries of the tract proposed to be changed, the amendment shall not become effective except by the favorable vote of a majority of the members of the entire City Council.

#### **H. Review Criteria**

The City Council shall consider the following criteria in approving or denying a TND rezoning and concept plan:

1. The proposed TND is consistent with the pertinent elements of the City of Gonzales Comprehensive Plan and any other adopted plans;
2. The proposed TND meets the requirements of this zoning code or is granted a specific deviation consistent with an administrative adjustment, or waiver of subdivision standard by the City Council;
3. The proposed TND contains a neighborhood center with either formalized open space or a vertically mixed use node and an identifiable edge to the neighborhood;
4. The proposed TND contains a mix of uses and a mix of at least four building types;
5. The proposed TND has an average maximum block perimeter of 2,400 feet;
6. The proposed TND contains at least three different context areas with no single context occupying more than 70 percent of the TND tract;
7. The tract is appropriate for the development allowed in the proposed TND;
8. The proposed TND will complement and reinforce the existing or planned character of the area;
9. The TND will not substantially or permanently injure the appropriate use of adjacent conforming properties;
10. Public facilities and services including schools, roads, recreation facilities, wastewater treatment, water supply and stormwater facilities are adequate and will not be negatively impacted by the proposed TND;
11. The TND demonstrates a higher quality of site design that is more sensitive to the surrounding lands, both built and natural, than is possible under any single zoning district.

#### **I. Action Following Approval**

Approval of a TND neighborhood plan and package rezoning authorizes the submission of subdivision plats consistent with the TND approval.

**J. Modification of Adopted Concept Plan**

The Administrator is authorized to approve minor modifications to an approved concept plan. All modifications not listed as minor below shall be considered by the City Council consistent with the original approval of the TND. The following modifications shall be considered minor:

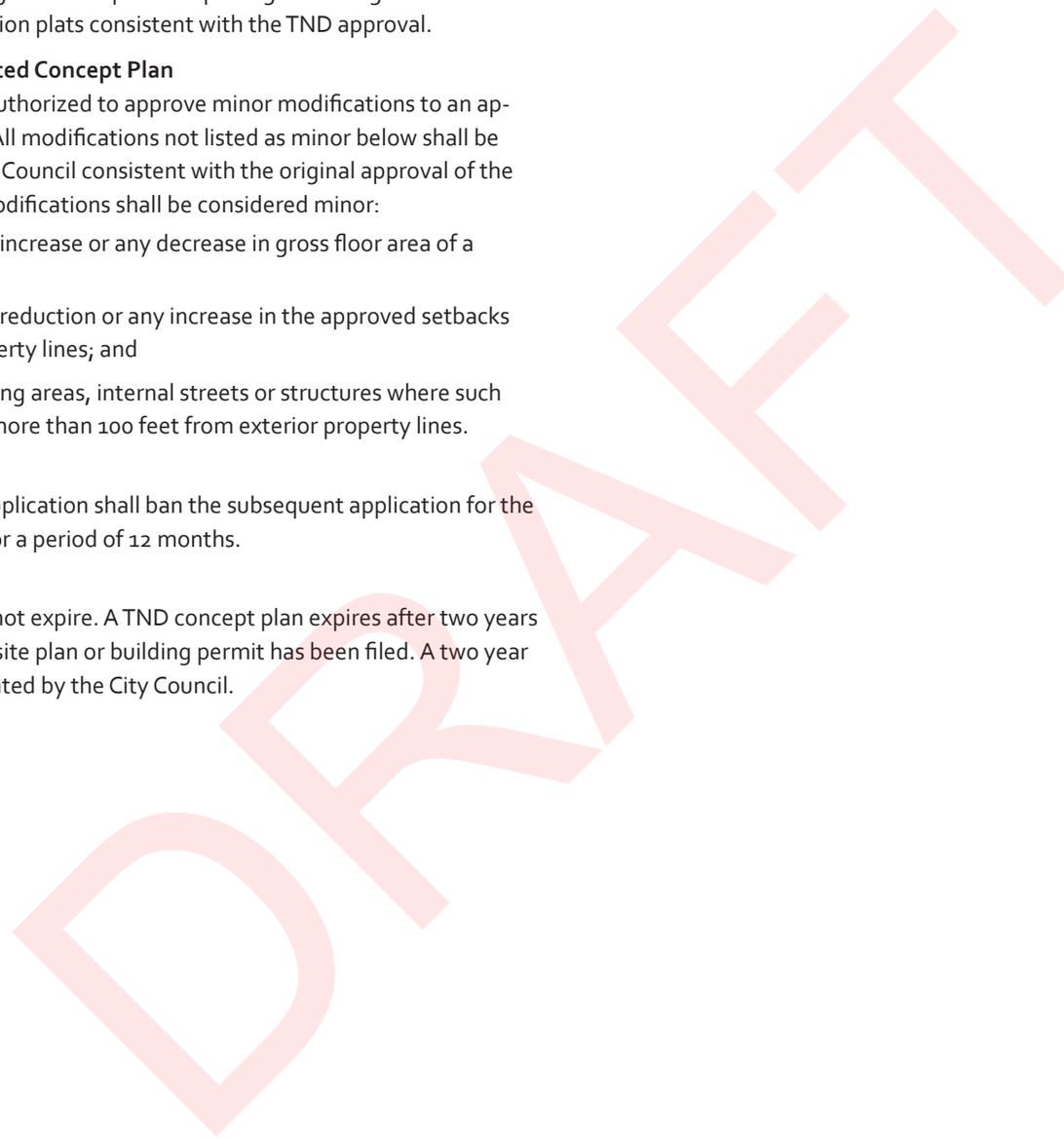
1. Up to a 10 percent increase or any decrease in gross floor area of a single building;
2. Up to a 10 percent reduction or any increase in the approved setbacks from exterior property lines; and
3. Relocation of parking areas, internal streets or structures where such relocation occurs more than 100 feet from exterior property lines.

**K. Effect of Denial**

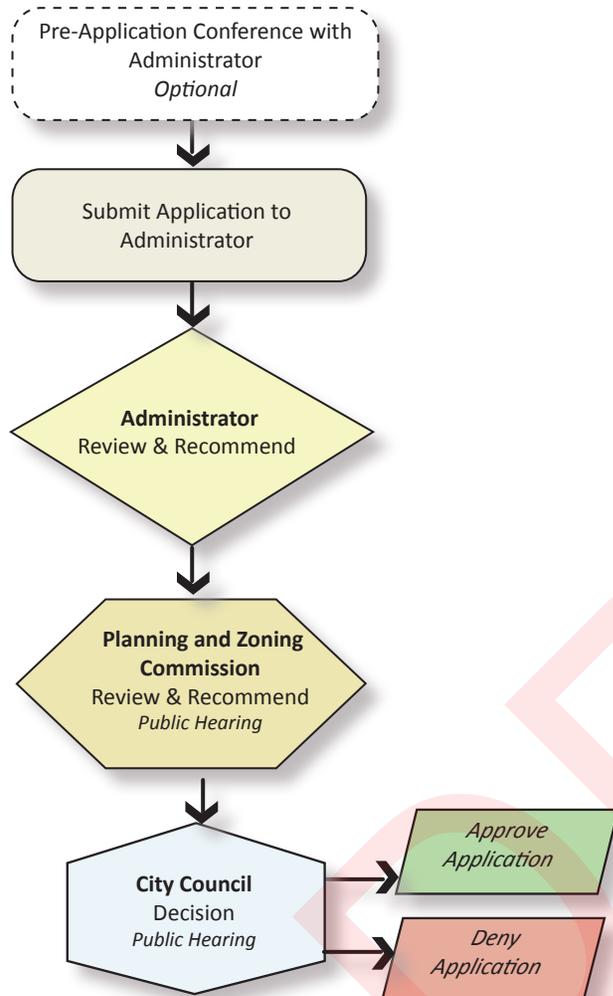
The denial of a TND application shall ban the subsequent application for the same or similar TND for a period of 12 months.

**L. Expiration**

A TND rezoning does not expire. A TND concept plan expires after two years if no preliminary plat, site plan or building permit has been filed. A two year extension may be granted by the City Council.



## Sec. 22-6(b)(9) Text Amendment



### A. When Allowed

The regulations of this zoning code may, from time to time, be amended, supplemented, changed, modified or repealed by ordinance, as determined by the City Council. The City Council or Planning and Zoning Commission

may from time-to-time, on its own motion or on petition, after public notice and hearing, initiate amendments to regulations in this zoning code.

### B. Application and Fees

1. A pre-application conference is optional.
2. All applications for a text amendment shall be filed in writing with the Administrator. See "Sec. 22-6(b)(1) Common Review Procedures".

### C. Review by Administrator

1. The Administrator may refer the application to other affected or interested agencies for review and comment.
2. The Administrator shall provide notice as set out in "Sec. 22-6(b)(1) Common Review Procedures".

### D. Public Hearing and Decision by City Council

1. Following notice and a public hearing as required in "Sec. 22-6(b)(1) Common Review Procedures", the City Council shall approve or deny the text amendment.
2. In deciding, the City Council shall consider the recommendations of the Administrator, relevant comments of all interested parties and the review criteria below.

### E. Review Criteria

The City Council shall consider the following criteria in approving or denying a text amendment:

1. The proposed text amendment is consistent with the pertinent elements of the City of Gonzales comprehensive plan and any other adopted plans;
2. The extent to which the text amendment is consistent with the remainder of this zoning code;
3. The extent to which the text amendment represents a new idea not considered in the existing code, or represents revisions necessitated by changing conditions over time; whether or not the text amendment corrects an error in this zoning code; and
4. Whether or not the text amendment revises this zoning code to comply with state or federal statutes or case law.

### F. Expiration

A text amendment does not expire.

## Sec. 22-6(b)(10) Development Agreements

### A. When Allowed

The City of Gonzales may enter into a development agreement in accordance with this section.

### B. Contents

A development agreement shall specify the duration of the agreement, the permitted uses of the property, the density or intensity of use, the maximum height and size of proposed buildings, and provisions for reservation or dedication of land for public purposes. The development agreement may include conditions, terms, restrictions, and requirements for subsequent discretionary actions, provided that such conditions, terms, restrictions, and requirements for subsequent discretionary actions shall not prevent development of the land for the uses and to the density or intensity of development set forth in the agreement. The agreement may provide that construction shall be commenced within a specified time and that the project or any phase be completed within a specified time. The agreement may also include terms and conditions relating to financing of necessary public facilities by the applicant and subsequent reimbursement of the applicant over time.

### C. Rules, Regulations and Official Policies

Unless otherwise provided by the development agreement, the rules, regulations and official policies governing permitted uses of the land, density, and design, improvement, and construction standards and specifications applicable to development of the property subject to a development agreement shall be those rules, regulations, and official policies in force at the time of execution of the agreement. A development agreement shall not prevent the City of Gonzales, in subsequent actions applicable to the property, from applying new rules, regulations, and policies which do not conflict with those rules, regulations, and policies applicable to the property as set forth herein, nor shall a development agreement prevent the City of Gonzales from denying or conditionally approving any subsequent development project application on the basis of such existing or new rules, regulations, and policies.

### D. Public Hearing; Notice of Intention

A public hearing on an application for a development agreement shall be held by the Planning and Zoning Commission and by the City Council. No-

tice of intention to consider adoption of a development agreement shall be published at least three times in a newspaper of general circulation and at least 10 days shall elapse between the first publication and the date of the hearing.

### E. Approval by Ordinance

A development agreement shall be approved by ordinance of the City Council.

### F. Amendment or Cancellation; Notice of Intent

A development agreement may be amended or cancelled in whole or in part by mutual consent of the parties to the agreement or their successors in interest. Notice of intention to amend or cancel any portion of the agreement shall be given in the manner provided by "Sec. 22-6(b)(1) Common Review Procedures".

### G. Recording Copy of Agreement; Effect

No later than 10 days after City of Gonzales enters into a development agreement, the clerk shall record in the parish a copy of the agreement, which shall describe the land subject to the agreement. From and after the time of such recordation, the agreement shall impart such notice to all persons as is afforded by the recording laws of the state. The burdens of the agreement shall be binding upon and the benefits of the agreement shall inure to all successors in interest to the parties to the agreement.

### H. Modification or Suspension

In the event that state or federal laws or regulations, enacted after a development agreement has been entered into, prevent or preclude compliance with one or more provisions of the development agreement, such provisions of the agreement shall be modified or suspended as may be necessary to comply with such state or federal laws or regulations.

### I. Periodic Review; Termination or Modification

Any development agreement shall provide for periodic review at least every twelve months, at which time the applicant or his successor in interest shall be required to demonstrate good faith compliance with the terms of the agreement. If, as a result of such periodic review, the City Council finds and determines, on the basis of substantial evidence, that the applicant or successor in interest has not complied in good faith with terms or conditions of the agreement, the City Council may terminate or modify the agreement.

#### J. Enforcement

Unless amended, cancelled, modified or suspended, a development agreement shall be enforceable by any party to the agreement notwithstanding any change in any applicable general or specific plan, zoning, subdivision, or building regulation adopted by the City of Gonzales entering the agreement which alters or amends the rules, regulations, or policies specified in this zoning code.

#### K. Restrictions on Authority

Nothing in this procedure shall be construed to authorize property use contrary to existing zoning classifications or to authorize the reclassification of such zones.

## Sec. 22-6(c) Nonconformities

### Sec. 22-6(c)(1) In General

#### A. Continuation

A nonconformity may be continued in accordance with this section.

#### B. Types of Nonconformity

There are several types of nonconformities that may exist, as follows:

1. Nonconforming uses (see "Sec. 22-6(c)(2) Nonconforming Uses").
2. Nonconforming structures (see "Sec. 22-6(c)(3) Nonconforming Structures").
3. Nonconforming sites (see "Sec. 22-6(c)(4) Nonconforming Sites").
4. Nonconforming lots of record (see "Sec. 22-6(c)(5) Nonconforming Lots of Record").

#### C. Evidence of Status

Evidence of the status of a nonconforming use shall be supplied by the owner of the property upon request of the Administrator.

#### D. Time Extensions

The City Council may permit one extension of up to 12 additional months to the time periods for abandonment, obtaining a building permit or completing construction, provided the applicant can demonstrate circumstances out of his or her control have prevented a good faith attempt to reestablish or rebuild the nonconformity. Such circumstances may include the health of the applicant, court proceedings, failure to reach an insurance settlement, acts of God, or similar hardships.

### Sec. 22-6(c)(2) Nonconforming Uses

#### A. Continuation

A lawful use made nonconforming by the adoption of this zoning code or other ordinances may continue only for so long as such use is not expanded, increased or changed.

#### B. Change of Use

No use shall be changed to a conforming use until the Administrator has determined that the requirements of the applicable district will be met. The City Council may approve a different nonconforming use, provided such use

is deemed by the City Council to be less intense than the existing use. No change to a more intense nonconforming use is allowed.

**C. Abandonment**

A nonconforming use that has been discontinued for any 12 month period for whatever reason shall be considered to be abandoned and shall not be reestablished. Any use on the property after that time shall conform with all provisions of this zoning code. Evidence of intent to abandon the use is not required.

**D. Destruction**

A nonconforming use that is damaged may be rebuilt following approval by the City Council in accordance with the following:

1. A nonconforming use may only be reestablished within a conforming structure.
2. All restorative and other work must be within adopted building codes.
3. A building permit must be issued within one year from the date of the damage.
4. The certificate of occupancy (or other final inspection) must be issued as provided by adopted codes.

**E. Special Standards for Residential Uses**

As used in this paragraph, a “nonconforming residential use” is a structure which contains more dwellings than allowed by the district or a dwelling located in a district that does not permit residential uses.

**1. Abandonment**

- a. A nonconforming residential use other than a single family dwelling that has not been occupied for a continuous period of 12 months, for whatever reason, shall be considered to be abandoned and shall not be reoccupied except in conformance with all applicable provisions of this zoning code. Evidence of intent to abandon the nonconforming use is not required.
- b. A nonconforming single-family dwelling that has not been occupied for a continuous period of 12 months or longer shall not be considered to be abandoned and may be reoccupied at any time, provided

the structure has not been changed, legally or illegally, to a nonresidential use or multiple-unit residential use.

- c. Removal of a nonconforming mobile home or manufactured home, not in a mobile home park, from its foundation or pad for a continuous period of 12 months shall constitute abandonment of the use and placement of a new unit must comply with the provisions of this zoning code. Evidence of intent to abandon the nonconforming mobile home or manufactured home use is not required.

**2. Destruction**

Nonconforming residential uses that are damaged may be rebuilt in accordance with the following:

- a. All portions of the structure being restored are not and were not on or over a property line;
- b. The number of dwelling units does not increase;
- c. All construction is in compliance with current construction codes, such as the fire and building codes;
- d. A building permit is obtained within one year from the date of the damage; and
- e. The certificate of occupancy (or other final inspection) is issued within two years of the issuance of the building permit.

**Sec. 22-6(c)(3) Nonconforming Structures**

**A. Continuation**

A lawful structure existing as of the effective date of this zoning code or any amendment to this zoning code may continue to be used for any purposes permitted in the district provided it is in conformance with the provisions of this section.

**B. Maintenance and Restoration**

A nonconforming structure may be maintained or restored provided no expansion of the nonconformity occurs.

**C. Expansion**

A nonconforming structure may be expanded, provided that no increase in the nonconformity occurs.

#### D. Change of Use

Changes of use that require an increase in the number of parking spaces shall be required to provide the difference between the required parking for the prior use and that required for the proposed use in accordance with "Sec. 22-4(e) Parking Standards". Where this calculation results in the addition of less than five spaces, no additional spaces shall be required. Any additional parking area shall comply with all associated landscaping and drainage requirements of "Sec. 22-4(e)(6) Parking Area Design Standards".

#### E. Destruction

1. A nonconforming residential structure which is damaged may be restored within the existing footprint provided that all portions of the structure being restored are not and were not on or over a property line; all construction is in compliance with current construction codes, such as the Fire and Building Codes; a building permit is obtained within one year from the date of the damage; and the certificate of occupancy (or other final inspection) is issued within two years of the issuance of the building permit.
2. A nonconforming nonresidential structure which is damaged to 50 percent or less of its fair market value, based on a market appraisal performed by a certified appraiser, may be restored within the existing footprint provided that all portions of the structure being restored are not and were not on or over a property line; all construction is in compliance with current construction codes, such as the Fire and Building Codes; a building permit is obtained within one year from the date of the damage; and the certificate of occupancy (or other final inspection) is issued within two years of the issuance of the building permit. If damage exceeds 50 percent or more, restoration or improvement shall not be permitted unless the restoration results in a structure and site conforming to all applicable requirements of this zoning code.

### Sec. 22-6(c)(4) Nonconforming Sites

#### A. Continuation

A site existing as of the effective date of this zoning code that is nonconforming due solely to failure to meet the site development standards of this zoning code may be used for any purposes permitted in the district provided the use is in conformance with the provisions of this section.

#### B. Maintenance and Restoration

A nonconforming site may be maintained or restored provided no expansion of the nonconformity occurs.

#### C. Expansion

Additions to structures, additional paving, or parking on nonconforming sites shall require correction of existing nonconforming parking, landscaping and screening.

1. Complete redevelopment or expansions that result in a 25 percent or greater increase of the gross square footage of the existing structure require the entire property to meet all of the landscaping and screening requirements of this zoning code.
2. Expansions that result in less than a 25 percent increase of the gross square footage of the existing structure require a corresponding percentage increase in compliance for landscaping and screening requirements of this zoning code until the site achieves 100 percent compliance.
3. Expansions that require an increase in the number of parking spaces shall be required to provide 100 percent of the required parking spaces for the additional floor area in accordance with this zoning code. The additional parking area shall comply with all associated landscaping and drainage requirements of this zoning code.
4. Properties that are physically constrained from complying with these provisions shall comply to the maximum extent practicable as determined by the Administrator.

#### D. Change of Use

Changes of use that require an increase in the number of parking spaces shall be required to provide the difference between the required parking for the prior use and that required for the proposed use in accordance with "Sec. 22-4(e) Parking Standards". Where this calculation results in the addition of less than five spaces, no additional spaces shall be required. Any additional parking area shall comply with all associated landscaping and drainage requirements of "Sec. 22-4(e)(6) Parking Area Design Standards".

#### E. Destruction

1. A nonconforming residential structure which is damaged may be restored within the existing footprint provided that all portions of the

structure being restored are not and were not on or over a property line; all construction is in compliance with current construction codes, such as the Fire and Building Codes; a building permit is obtained within one year from the date of the damage; and the certificate of occupancy (or other final inspection) is issued within two years of the issuance of the building permit.

2. A nonconforming nonresidential structure which is damaged to 50 percent or less of its fair market value, based on a market appraisal performed by a certified appraiser, may be restored within the existing footprint provided that all portions of the structure being restored are not and were not on or over a property line; all construction is in compliance with current construction codes, such as the Fire and Building Codes; a building permit is obtained within one year from the date of the damage; and the certificate of occupancy (or other final inspection) is issued within two years of the issuance of the building permit. If damage exceeds 50 percent or more, restoration or improvement shall not be permitted unless the restoration results in a structure and site conforming to all applicable requirements of this zoning code.

### **Sec. 22-6(c)(5) Nonconforming Lots of Record**

#### **A. Residential Lots of Record**

1. All undeveloped lots of record in an agricultural or residential district that were recorded prior to the effective date of this zoning code that do not meet the minimum zoning district lot standards shall be allowed one single-family house.
2. The building type standards of the closest applicable zoning district as determined by the Administrator shall be applied to qualifying lots.

#### **B. Other Lots of Record**

All undeveloped lots of record in a non-residential district that were recorded prior to the effective date of this zoning code that do not meet the minimum zoning district lot standards as to width or area may be used for any purpose permitted in the district provided the use meets all other regulations prescribed for the district.

## **Sec. 22-6(d) Enforcement**

### **Sec. 22-6(d)(1) Violations**

In case any building or structure is erected, structurally altered, or maintained, or any building, structure or land is used in violation of this zoning code, the proper local authorities of the municipality, in addition to other remedies, may institute any appropriate action or proceedings to prevent such unlawful erection, structural alteration, maintenance, or use, to restrain, correct, or abate such violation, to prevent the occupancy of the building, structure, or land, or to prevent any illegal act, conduct, business, or use in or about such premises.

### **Sec. 22-6(d)(2) Enforcement Powers**

This zoning code shall be enforced by the Administrator, who is empowered to:

- A. Cause any building, structure, place or premises to be inspected and examined; and
- B. Order in writing the remedying of any condition found to exist in violation of any provision of this zoning code.

### **Sec. 22-6(d)(3) Notice of Violation**

If the Administrator finds that any of the provisions of this zoning code are being violated, the Administrator shall notify in writing the person responsible for such violations, indicating the nature of the violation and ordering the action necessary to correct it.

### **Sec. 22-6(d)(4) Enforcement Actions**

The Administrator shall order discontinuance of illegal use of land, buildings or structures; removal of illegal buildings or structures or of illegal additions, alterations or structural changes; discontinuance of any illegal work being done; or shall take any other action authorized by this statute to ensure compliance with or to prevent violation of its provisions.

### **Sec. 22-6(d)(5) Penalties**

Whenever in this zoning code or in any ordinance or resolution of City of Gonzales any act or omission is prohibited or is made or declared to be unlawful or a misdemeanor, or whenever in such code or ordinance the doing of any act or the failure to do any act is declared to be unlawful or a misdemeanor or is prohibited, and no specific penalty is provided therefor, and state law does not

provide otherwise or for a greater penalty, the violation of any such provision of this zoning code or any ordinance shall be a misdemeanor punishable by a term of imprisonment of up to 30 days in the Parish jail or a fine of up to \$500, or both. Unless specifically provided otherwise, or the context thereof so dictates, each day any violation of any provision of this zoning code or any ordinance shall continue shall constitute a separate offense.

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## Chapter 22-7. Definitions

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Sec. 22-2(a) In General . . . . . 7-2

Sec. 22-2(b) Defined Terms . . . . . 7-2

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## Sec. 22-7(a) General

Unless specifically defined below, words or phrases in this code shall be interpreted giving them the same meaning as they have in common usage and so as to give this code its most reasonable application.

## Sec. 22-7(b) Defined Terms

### Abutting

The property directly touches another piece of property.  
Accessory Dwelling Unit  
A dwelling that exists as part of a principal dwelling or on the same lot as the principal dwelling and is subordinate in size to the principal dwelling.

### Accessory Structure

Structures such as private garages and sheds, customarily incidental to and on the same lot with a primary structure;  
Accessory Use  
Uses customarily incidental to and on the same lot with a permitted main use;

### Addition

Any act or process which changes one or more of the exterior architectural features of a structure by adding to, joining with or increasing the size or capacity of the structure.

### Adjacent

see Abutting.

### Administrator

The person or office designated by the [City Council? City Clerk?] and charged with certain tasks including but not limited to interpreting the provisions of this Chapter, and other duties prescribed under this Chapter.

### Adult Day Care

A facility, operated for profit or not, in which care basic services are provided through its ownership or management for part of a day to three or more persons who are 18 years of age or older, not related to the owner or operator by blood or marriage, and who require such services.

### Adult Oriented Establishment

Includes, but is not limited to, an adult bookstore, adult motion picture theater, adult mini-motion picture establishment, adult cabaret, escort agency, sexual encounter center, adult massage parlor or rap parlor; further, "adult entertainment establishment" means any premises to which the public patrons or members are invited or admitted and that are so physically arranged as to provide booths, cubicles, rooms, compartments or stalls separate from the common areas of the premises for the purpose of viewing adult-oriented motion pictures, or wherein an entertainer provides adult entertainment to a member of the public, a patron or a member, when such adult entertainment is held, conducted, operated or maintained for a profit, direct or indirect. "Adult entertainment establishment" further includes, without being limited to, any adult entertainment studio or any premises that is physically arranged and used as such, whether advertised or represented as an adult entertainment studio, rap studio, exotic dance studio, encounter studio, sensitivity studio, model studio, escort service, escort or any other term of like import.

Adult Bookstore - A business that offers, as its principal or predominate stock or trade, sexually oriented material, devices, or paraphernalia, whether determined by the total number of sexually oriented materials, devices or paraphernalia offered for sale or by the retail value of such materials, devices or paraphernalia, specified sexual activities, or any combination or form thereof, whether printed, filmed, recorded or live, and that restricts or purports to restrict admission to adults or to any class of adults. The definition specifically includes items sexually oriented in nature, regardless of how labeled or sold, such as adult novelties, risqué gifts or marital aids.

Adult Cabaret - An establishment that features as a principal use of its business, entertainers, waiters, or bartenders who expose to public view of the patrons within such establishment, at any time, the bare female breast below a point immediately above the top of the areola, human genitals, pubic region, or buttocks, even if partially covered by opaque material or completely covered by

translucent material, including swim suits, lingerie, or latex covering. "Adult cabaret" includes a commercial establishment that features entertainment of an erotic nature, including exotic dancers, strippers, male or female impersonators, or similar entertainers.

Adult Entertainment - Any exhibition of any adult-oriented motion picture, live performance, display or dance of any type, that has as a principal or predominant theme, emphasis, or portion of such performance, any actual or simulated performance of specified sexual activities or exhibition and viewing of specified anatomical areas, removal of articles of clothing or appearing unclothed, pantomime, modeling, or any other personal service offered customers.

Adult Massage Parlor - An establishment or place primarily in the business of providing massage or tanning services where one or more of the employees exposes to public view of the patrons within such establishment, at any time, the bare female breast below a point immediately above the top of the areola, human genitals, pubic region, or buttocks, even if partially covered by opaque material or completely covered by translucent material.

Adult Mini-Motion Picture Theater - An enclosed building with a capacity of fewer than 50 persons regularly used for presenting material distinguished or characterized by an emphasis on matter depicting, describing or relating to specified sexual activities or specified anatomical areas as defined in this section, for observation by patrons in the building.

Adult Motion Picture Theater - An enclosed building with a capacity of 50 or more persons regularly used for presenting material having as a dominant theme or presenting material distinguished or characterized by an emphasis on matter depicting, describing or relating to specified sexual activities or specified anatomical areas as defined in this section, for observation by patrons in the building.

## Alley

A public way, or approved private way, that provides a secondary means of access to abutting property, normally located behind the building.

## Animal Boarding

The use of land for boarding, selling, training or breeding cats or dogs for compensation, or the keeping of more than 12 dogs or cats in combination for any purpose.

## Animal Shelter

A structure that is owned, operated or maintained by a public body, established humane society or other private or nonprofit organization used for the care of lost, abandoned or neglected pets.

## Apartment

A building type containing three or more dwelling units consolidated in a single structure. An apartment contains common walls. Dwelling units may be situated either wholly or partially over or under other dwelling units. The building often shares a common entrance.

## Arterial Street

Any street carrying more than 10,000 vehicles per day.

## Assisted Living Facility

Any group housing and services program for two or more unrelated adults, by whatever name it is called, that makes available, at a minimum, one meal a day and housekeeping services and provides personal care services directly or through a formal written agreement with one or more licensed home care or hospice agencies.

## Attached House

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

## Bed and Breakfast

A residential dwelling in which rooms are rented to paying transient guests on an overnight basis with breakfast being the only meal served daily to transient guests, the entire service to be included in one (1) stated price.

**Block**

A tract of land bounded by dedicated streets, which has been subdivided for building development.

**Buffer**

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

**Buildable Area**

The portion of a lot remaining after required yards and open space needs have been met.

**Building**

Any structure created for the support, shelter or enclosure of persons, animals or property of any kind and which is permanently affixed to the land.

**Caliper**

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

**Camps**

Small clusters of structures on large tracts of land that are intended to provide shelter on a seasonal basis and accompany activities such as hunting, fishing or trapping.

**Carpports or Garages**

Any structure for the purpose of providing shelter for one (1) or more vehicles.

**Clear Sight Distance**

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

**Common Lot Line**

A lot line shared between two private lots, which does not abut public or private right-of-way.

**Cottage Homes**

A type of small lot/small home residential development where dwelling units are grouped in clusters and oriented on common open space.

**Building, Completely Enclosed**

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

**Dance Hall**

A cafe, restaurant or other place where dancing is done to music provided by record player or orchestra.

**Drive-Through or Drive-In**

An establishment that by design, physical facilities, service, or by packaging procedures encourages or permits customers to receive services, or obtain goods while remaining in their motor vehicles.

**Dwelling, Multiple-Family**

A dwelling designed for or occupied by two (2) or more families, with the number of families in residence not exceeding the number of dwelling units provided.

**Dwelling, Single-Family**

A residential dwelling unit designed for and occupied by one (1) family only.

**Dwelling Unit**

One (1) room, or rooms connected together, constituting a separate independent housekeeping establishment for owner occupancy, rental or lease, and physically separated from any other rooms or dwelling units which may be in the same structure, and containing independent cooking and sleeping facilities.

**Easement**

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

### **Entertainment**

Entertainment shall include live vocalists, musicians, disc jockeys (whether speaking or not), comedians, karaoke, performers (paid or otherwise, including contestants) and the like, provided at a bar, restaurant, nightclub or other similar commercial establishment also providing food or beverages. Entertainment shall not include "Adult Entertainment."

### **Erected**

Means built, constructed, reconstructed, moved upon, or any physical operation in the premises required for building. Evacuation, fill drainage, demolition of an existing structure, and the like shall be considered part of erection.

### **FAA**

Federal Aviation Administration.

### **Family**

One or more persons related by blood, marriage, adoption or guardianship, or not more than two persons not so related occupying a dwelling unit and living as a single housekeeping unit shall be considered a family. Notwithstanding any other provision of this section this definition does not include individuals required to be assembled under one living unit for the purpose of drug or substance abuse rehabilitation or persons assigned to same as the result of criminal activity. Halfway houses, detoxification facilities or like facilities are not considered "family" structures and are thereby excluded from this definition.

### **Home Occupation**

An occupation carried on in a dwelling unit by a resident of the unit; provided that the use is limited in extent and incidental and secondary to the use of the dwelling unit for residential purposes and does not change the character of the dwelling unit.

### **Livestock**

One or more domesticated animals raised to produce commodities such as food or fiber. For the purposes of this zoning code livestock does not include the raising of hens for non commercial purposes.

### **Lot**

A lot is a parcel of land of at least sufficient size to meet minimum requirements for use, coverage and area, and to provide such yards and other open spaces as are herein required. Such lot may consist of:

1. A single lot of record;
2. A combination of complete lots of record, or complete lots of record and portions of lots of record, or of portions of lots of record;
3. A parcel of land described by metes and bounds.

### **Lot Front**

The portion of a lot nearest the street.

### **Lot of Record**

A lot which is a part of a subdivision, created in accordance with the ordinances of the city, the map of which has been recorded in the office of the clerk of court of the parish, or a parcel of land which became legally established and defined by deed or act of sale on or before October 17, 1977.

### **Manufactured Home**

A factory-built structure constructed after June 15, 1976 and under the authority of 42 U.S.C. § 5403 on an integral chassis and designed for residential occupancy when connected to the required utilities. For the purposes of this zoning code, a manufactured home is a single-family home.

### **Military Installation**

Any base, military airport, camp, post, station, yard, center, home port facility for a ship, or any other military activity center that is under the jurisdiction of the United States Department of Defense.

### Mobile Home

A factory-built home on an integral chassis that is 1) built before June 15, 1976, and 2) not built to a uniform construction code. A mobile home is designed to be transported for installation or assembly at the building site.

### Mobile or Manufactured Home Park

A parcel of land under single ownership which has been planned and improved for the placement of two or more mobile homes or manufactured homes on sites available for lease.

### Modular Home

A structure designed for residential occupancy, built to the standards of the Louisiana State Uniform Construction Code, which is manufactured in one or more sections in a factory for installation on a permanent foundation at its final location. For the purposes of this zoning code, a modular home is a single-family home.

### Multi-Story Structure

Any structure with two (2) or more usable floor areas located in such a manner that any portion of the upper floor area(s) is situated directly above any portion of the lower floor area; or, any structure where a portion of the structure has a perpendicular height above grade level in excess of twenty-five (25) feet.

### Nonconformities

Uses, sites, signs or other structures which were legally established, but because of the application of this code, or changes to the code, are no longer in compliance.

### Off-Street Loading Space

Space logically and conveniently located for bulk pickups and deliveries, scaled to delivery vehicles expected to be used, and accessible to such vehicles when required off-street parking spaces are filled.

### Off-Street Parking Space

means a space designated for the standing of a vehicle, whether occupied or not, located on private property, not on a public or private street or alley. Parking does not include the temporary standing

of a vehicle when commodities or passengers are being loaded or unloaded.

### Open Space

An area unobstructed by buildings from the ground upward, except for walks, paths, landscaping or other site features in public, common or other private ownership. Yards of individual lots occupied by dwellings shall not constitute open space.

### Owner of Record

The person, corporation, or other legal entity listed as owner on the records of the Parish Clerk of Court.

### Pervious Parking Surface

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

### Plat

A map or plan of a parcel of land which is to be or which has been subdivided.

### Recreational Vehicle

A vehicle which is self-propelled or designed to be towed by a motor vehicle or similar prime mover but is not designed to be used as a permanent dwelling and containing plumbing, heating and electrical systems that may be operated without connection to outside utilities, including a travel trailer, camper or another similar vehicle which is designed as temporary living quarters for recreational, camping or travel use.

### Rowhouse

A building type with three or more attached units consolidated into a single structure. Each unit shares a common side wall or a common floor or ceiling. Units may be stacked vertically, however, no more than one unit is permitted above another unit. Each ground floor unit has its own external street-facing entrance.

**Warehouse or Storage Yard**

Any accessory building or yard which is used to store merchandise, materials, supplies or vehicles, which will service a permitted use.

**Warehouse or Storage Yard, Commercial**

Any accessory building or yard which is used to store merchandise, materials, supplies, or vehicles, which will service a permitted use and is used principally as a business venture, such as a building being leased to another person.

**Story**

A floor of a structure where 50 percent or more of the floor area of the enclosed space is greater than 7.5 feet in clear height; measured from the finished floor to the finished ceiling.

**Structure**

Anything constructed or erected, the use of which requires permanent or temporary location on or in the ground, including but not limited to advertising signs, backstops for tennis courts, bathhouses used in connection with plant nurseries, billboards, buildings, fences, gazebos, signs, radio and television antennae (including supporting towers), swimming pools, satellite dishes, solar panels and wind generation equipment.

**Structure, Primary**

A building or structure in or on which the main use of the lot takes place.

**Structural Change**

Any change or repair in the supporting members of a building, structure, roof or exterior walls which would expand the building in height, width or bulk.

**Townhouse Unit**

A part of the townhouse property subject to individual ownership. Front yard, rear yard and parking facilities (the common elements) are required for each unit. A townhouse unit may include airspace only.

**Yard**

An open space at existing ground level between a building and the adjoining lot lines.

**Yard, Front**

A yard extending across the front of a lot between the side yards and being the minimum distance between the proposed right-of-way line of a street under the major street plan for the city or the existing street right-of-way (whichever is greater) and the building or any projection thereof other than steps and cornices.

**Yard, Side**

A yard between the building and the side line of the lot and being the minimum distance between a side lot and the side of the building or any projections other than steps and cornices.

**Yard, Rear**

A yard extending across the rear of a lot between inner side yard lines.

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