

APPENDIX A -- ZONING

PART I. AUTHORITY, PURPOSE AND APPLICATION

Section 1.1. Authority; Purpose

- 1.101 These zoning regulations are adopted pursuant to the Acts of the State of Louisiana. The Town of St. Francisville has fulfilled the requirements set forth in state law which are prerequisite to the adoption of regulations governing the zoning of land.
- 1.102 It is the purpose of this ordinance, with the Official Zoning Map, to provide for the harmonious development of the Town of St. Francisville in accordance with the planning heretofore made and adopted by the St. Francisville Planning and Zoning Commission to lessen congestion in the public streets, secure safety from fire, provide adequate light and air, avoid undue concentration of population, promote health and general welfare and conserve the value of buildings by encouraging the most appropriate use of the land by Zoning Districts according to the particular suitability of the land for particular purposes, all to create conditions favorable to health, safety, convenience, and prosperity.

Section 1.2. Area of Jurisdiction

- 1.201 This ordinance shall apply to all land within the corporate limits of the Town of St. Francisville as such corporate limits exist or may exist in the future.
- 1.202 Territory hereafter annexed to the Town of St. Francisville shall be in the R-1 Single Family Residential Zoning District until and unless changed in accordance with the Amendment Procedure set forth herein.

Section 1.3. Application of Regulations

- 1.301 No building, structure or land shall hereafter be used or occupied, and no building or structure or part thereof shall hereafter be erected, constructed, reconstructed, moved or structurally altered unless in conformity with all of the regulations herein specified for the Zoning District in which is it located.
- 1.302 No building or other structure shall hereafter be erected or altered:
- a. to exceed the height;
 - b. to accommodate or house a greater number of families;
 - c. to occupy a greater percentage of lot area;
 - d. to have narrower or smaller rear yards, front yards, side yards or other open spaces;
- than herein required or in any other manner contrary to the provisions of this ordinance.
- 1.303 Any part of a yard, other open space, off-street parking, or off-street loading space required in connection with any structure for the purpose of complying with this ordinance, shall not be included as part of a yard, open space or off-street parking or loading space similarly required for any other structure.

- 1.304 No yard or lot existing at the time of passage of this ordinance shall be reduced in size or area below the minimum requirements set forth herein. Yards or lots created after the effective date of this ordinance shall meet at least the minimum requirements established by this ordinance.
- 1.305 Regulations of land under water: All lands within the municipality which are under water and are not shown as included with any Zoning District shall be subject to all the regulations of the Zoning District adjacent to the water area. If the water area adjoins two (2) or more Zoning Districts, the boundary of each district shall be constructed to extend into the water area in a straight line to the centerline of the body of water.
- 1.306 Location of streets and public ways: Whenever any street, alley or other public way is abandoned or revoked by official action of the governing body, the Zoning District adjoining each side of such street, alley or public way shall automatically extend to the center of same, and all areas included therein shall then become subjected to all appropriate regulations of the extended districts.
- 1.307 Protection of major street rights-of-way: Every building or structure newly erected or placed on any lot abutting any street shown as a designated street on the major street plan or land use plan showing the streets shall in the computation of the front and side yard depths as hereafter required, compute and measure the required depth from the right-of-way lines as set forth in the future land use plan for the municipality.
- 1.308 Within each Zoning District, the regulations set by this ordinance shall be minimum regulations and shall apply uniformly to each class or kind of structure or land.

Section 1.4. Definitions

For the purpose of this ordinance certain words and phrases used are defined as follows:

- 1.401 GENERAL TERMS: The word "person" includes a firm association, organization, partnership, trust, company, or corporation as well as individuals. The present tense includes the future. The singular includes the plural and the plural the singular. The word "shall" is mandatory; the word "may" is permissive. The words "used" or "occupied" include the words "intended", "designed" or "arranged" to be used or occupied.
- 1.402 ACCESSORY STRUCTURE: A detached subordinate building located on the same building site with the main building, the use of which is incidental to that of the main building, such as a detached garage, barn, storage building, etc.
- 1.403 ACCESSORY USE: A use customarily incidental to the principal use of a building site or to a building and located upon the same building site with the principal use, such as parking lots, open storage activity, etc.
- 1.404 ALLEY: Any public space or thoroughfare twenty (20) feet or less in width which has been dedicated or deeded for public use.

- 1.405 ALTERATION: Any structural change in the supporting or load bearing members of a building, such as bearing walls, columns, beams or girders. Alteration includes the repainting or sandblasting or brickwork, excavation, or sepulture.
- 1.406 BED AND BREAKFAST: An establishment that offers to the public overnight accommodations in a family home, an inn or a guest house/cottage, and serves complimentary (included as part of the room rate) breakfast.
- 1.407 BOARD: The Board of Aldermen of the Town of St. Francisville.
- 1.408 BOARDING HOUSE, ROOMING HOUSE, or GROUP HOME: A building where, for compensation and by contractual prearrangement, individuals or groups of between two (2) and four (4) persons are provided with meals and long-term living accommodations in single room occupancy (SRO) arrangements. Long term shall be fourteen (14) days or more and the single rooms do not have kitchens.
- 1.409 BUILDING: Any covered structure intended for the shelter, housing or enclosure of persons, animals, or chattels; the term building is included in the term structure.
- 1-4010 BUILDING OFFICIAL: The person designated by the Town of St. Francisville to inspect buildings and properties within the municipal limits and issue building permits.
- 1.4011 BUILDING PERMIT: A certificate, issued by the Building Official after construction or landscape plans have been duly approved, which allows the property owner or agent to begin construction of said project.
- 1.4012 BUILDING SITE: The land area occupied or to be occupied by a building and its accessory buildings and including such open spaces, yards, minimum area, off-street parking facilities and off-street truck loading facilities as are required by this ordinance; every building site shall abut upon a street.
- 1.4013 BUILDING SITE BOUNDARY: Any line separating a building site from a street, an alley, another building site, or any land not part of the building site.
- 1.4014 CAMPER-TRAILER or RECREATIONAL VEHICLE:
1. A motorized vehicle or a non-motorized vehicle designed for recreational and travel purposes rather than for living on a permanent basis, designed to stand on or be supported by wheels.
 2. A structure built on a single chassis which contains 400 square feet or less of gross area measured at its largest horizontal projection, is designed to be self-propelled or permanently towed by a motorized vehicle, and/or has a vehicle identification number (VIN) rather than a US Department of Housing and Urban Development construction standard registration number.
- 1.4015 CAMPER-TRAILER or RECREATIONAL VEHICLE PARK: A tract of improved land designed for the purpose of supplying space for two (2) or more camper-trailers and/or recreational vehicles on a commercial basis.
- 1.4016 CERTIFICATE OF APPROPRIATENESS: A certificate issued by the St. Francisville Historic District Commission indicating its approval of plans for the construction, reconstruction, alteration, removal, or demolition of a structure within a Historic District.

- 1.4017 CERTIFICATE OF ZONING COMPLIANCE (Occupancy Permit): A certificate issued by the Administrative Official upon completion of construction and approval of any agency as required which allows the property to be occupied.
- 1.4018 CHURCH: A building, together with its accessory buildings and uses, where persons regularly assemble for religious worship, and which are maintained and controlled by a religious body organized to sustain public worship.
- 1.4019 CLINIC, DENTAL or MEDICAL: A building in which an individual or a group of physicians, dentists, and allied professional assistants are associated for the purpose of carrying on their professions; the clinic may include a dental or medical laboratory, but shall not include in-patient care or operating rooms for major surgery.
- 1.4020 COMMISSION: The Planning and Zoning Commission of the Town of St. Francisville, Louisiana.
- 1.4021 DISTRICT: Part of the municipality wherein regulations of this ordinance are uniform.
- 1.4022 DWELLING: A building used for residential purposes and shall not be construed to include travel trailers.
- 1.4023 DWELLING, CONDOMINIUM: A group of two (2) or more dwellings, similar to an apartment complex, or a townhouse subdivision providing for joint ownership of the underlying land and physical facilities, and for individual ownership of the living spaces. All dwelling units shall contain fire barriers in accordance with the building code as adopted by the State of Louisiana.
- 1.4024 DWELLING, DUPLEX: A detached building containing two (2) dwellings units under the same roof used by two (2) families living independently of each other. The term includes "garage apartment" and "granny flat", but does not include the placement of separate structures such as portable buildings, trailers, or other structures used as dwellings. All dwelling units shall contain a one-hour fire barrier between units.
- 1.4025 DWELLING, MULTIPLE-FAMILY: A building containing three (3) or more dwelling units and used by three (3) or more families living independently of each other. The term includes apartment house or apartment building, but does not include condominium or townhouse.
- 1.4026 DWELLING, SINGLE-FAMILY: A building containing one (1) dwelling unit.
- 1.4027 DWELLING, TOWNHOUSE: One of a series of two (2) or more individually owned or rented, single-family dwellings, attached in a row, excluding mobile homes. These are distinguished from condominium units by the ownership of the underlying land being owned by the dwelling owner or the developer if rental units. All dwelling units shall contain a two-hour fire barrier between units.
- 1.4028 FAMILY: One or more persons occupying a dwelling unit as an individual housekeeping unit, as distinguished from a group occupying a boarding house, rooming house, group home, or hotel.

- 1.4029 FLOOD ZONE: Flood zones are land areas identified by the Federal Emergency Management Agency (FEMA). Each Flood Zone designates that land area in terms of its risk of flooding, in terms of low, moderate or high risk areas.
- 1.4030 FLOODPLAIN: Any land susceptible to being inundated by floodwaters from any source. [This definition according to FEMA.]
- 1.4031 GROSS FLOOR AREA: The sum of the gross horizontal areas of the floor or combined floors of a building, including interior balconies and mezzanines; all horizontal dimensions shall be measured between the exterior faces of walls, including the walls of roofed porches having more than one wall. The gross floor area shall include the floor area of accessory buildings on the same building site, measured the same way.
- 1.4032 GROUP HOME: See BOARDING HOUSE.
- 1.4033 HISTORIC DISTRICT: An area designated by the Board of Aldermen in legal session convened, as delineated in **PART V. ESTABLISHMENT OF HISTORIC DISTRICT**.
- 1.4034 HOME OCCUPATIONS: Customary home occupations such as dressmaking or tailoring; the office of a physician or other professional person, incidental to a permitted use, provided such occupations are conducted in the main building and by persons resident in said buildings and provided further that persons conducting such occupations may employ no more than one (1) person outside the family.
- 1.4035 HOTEL or INN: A building containing guest rooms in which lodging is provided, with or without meals, for compensation and which is open to transient or permanent guests, or both, and where there is either no provision made for cooking in any guest room or provision made for cooking in not more than 25% of the guest rooms. The term includes "motel", but does not include a boarding house or a "Bed and Breakfast" as regulated by Section 4.401.
- 1.4036 HOSPITAL: An institution providing in-patient health services and medical and surgical care of the sick and injured, including as an integral part of the institution such related facilities as laboratories, out-patient departments, training facilities, central service facilities, staff offices, and emergency evacuation heliports.
- 1.4037 LIVESTOCK KEEPING, RAISING, or BREEDING: The keeping, raising, or breeding of any animals or fowl of any type or nature whatsoever. However, the definition does not include common household pets such as dogs, cats, hamsters or other small rodents, or caged birds for personal comfort and not as a commercial activity or for realizing proceeds or profit, excluding the occasional sale of pet offspring. Veterinary clinics providing indoor kennels are also not included in the definition.
- 1.4038 LIVING UNIT: The rooms occupied by an individual or a family. The living unit must include a kitchen.
- 1.4039 LOT: A plot or parcel of land adequate for occupancy by a use herein permitted, providing for the yards, building area, off-street parking, and other standards herein required and fronting directly upon a street. Included are:

1. Lot of Record: A lot which is part of a subdivision, the plat of which has been recorded in, or a lot described by metes and bounds, the description of which has been recorded in the Office of the Clerk of Court of West Feliciana Parish.
2. Corner Lot: A lot which abuts two (2) or more streets and/or roads, at their intersection, or upon a curved street, provided that the two (2) sides of the lot or the tangents to the curve of the street line at its starting points at or within the side line of the lot intersect to form an interior angle of not more than one hundred thirty-five degrees (135°).
3. Inner or Interior Lot: A lot which is not a corner lot.
4. Through Lot: A lot the depth of which extends between two (2) more or less parallel streets and has frontage on both streets

1.4040 LOT CHARACTERISTICS: The following terms apply to the elements and characteristics of lots:

1. Lot Depth: The distance between the front and rear lot lines. For irregular shaped lots, the depth shall be deemed to the mean distance between the front and rear lot lines.
2. Lot Width: The width of the lot measured at right angles to the mean depth of said lot. For irregular shaped lots, the width shall be deemed to be the mean distance between the side lot lines.
3. Lot Line, Front: The front lot line of an interior lot is the line separating the lot from the street or easement of principal access. The front lot line of a corner lot shall be the lot line with the least frontage.
4. Lot Line, Rear: The rear lot line is the boundary opposite and more or less parallel to the front lot line. The rear lot line of an irregular lot shall be a line not less than ten (10) feet long, lying wholly within the lot and parallel to and at the farthest distance from the front lot line.
5. Lot Line, Side: A side lot line is any lot boundary line not a front or rear lot line. A side lot line separating a lot from a street line is an exterior side lot line. Any other side lot line is an interior side lot line.

1.4041 MANUFACTURED COMMERCIAL BUILDING: Any building, whether or not meeting all commercial building, electrical, plumbing, and mechanical codes, which is designed or occupied for purposes other than as a dwelling or as an accessory structure, which is built on a single chassis, and which can be moved without the services of a commercial house or building mover.

1.4042 MAYOR: The Mayor of the Town of St. Francisville, Louisiana.

1.4043 MUNICIPAL: The Town of St. Francisville, Louisiana. PARISH: West Feliciana Parish

1.4044 MOBILE HOME or TRAILER HOME: A dwelling unit having one or more of the following characteristics (also referred to as a manufactured home or house, trailer, or trailer house):

1. A dwelling unit which is capable of being moved without employment of a commercial house mover.
2. A vehicular, portable structure built on a chassis and designed to be occupied, with or without a permanent foundation, as a dwelling when connected to indicated utilities.
3. A dwelling unit which has a US Department of Housing and Urban Development construction standard registration number.

NOTE: A travel trailer or recreational vehicle (RV) designed to be used as a temporary dwelling for travel, recreational and vacation use, is not to be considered a mobile home.

- 1.4045 MOBILE HOME PARK or TRAILER HOME PARK: A tract of land which is used or held out to the public for the purpose of supplying a parking space for two (2) or more mobile homes or trailers. (Code 1979, §§12-5001, 12-6001; Ord. No. 1979-1, 1-9-79)
- 1.4046 NON-CONFORMING USE: A building or part thereof lawfully existing on the effective date of this Ordinance which does not conform to all of the regulations of the Zoning District in which it is located. If a non-conforming use is discontinued for two (2) consecutive months in a Historic District or twelve (12) consecutive months in all other Zoning Districts, the status of that property automatically reverts to the underlying Zoning District.
- 1.4047 OFFICE BUILDING: A building designed for or used as offices of professional, commercial, industrial, religious, public or semipublic persons or organizations.
- 1.4048 PARKING LOT: An area that contains spaces for four or more vehicles.
- 1.4049 PARKING SPACE: One automobile parking space shall be an area not less than nine (9) feet by twenty (20) feet; the access to the parking space from a public street or alley shall be provided in addition to the space necessary for parking.
- 1.4050 PERMITTED STRUCTURE: A structure which meets all the requirements established by this ordinance for the Zoning District in which the structure is located.
- 1.4051 PERMITTED USE: A use which meets all the requirements established by this Ordinance for the Zoning District in which the use is located.
- 1.4052 PLANNED UNIT DEVELOPMENT (PUD): A subdivision that can be residential or business or commercial, but is usually designed to accommodate a combination to residential and business/commercial.
- 1.4053 RECREATIONAL VEHICLE: A structure which is:
 - 1. Built on a single chassis;
 - 2. Contains 400 square feet or less of gross area measured at its largest horizontal projection;
 - 3. Designed to be self propelled or permanently towed by a motorized vehicle; and
 - 4. Not designated for use as a permanent dwelling but as temporary living quarters for recreation, camping, travel or seasonal use.

NOTE: Such vehicles will likely have vehicle identifications numbers (VIN'S) rather than US Department of Housing and Urban Development construction standard registration numbers.
- 1.4054 RECREATIONAL VEHICLE PARK: A parcel, or contiguous parcels, of land divided into two (2) or more lots or spaces for the temporary placement of recreational vehicles. For purposes of this definition, temporary shall mean placement not to exceed 180 consecutive days.

- 1.4055 REMOVAL: Any relocation of a structure to another site or demolition of a structure on its site.
- 1.4056 REPAIR: Any change that is not construction, reconstruction, alteration, removal, or demolition.
- 1.4057 ROOMING HOUSE: See BOARDING HOUSE.
- 1.4058 SETBACK LINE, BUILDING: A line indicated on the filed subdivision plats. The buildable portion of the lot may not occupy any space between the building setback lines and dedicated rights-of-way.
- 1.4059 SIGNAGE: See CHAPTER 15.5. SIGNS.
- 1.060 STREET, ARTERIAL: A thoroughfare used primarily for fast and heavy traffic.
- 14061 STREET, COLLECTOR: A thoroughfare used to carry traffic from minor streets, usually residential, to arterial streets.
- 1.4062 STREET, MINOR: A street of limited continuity which serves the local need of a neighborhood or multi-lot subdivision. These can be for residential areas, commercial or industrial areas, or serve as rural roads.
- 1.4063 STREET LINE or RIGHT-OF-WAY LINE: The dividing line between a lot, its property line or lines, and a public right-of-way, a public street, road, or highway, or a private street, road or highway over which two (2) or more abutting owners have an easement or right-of-way.
- 1.4064 STRUCTURE: Anything constructed or erected, the use of which requires permanent or temporary location on or in the ground, including, but not limited to buildings, fences, gazebos, advertising signs, billboards, backstops, towers, portable buildings, trailers, mobile homes, antennae, in-ground swimming pools, utility poles, decks, and walls, with or without roofs. The term structure includes the term building.
- 1.4065 TOWN [MUNICIPALITY]: Town of St. Francisville. PARISH: Parish of West Feliciana.
- 1.4066 TRANSITION AREA: An area where the boundary line of a Business or Commercial District abuts a Residential District, the property with a distance equivalent to the required width of one (1) residential lot of record, or a minimum of one hundred (100) feet, adjoining either side shall be a transition area.
- 1.4067 TRAILER HOME: A vehicle equipped for use as a dwelling and designed to be hauled along a highway.
- 1.4068 YARD: A required open space unoccupied and unobstructed by any structure or portion of a structure from thirty (30) inches above the general ground level to the graded lot upward; provided however, that fences and walls may be permitted in any yard subject to height limitations as indicated herein.

- 1.4069 YARD, FRONT: A yard extending between side lot lines across the front of a lot. In any required front yard:
1. No fence or wall shall be permitted which materially impedes vision across such yard above the height of thirty (30) inches.
 2. No hedge or other vegetation shall be permitted which materially impedes vision across such yards between the heights of thirty (30) inches and ten (10) feet.
 3. In the case of through lots, unless the prevailing front yard pattern on adjoining lots indicates otherwise, front yards shall be provided on all frontages. Where one (1) of the front yards that would normally be required on a through lot is not in keeping with the prevailing yard pattern, the Administrative Officer may waive the requirement for the normal front yard and substitute therefore a special yard requirement which shall not exceed the average of the yards provided on adjacent lots.
- 1.4070 YARD, REAR: An open, unoccupied space situated between the rear line of the building site and the rear line of the main building on the lot and the rear property line. Required rear yard depths shall be measured at right angles to a straight line joining the rearmost points of the side lot lines. The forward rear yard line of a required rear yard shall be parallel to the straight line so established. (Ord. of 5-22-79, § 9.1)
- 1.4071 YARD, SIDE: An open, unoccupied space on the same building site with a main building, situated between the side line of the building and the adjacent side line of the lot. Required side yard widths shall be measured at right angles to a straight line joining the ends of front and rear lot lines on the same side of the lot. In the case of through lots, side yards shall extend from the rear line of the front yards required. In the case of corner lots with normal frontage, there will be only one (1) side yard adjacent to the interior lot. In the case of corner lots with reversed frontage, the yards remaining after the full and half depth front yards have been established shall be considered to be side yards.

Additional definitions related to **Telecommunications Equipment** are in **4.21** and **Landscaping** are in **PART VIII** of this ordinance.

PART II. LAND USE PRINCIPLES

The Land Use Plan outlines goals and objectives by which the corporate limits shall be developed and from time to time extended. This article is one of the methods by which such goals and objectives are met. In meeting such goals and making recommendations for their implementation, the following land use principles shall be utilized as guidelines for making land use decisions in terms of access and compatibility with existing and future developments.

All growth and development should be accomplished in accordance with the Official Zoning Map, thereby making development decisions predictable, fair and cost effective.

Section 2.1 General

- 2.101 The plan for the Town of St. Francisville as it relates to the floodways and floodplains shall be in accordance with the locally adopted Flood Plan Ordinance 25 as amended.
- 2.102 All recognized historical and archaeological sites and facilities shall be preserved. Rezoning requests from within the established Historic Districts shall have a

Certificate of Appropriateness from the Historic District Commission prior to consideration by the Planning and Zoning Commission.

- 2.103 Natural aesthetics and greenbelts shall be maintained where possible in both residential and commercial developments. Open spaces and farmland shall be preserved and maintained.
- 2.104 Sites with unique natural beauty and critical environmental areas shall be preserved and maintained for public enjoyment.
- 2.105 Use changes should not occur in the center of a block. Spot zoning should be avoided, especially in the middle of blocks. Optimum land use district changes should occur at rear property lines. Only those categories which usually require buffering by distance, sight restriction, or other devices are compatible in using the same circulation access. [Some developments, such as Planned Unit Developments (refer to **Chapter 17 Subdivision Ordinance**) will allow mixed land uses within its boundaries.]

Section 2.2 Housing

- 2.201 No residential development shall be allowed in floodways. Development in floodplains should be discouraged.
- 2.202 All urban and suburban residential development should have adequate access to community recreation facilities.
- 2.203 Uses compatible with residential are: recreation, education, fire and police stations, some agriculture, and some institutions.
- 2.204 Uses not compatible with residential are: commercial and industrial uses and all transportation facilities.
- 2.205 No urban or suburban residential development should be allowed unless there is an acceptable and adequate supply of potable water, sewerage collection and treatment, solid waste collection and disposal, and fire and police protection.
- 2.206 Non-farm strip residential development shall not be allowed along major roads and highways.
- 2.207 Single family residential lots should be served by minor streets. Normally, such lots should not be allowed on collector or arterial streets.
- 2.208 It is possible, with certain modifying criteria, to mix housing densities.
- 2.200 Preferences should be given to place higher density residential (apartments, mobile home parks, townhouses, condominiums, etc) on arterial or collector streets.
- 2.2-10 No airport will be allowed within the 100 decibels (Dba) curve of a residential area or residential development.

2.2011 No building or structure of forty-five thousand (45,000) square feet or more may be constructed.

Section 2.3 Business and Commercial

2.301 All business and commercial activities should be in units varying in size to suit their function and located convenient to their market. All should have adequate off-street parking.

2.302 Offices generating continuing traffic (doctors, dentists, banks, etc.) should be allowed on arterial and collector streets.

2.303 Only small convenience centers and some offices should be allowed on collector streets.

2.304 Auto oriented commercial uses (with the possible exception of convenience food stores) should be allowed only on arterial and collector streets.

2.305 Commercial activities should have access to arterial and collector streets only.

2.306 Commercial uses should be given prime consideration at the intersection of two arterial streets.

2.307 Commercial, along with some industrial and transportation uses, should be given prime consideration at all four-way major interchanges.

2.308 Uses compatible with commercial are medium and high density housing, institutions such as hospitals, colleges and universities, research organizations, administrative community facilities, and agriculture.

2.309 Wholesale and warehouse uses are more compatible with industrial and transportation uses than with other forms of commercial.

2.3010 Uses not compatible with commercial are heavy industry and low density housing.

2.3011 No building or structure of forty-five thousand (45,000) square feet or more may be constructed.

Section 2.4 Industrial

2.401 All industry should be grouped in compatible enclaves.

2.402 All industry should be served by adequate transportation systems and should be restricted to sites on arterial streets.

2.403 Uses compatible with industrial uses are transportation and warehouse uses, some commercial uses, agriculture, community facilities of an industrial type, and airfields.

2.404 Uses not compatible with industrial use are residential, some commercial, educational, most community facilities, and most recreational uses.

Section 2.5 Institutions

- 2.501 Institutional uses, being so diverse, demand locations that have relationships related to their characteristics.
1. Schools should be related to the age of student and the amount of traffic generated.
 - a. Minor streets: elementary schools, residential areas.
 - b. Collector or arterial streets: high and vocational schools, commercial or residential areas.
 - c. Arterial streets: Colleges and universities, high density residential or commercial.
 2. Nursing and long-term care facilities create much less demand in circulation and parking and may be accommodated on collector streets. Medium and high density housing and agriculture uses are compatible.
 3. Hospitals create traffic and parking problems that should only be acceptable on arterial streets or collector streets. Hospitals are most compatible with commercial and high density residential uses.
 4. Churches should be on collector and arterial streets; and are compatible with residential or commercial.

Section 2.6 Agricultural, Vacant and Woodlands

These uses should be encouraged and protected in areas where the soil is suitable.

Section 2.7 Recreation

- 2.701 Prime natural areas should be provided for public use in perpetuity.
- 2.702 Residential sections should be served by adequate recreational facilities.
- 2.703 Regional recreation facilities should be served by arterial roads.
- 2.704 "Pocket parks" may be provided in any Zoning District.
- 2.705 Utilize drainage areas for recreational and tourism purposes where appropriate.

Section 2.8 Transportation

- 2.801 Maintain a major street plan at all times.
- 2.802 Every land use shall contain enough land to ensure off-street parking for its function.

Section 2.9 Utilities

- 2.901 Allow no uses (except for commercial farm) where approved utilities and street lighting are not available.
- 2.902 Some utility facilities are compatible with commercial uses.
- 2.903 Most utility generating facilities are more compatible with industrial uses.

PART III. ADMINISTRATION AND ENFORCEMENT

Section 3.1 Administration and Enforcement

- 3.101 An Administrative Official designated by the governing body shall administer and enforce this ordinance. He/she may be provided with the assistance of such other persons as the governing body may direct.
- 3.102 If the Administrative Official shall find that any of the provisions of this ordinance are being violated, he/she shall notify in writing the person responsible for such violations, indicating the nature of the violation and ordering the action necessary to correct it. (Ord. of 5-22-79, § 3.1)
- 3.103 Prior to any recommendations from the Planning and Zoning Commission to the Board of Aldermen on any rezoning requests within Historic Districts, the Commission shall receive a "Certificate of Appropriateness" from the Historic District Commission regarding the subject property. The Historic District Commission shall have sole authority on all standards within the Historic Districts. Furthermore, prior to any recommendation on rezoning requests on any changes anywhere in the municipality the Planning and Zoning Commission shall hold a hearing. The zoning change shall be formalized by the Board of Aldermen.
- 3.104 Any applicant requesting the rezoning of property shall complete an application form available at the Town Hall. A rezoning fee of one hundred and fifty dollars (\$150.00) shall be paid to defray the cost of advertising for the public hearing required on all rezoning cases. This application form shall be completed and submitted a minimum of twenty (20) days prior to the next scheduled Planning and Zoning Commission meeting.
- 3.105 Public notice shall be published at least fifteen (15) days before a public hearing of the Planning and Zoning Commission and shall be published once a week for two (2) different weeks in the Official Journal of the municipality. The public notice shall include the proposed change and the time and place of the public hearing. The Town Council shall then hold a public hearing at its next regularly scheduled meeting and take action on the recommendation of the Planning and Zoning Commission.

Section 3.2 Duties of Administrative Official, Board of Adjustment, Governing Body and Courts Concerning Matters of Appeal

It is the intent of this ordinance that all questions of interpretative and enforcement shall be first presented to the Administrative Official, and that such questions shall be presented to the Board of Adjustment only on appeal from the decision of the Administrative Official, and that recourse from the decision of the Board of Adjustment shall be to the courts as provided for such matters in appropriate legislature of the state, R.S. 33:4727. (Ord. of 5-22-79, §3.2)

Section 3.3 Permits and Certificates

3.301 Building permits required:

1. No building or other structure shall be erected, moved, added to, reconstructed or structurally altered without a permit therefore, issued by the Administrative Official.
2. No building permit shall be issued except in conformity with the provisions of this ordinance except after written order from the Board of Adjustment.
3. The lot and location of the building thereon shall be staked out on the ground and approved by the Building Inspector before any construction begins.
4. No building permit in any case shall be issued until the lot, land use, and building plans are approved by all applicable agencies, including but not limited to the State Fire Marshal.

3.302 Application for building permit:

1. All applications for building permits shall be submitted to the Administrative Official.
2. All applications shall be accompanied by plans in duplicate, drawn to scale of not less than one-eighth (1/8) of an inch to one (1) foot showing:
 - a. The actual dimensions and shape of the lot to be built upon;
 - b. The exact size(s) and location(s) on the lot of any building(s) already existing; and
 - c. The location and dimensions of the proposed building or alteration.
3. The application shall include such other information as lawfully may be required by the Administrative Official, including:
 - a. Existing or proposed buildings or alterations;
 - b. Existing or proposed uses of the buildings and land;
 - c. The number of families, housekeeping units, or rental units the building is designed to accommodate;
 - d. Conditions existing on the lot; and
 - e. Other matters as may be necessary to determine conformance with and provide for the enforcement of this ordinance.
4. The Administrative Official shall review the application for compliance to the building code as adopted by the State of Louisiana and other specialty codes as adopted by the Town of St. Francisville.
5. The application shall also be reviewed by the St. Francisville Design Review Board.
6. One (1) copy of the plans shall be returned to the applicant by the Administrative Official, after he/she shall have marked such copy either as approved or disapproved and attested to same by his signature on such copy.
7. The second copy of the plans, similarly marked, shall be retained by the Administrative Official.

3.303 Certificates of Zoning Compliance (Occupancy Permit) for new; altered or nonconforming uses.

1. It shall be unlawful to use or occupy or permit the use or occupancy of any building or premises, or both, or part thereof hereafter created, erected, changed, converted or wholly or partly altered or enlarged in its use or structure until a certificate of zoning compliance has been issued therefore by the Administrative Official stating that the proposed use of the building or land conforms to the requirements of this ordinance.

2. No permit for alteration, moving or repair of any building shall be issued until an application has been made for a certificate of zoning compliance, and the certificate shall be issued in conformity with the provisions of this ordinance upon completion of the work.
3. In special circumstances, a temporary certificate of zoning compliance (occupancy permit) may be issued by the Administrative Official for a period not exceeding six (6) months during alterations or partial occupancy of a building pending its completion, provided that such temporary certificate may require such conditions and safeguards as will protect the safety of the occupants and the public.
4. The Administrative Official shall maintain a record of all certificates of occupancy, and copies shall be furnished upon request to any person.
5. Failure to obtain a certificate of zoning compliance, shall be a violation of this ordinance and punishable under **Section 3.4 Violations**.
6. No certificate of zoning compliance (occupancy permit) shall be issued until the structure is approved by all applicable agencies, including but not limited to the State Fire Marshal. (Mo. of 4-14-81, § B)
7. No utility service of any kind may be put into permanent service relative to any structure until the municipality issues a certificate of zoning compliance (occupancy permit). (Mo. of 4-14-81, § B)

3.304 Expiration of building permits; special building permit.

1. If the work described in any building permit has not begun within ninety (90) days from the date of issuance thereof, said permit shall expire and be canceled by the Administrative Official, and written notice thereof shall be given to the person(s) affected.
2. If the work described in any building permit has not been substantially completed with one (1) year of the date of issuance thereof, said permit shall expire and be canceled by the Administrative Official, and written notice thereof shall be given to the person(s) affected, together with notice that further work as described in the canceled permit shall not proceed unless and until a special building permit has been obtained. (Ord. of 5-22-79, § 3.3)

Section 3.4 Violations

3.401 Complaints regarding violations. Whenever a violation of this ordinance occurs, or is alleged to have occurred, any person may file a written complaint. Such complaint stating fully the causes and basis thereof, shall be filed with the Administrative Official. The Administrative Official shall record properly such complaint, immediately investigate and take action thereon as provided by this ordinance.

3.402 Penalties for violation. Violation of the provisions of this ordinance or failure to comply with any of its requirements shall constitute a misdemeanor.

1. Any person who violates this ordinance or fails to comply with any of its requirements shall upon conviction thereof be fined not less than fifty dollars (\$50.00) nor more than one hundred dollars (\$100.00) or imprisoned for not more than thirty (30) days, or both, and in addition shall pay all costs and expenses involved in the case. Each day such violation continues, shall be considered a separate offense.
2. The owner or tenant of any building, structure, premises, or part thereof, any architect, builder, contractor, agent, or other person who commits, participates

in, assists in, or maintains such violation may each be found guilty of a separate offense and suffer the penalties herein provided.

3. Nothing herein contained shall prevent the municipality from taking such other lawful action as is necessary to prevent or remedy any violation, particularly action pursuant to provisions of LA R.S. 33:47128, which the governing body adopts by reference and to the same extent as if copied here in extensor. (Ord. of 5-22-79, § 3.4)

PART IV. ZONING DISTRICTS

Section 4.1 Establishment of Zoning Districts

- 4.101 The Planning and Zoning Commission and the governing body have divided the municipality into the following Zoning District classifications:

- R-1 Single family residential
- R-2 High density single family residential, including townhouses
- R-3 Multiple family residential, including apartments and condominiums
- R-4 High density multiple family residential, including hotels
- B-1 Business
- C-1 General Commercial
- C-2 Major Commercial
- C-3 Heavy Commercial
- M-1 Light Industrial
- M-2 Heavy Industrial
- H-R Historic Residential
- H-B Historic Business
- H-C Historic Commercial
- T-2 Mobile Home Park
- T-3 Travel Park
- PUD Planned Unit Development

- 4.102 Districts and the boundaries of such districts are shown upon the Official Zoning Map of the Town of St. Francisville, Louisiana, which map together with all information shown thereon, is hereby made a part of this ordinance.

- 4.103 District boundaries are lot lines; the center lines of streets, alleys, or highways or such lines extended; railway lines; the municipal boundary lines as they exist at the time of enactment of this ordinance or may exist in the future; or natural boundary lines, such as streams.

- 4.104 If, in accordance with the provisions of this ordinance and statutes, changes are made in district boundaries or other matter portrayed on the Official Zoning Map, such changes shall be recorded on the Official Zoning Map annually in January. Each such annual change of the map shall be dated, signed and certified.

- 4.105 No change of any nature shall be made in this Official Zoning Map or matter shown thereon, except in conformity with the procedure set forth in this ordinance. Any unauthorized changes of whatever kind, by any person or persons, shall be considered a violation of the ordinance and punishable under **Part III. Administration and Enforcement** of the ordinance.

- 4.106 The Official Zoning Map, which shall be located in the office of the municipal clerk or the Planning and Zoning Commission, shall be the final authority as to the current zoning statute of lands, buildings and other structures in the municipality, including zoning changes during the calendar year.
- 4.107 Territory which may hereafter be annexed to the municipality shall be automatically classified as shown on the Official Zoning Map. Areas not shown shall be classified "R-1" single-family district until other wise amended. (Ord. of 5-22-79 §1.1)
- 4.108 Water, electric transmission, sanitary sewer, telephone, telegraph, storm water drainage, and natural gas lines, regardless of any other provision or regulation appearing in this ordinance, shall not be deemed and shall not constitute "uses requiring planned approval" or "special exception uses" in any district insofar as their placement, erection or construction on dedicated streets, alleys, and public ways is concerned, but on such streets, alleys and public ways, they shall constitute uses by right and no permit, license or other document of approval for such use(s) shall be required under this Chapter.

Section 4.2 Rules for Interpretation of District Boundaries

Where uncertainties exist with respect to the boundaries of any of the Zoning Districts as shown on the Official Zoning Map, the following rules shall apply:

- 4.201 Boundaries indicated as approximately following the center lines of streets, highways or alleys, shall be construed to follow such centerlines.
- 4.202 Boundaries indicated as approximately following platted lot lines shall be construed as following such lot lines.
- 4.203 Boundaries indicated as approximately following municipal boundaries shall be construed as following municipal boundaries.
- 4.204 Boundaries indicated as following railroad lines shall be construed to be midway between the tracks or sets of tracks.
- 4.205 Boundaries indicated as following shorelines shall be construed to follow such shorelines and in event of change in the shoreline shall be construed as moving with the actual shorelines.
- 4.206 Boundaries indicated as parallel to or extensions of features indicated in subsections 19.601 through 19.605 above shall be so construed as such boundaries.
- 4.207 Boundaries indicated following other boundary lines, watercourses, and other natural topography features shall be construed to be such boundaries.
- 4.208 Where the street or property layout existing on the ground is at variance with that shown on the Official Zoning Map, or in other circumstances not covered by Subsections 4.2-1 through 4.2-7 above, the Board of Adjustment shall interpret the district boundaries.
- 4.209 Distances not specifically indicated on the Official Zoning Map shall be determined by the scale of the map. (Ord. of 5-22-79, §1.2; Ord. No. 1992-3, 2-11-92)

Section 4.3 R-1 Single Family Residential

- 4.301 In R-1 Districts only the following uses of property shall be permitted:
1. Single family dwellings; agriculture; accessory buildings including private garages and uses customarily incidental to any of the above uses where located on the same lot and not involving the conduct of a business.
 2. Home occupations, provided that such occupations are conducted in the main building and that persons conducting such occupations reside on the premises
 3. Municipal recreational uses; schools offering general education courses; churches; a cemetery, provided it serves as a transitional open use between less compatible uses; golf courses; hospitals; institutions; municipal, state, federal or governmental uses; fire houses; public utilities; non-profit clubs, provided all structures for such uses are located twenty-five (25) feet from any property line.
 4. No building shall be erected with a floor level below the one hundred (100) year high water level as established by the National Flood Insurance Administration or successor. (Ord. No. 1983-1, 2-22-83)
 5. Bulletin boards and signs—see **Chapter 15.5 SIGNS**.
- 4.302 Prohibited uses:
1. All uses (including, but not limited to, two-family dwellings, multiple family dwellings, apartments, and condominiums) not permitted herein. (Ord. No. 1983-1, 2-22-83)
 2. Boarding houses, rooming houses or group homes.
 3. Public or private facilities to be utilized for incarceration of persons charged or convicted of crimes. (Ord. No. 1999-3, 4-13-99)
- 4.303 Height regulations: No building shall exceed thirty (30) feet in height.
- 4.304 Size of lot regulations for all buildings except accessory uses:
1. There shall be a minimum lot width of one hundred (100) feet.
 2. Every lot shall contain an area of not less than twelve thousand (12,000) square feet per family unit.
 3. The minimum living area for each residence shall be one thousand five hundred (1,500) square feet.
- 4.305 Size of yard regulations for all buildings except accessory uses:
1. Front yard: Front building line shall conform to the average building lines in a developed block, but in no case shall it be less than thirty (30) feet. On through lots this minimum front yard shall be provided on both streets.
 2. Side yard: There shall be two (2) side yards, one (1) on each side of the building, having a minimum width of ten (10) feet each.
 3. In the case of a corner lot where the side yard abutting the street is to be considered as a front yard, said side yard may be reduced to not less than twenty-four (24) feet from the front yard requirement of thirty (30) feet
 4. Rear yard: There shall be a rear yard having a depth of not less than twenty percent (20%) of the depth of the lot, provided the depth of the required rear yard shall be less than twenty-five (25) feet and need not exceed fifty (50) feet.
- 4.306 Also see Section 12.2 Lot of Record.

- 4.307 Off-street parking regulations are provided for under Section 7.2 (Ord. of 5-22-79, §2.1)

Section 4.4 R-2 High Density Single Family Residential

- 4.401 In R-2 Districts only the following uses of property shall be permitted:
1. All of the permitted uses of R-1 shall apply; and garage apartments and townhouses are permitted.
 2. Bed and Breakfast establishments, where the following conditions shall apply:
 - a. No accommodations shall be rented for a period in excess of two weeks to any one person or party, without permission of the Town Council.
 - b. No alcoholic beverages shall be sold.
 - c. Off-street parking shall be in compliance with Section 7.2. (Ord. 1998-6, 12-8-98)
 4. Bulletin Boards and Signs: see **Chapter 15.5 SIGNS**.
- 4.402 Prohibited uses:
1. All uses (including, but not limited to, two-family dwellings, multiple family dwellings, apartment buildings, and condominiums) not permitted herein.
 2. Boarding houses, rooming houses or group homes.
 3. Public or private facilities to be utilized for incarceration of persons charged or convicted of crimes. (Ord. No. 1999-3, 4-13-99)
- 4.403 Height regulations: No building shall exceed thirty (30) feet in height.
- 4.404 Size of lot regulations for all buildings except accessory uses:
1. There shall be a minimum lot width of seventy-five (75) feet.
 2. Every lot shall contain an area of not less than nine thousand (9,000) square feet per family unit.
 3. The minimum living area for each residence shall be one thousand two hundred (1,200) square feet.
- 4.405 Size of yard regulations for all buildings except accessory uses:
1. Front yard - To be thirty (30) feet.
 2. Side yard - To be ten (10) feet.
 3. Rear yard – The same as Section 4.605 R-1 Single family residential--There shall be a rear yard having a depth of not less than twenty (20) percent of the depth of the lot, provided the depth of the required rear yard shall be less than twenty-five (25) feet and need not exceed fifty (50) feet.
- 4.406 Also see Section 12.2. Lot of Record.
- 4.407 Off-street parking: Same as 7.2. (Ord. of 5-22-79, §2.1)

Section 4.5 R-3 Multiple Family Residential

- 4.501 In R-3 Districts only the following uses of property shall be permitted:
1. All of the permitted uses of R-1 and R-2 shall apply.
 2. Duplexes, apartment buildings, and condominiums.
 3. Boarding houses, rooming houses, and group homes.

- 4. Smaller lots are permitted.
 - 5. Bulletin Boards and Signs: see **Chapter 15.5 SIGNS**.
- 4.502 Prohibited uses:
- 1. All uses not permitted herein.
 - 2. Public or private facilities to be utilized for incarceration of persons charged or convicted of crimes. (Ord. No. 1999-3, 4-13-99)
- 4.503 Height regulations: No building shall exceed thirty (30) feet in height.
- 4.504 Size of lot regulations for all buildings except accessory uses:
- 1. There shall be a minimum lot width of fifty (50) feet.
 - 2. Every lot shall contain an area of not less than five thousand (5,000) square feet per family unit.
- 4.505 Size of yard regulations for all buildings except accessory uses:
- 1. Front yard - To be no less than twenty (20) feet.
 - 2. Side yard - To be no less than five (5) feet.
 - 3. Rear yard – To be no less than twenty (20) feet.
- 4.506 Also see Section 12.2 Lot of Record.
- 4.507 Off-street parking: Same as 7.2 (Ord. of 5-22-79, §2.1)

Section 4.6 R-4 High Density Multiple Family Residential

- 4.601 In R-4 Districts the following uses of property shall be permitted:
- 1. All of the permitted uses of R-1, R-2 and R-3 shall apply.
 - 2. Also permitted are: hotels; tourist courts; funeral homes and mortuaries; philanthropic uses; and lodge halls.
 - 3. Business occupations, such as beauty shops, provided that such occupations are conducted in the main building and that persons conducting such occupations reside on the premises; the expansion of existing business uses by not more than twenty-five percent (25%) in area.
 - 4. The above by Ord. No. 1983-1, 2-22-83.
 - 5. Bulletin Boards and Signs: see **CHAPTER 15.5 SIGNS**.
- 4.602 Prohibited uses:
- 1. All uses not permitted herein.
 - 2. Public or private facilities to be utilized for incarceration of persons charged or convicted of crimes. (Ord. No. 1999-3, 4-13-99)
- 4.603 Height regulations: No building shall exceed thirty (30) feet in height.
- 4.604 Size of lot regulations:
- 1. Shall be based on the number of dwelling units that are to be constructed thereon.
 - 2. Every lot shall contain an area of not less than three thousand (3,000) square feet per family unit.
 - 3. There shall be a minimum lot width of sixty (60) feet (Res. of 4-24-81)

- 4.605 Size of yard regulations for all buildings except accessory uses:
1. Front yard – Front building lines shall conform to the average building lines in a developed block, but in no case shall it be less than thirty (30) feet. When there is undeveloped land for a distance of one hundred fifty (150) feet on both sides of a proposed building, the minimum building setback line shall be twenty-five (25) feet from the established street right-of-way lines; on through lots this minimum depth shall be provided on both streets.
 2. Side yard – There shall be two (2) side yards, one (1) on each side of the building, having a minimum width of ten (10) feet.
 3. In the case of a corner lot where the side yard abutting the street is to be considered as a front yard, said side yard may be reduced to not less than twenty-four (24) feet from the front yard requirement of thirty (30) feet
 4. Rear yard – There shall be a rear yard with a minimum depth of twenty (20) feet.
- 4.606 Off-street parking: Same as 7.2 (Ord. of 5-22-79, §2.1)

Section 4.7 B-1 Business

- 4.701 In B-1 Districts there may only be:
1. Apartment hotels and services for hotel residents when all activity is carried on within the hotels.
 2. Office buildings, providing no goods are bought, sold and/or resold on the premises; banks, including drive-thru facilities; savings and loan associations; personal service shops; studios and arts and crafts schools conducted by resident members of families; art and photographic studios; and antique shops.
 3. Professional and sub-professional offices, including but not limited to lawyers, realtors, insurance agents; and mercantile and other similar uses deemed compatible by the Commission and Board of Aldermen.
 4. Medical or dental treatment, with more than one (1) doctor or dentist and associated personnel.
 5. Parking lots to serve the above entities.
 6. Bulletin Boards and Signs – see **CHAPTER 15.5 SIGNS**.
- 4.702 Prohibited use:
1. All uses not permitted herein or deemed not compatible by the Planning and Zoning Commission, the Board of Aldermen and the Mayor.
 2. Truck stops. (Ord. 1999-2, (9-28-99)
- 4.703 Height regulations: No building shall exceed thirty (30) feet in height.
- 4.704 Lot size regulations: Minimum lot area as established in Section 4.404--R-2 High Density Single Family Residential.
- Size of lot regulations for all buildings except accessory uses:
1. There shall be a minimum lot width of seventy-five (75) feet.
 2. Every lot shall contain an area of not less than nine thousand (9,000) square feet per family unit.
 3. The minimum living area for each residence shall be one thousand two hundred (1,200) square feet.

- 4.705 Yard size regulations: Minimum land requirements as established in Section 4.405--R-2 High Density Single Family Residential.
Size of yard regulations for all buildings except accessory uses:
1. Front yard - To be thirty (30) feet.
 2. Side yard - To be ten (10) feet.
 3. Rear yard – The same as Section 4.305--R-1 Single Family Residential --There shall be a rear yard having a depth of not less than twenty percent (20%) of the depth of the lot, provided the depth of the required rear yard shall be less than twenty-five (25) feet and need not exceed fifty (50) feet.
- 4.706 Off-street parking: Same as 7.2. (Ord. of 5-22-79, §2.5; Ord No. 1991-1, 5-28-91)

Section 4.8 C-1 General Commercial

- 4.801 In C-1 Districts there may be any of the following uses:
1. Any uses listed in any previous districts.
 2. Apartment hotels, boat rentals, commercial recreational facilities, commercial greenhouses and nurseries, commercial schools, drive-in restaurants, hardware stores, and office buildings.
 3. Shops for repair of bicycles, electronic devices, household appliances, locks and locking devices, typewriters and business machines, and computers.
 4. Shops including dressmakers, millinery, tailoring, bakery goods sales, laundry and dry cleaning pickup stations, and any other similar uses deemed compatible by the Planning and Zoning Commission and the Board of Aldermen.
 5. Large appliance repair and services; beauty and/or barber shops with more than two (2) operators dance instruction; vehicle restoration, repair, upholstery, or painting.
 5. Bulletin Boards and Signs – see **CHAPTER 15.5 SIGNS**.
- 4.802 Prohibited uses:
1. All uses not permitted herein, or deemed compatible by the Commission and the Board of Aldermen.
 2. Truck stops. (Ord. 1999-2, (9-28-99)
 3. Any building over 45,000 square feet
- 4.803 Height regulations: No building shall exceed thirty (30) feet in height.
- 4.804 Size of lot regulations: For dwelling units, same as Section 4.404--R-2 High Density Single Family Residential; otherwise no minimum.
Size of lot regulations for all dwelling unit buildings except accessory uses:
1. There shall be a minimum lot width of seventy-five (75) feet.
 2. Every lot shall contain an area of not less than nine thousand (9,000) square feet per family unit.
 3. The minimum living area for each residence shall be one thousand two hundred (1,200) square feet.
- 4.805 Size of yard regulations: Size of yard regulations for all dwelling unit buildings except accessory uses:
1. Front yard – For dwelling units, same as Section 4.405—R-2 High Density Single Family Residential, to be thirty (30) feet; no front yard required for other uses except as stated in “4” below.

2. Side yard – For dwelling units, same as Section 4.405—R-2 High Density Single Family Residential, to be ten (10) feet; no side yard required for other uses except as stated in “4” below.
3. Rear yard – For dwelling units, to be interpreted same as Section 4.305--R-1 Single Family Residential —There shall be a rear yard having a depth of not less than twenty percent (20%) of the depth of the lot, provided the depth of the required rear yard shall be less than twenty-five (25) feet and need not exceed fifty (50) feet; no rear yard required for other uses except as stated in “4” below.
4. Whenever a C-1 District abuts on a Residential District which requires front, side and rear yards the residential yard requirements shall apply to the C-1 District for the entire block where the abutment occurs.

4.806 Off-street parking regulations as provided for under Section 7.2.

4.807 Loading zone requirements shall be provided as set forth in Section 7.3. (Ord. of 4-22-79, § 2.6)

Section 4.9 C-2 Major Commercial

4.901 In C-2 Districts there may be any of the following uses:

1. Any uses listed in any previous districts.
2. Restaurants, lounges; commercial auditoriums; coliseums and convention halls; dance halls; drive-in theaters; hotels and motels; private gyms; and laboratories.
3. Express offices; parcel delivery sales; mini-storage garages; carpet cleaning; dry cleaners and laundries; frozen food lockers; poultry, meat or fish markets, and upholstery shops.
4. Furnace, heating and air conditioning repair; glass installation; lumber yards; plumbing shops; and sheet metal shops;
5. Motor vehicle repairs; motorcycle repairs; new and used car sales; service stations; and tire repair shops.
6. Animal hospitals.
7. Mobile home parks and travel vehicle parks that meet all local, parish and state requirements.
8. Bulletin Boards and Signs – see **Chapter 15.5 SIGNS**

4.902 Prohibited uses:

1. Uses detrimental to a neighborhood because of odor, smoke, dust, gas, excessive glare, light, noise, or vibration; truck stops. (Ord. 1999-2, 9-28-99)
2. Any building or structure over 45,000 square feet.

4.903 Height regulations: No building shall exceed thirty (30) feet in height.

4.904 Size of lot regulations: For dwelling units, same as applicable Residential District requirements (Res. of 4-2441); otherwise no minimum.

4.905 Size of yard regulations: Size of yard regulations for all dwelling unit buildings except accessory uses:

1. Front yard – For dwelling units, same as Section 4.405—R-2 High Density Single Family Residential, to be thirty (30) feet; no front yard required for other uses except as stated in “4” below.

2. Side yard – For dwelling units, same as Section 4.405—R-2 High Density Single Family Residential, to be ten (10) feet; no side yard required for other uses except as stated in “4” below.
3. Rear yard – For dwelling units, same as Section 4.305--R-1 Single Family Residential —there shall be a rear yard having a depth of not less than twenty percent (20%) of the depth of the lot, provided the depth of the required rear yard shall be less than twenty-five (25) feet and need not exceed fifty (50) feet; no rear yard required for other uses except as stated in “4” below.
4. Whenever a C-2 District abuts on a Residential District which requires front, side and rear yards the residential yard requirements shall apply to the C-2 District for the entire block where the abutment occurs.

4.906 Off-street parking regulations as provided for under Section 7.2.

4.907 Loading zone requirements shall be provided as set forth in Section 7.3. (Ord. of 4-22-79, § 2.7)

Section 4.10 C-3 Highway Corridor

4.1001 The Highway Corridor District shall be the properties facing US Hwy. 61 within the municipal boundaries and those facing LA Hwy. 10 from US Hwy. 61 easterly to the municipal boundary.

4.1002 In C-3 Districts there may be any of the following uses:

1. Any uses listed in any previous districts, plus strip shopping centers.
2. Bottling works, bulk dairy products, creameries, and farmers markets.
3. Bus and truck terminals, fabrication and packing of materials, and truck stops. (Ord. 1999-12, 9-28-99)
4. Dog pounds, commercial stables, and riding academies.
5. Bulletin Boards and Signs – see **Chapter 15.5 SIGNS**

4.1003 Prohibited uses:

1. Uses detrimental to a neighborhood because of odor, smoke, dust, gas, excessive glare, light, noise, or vibration.
2. Any building or structure over 45,000 square feet.

4.1004 Height regulations: No building shall exceed thirty (30) feet in height.

4.1005 Size of lot regulations: For dwelling units, same as Section 4.404-- R-2 High Density Single Family Residential; otherwise no minimum.

Size of lot regulations for all dwelling unit buildings except accessory uses:

1. There shall be a minimum lot width of seventy-five (75) feet.
2. Every lot shall contain an area of not less than nine thousand (9,000) square feet per family unit.
3. The minimum living area for each residence shall be one thousand two hundred (1,200) square feet.

4.1006 Size of yard regulations: Size of yard regulations for all dwelling unit buildings except accessory uses:

1. Front yard – For dwelling units, same as Section 4.405—R-2 High Density Single Family Residential, to be thirty (30) feet; no front yard required for other uses except as stated in “4” below.
2. Side yard – For dwelling units, same as Section 4.405—R-2 High Density Single Family Residential, to be ten (10) feet; no side yard required for other uses except as stated in “4” below.
3. Rear yard – For dwelling units, same as Section 4.305--R-1 Single Family Residential —there shall be a rear yard having a depth of not less than twenty percent (20%) of the depth of the lot, provided the depth of the required rear yard shall be less than twenty-five (25) feet and need not exceed fifty (50) feet; no rear yard required for other uses except as stated in “4” below.
4. Whenever a C-3 District abuts on a Residential District which requires front, side and rear yards the residential yard requirements shall apply to the C-3 District for the entire block where the abutment occurs.

4.1007 Off-street parking regulations as provided for under Section 7.2.

4.1008 Loading zone requirements shall be provided as set forth in Section 7.3. (Ord. of 4-22-79, § 2.8)

Section 4.11 M-1 Light Industrial

4.1101 In M-1 Districts there may be:

1. Contractor’s storage yards; open storage facilities; assembly plants; warehouse and storage buildings; concrete mixing plants; grain elevators; well drilling services; television and radio transmitters; and telecommunications towers.
2. Manufacturing including: cellophane products; ceramic products; electrical parts; fiber products; furniture; garments; glass products; paper products; petroleum products; pharmaceuticals; signs; completed textile products; tire and rubber products; tool; toy; and wood products; and book binding.
2. Bottle gas sales and/or service; machinery sales and service; millwork and sheet metal work.
3. Canneries; cold storage plants; confectionery manufacturing; dairy products manufacturing; food products manufacturing; fruit and vegetable canneries; and poultry, meat or fish processing and packaging plants.
4. Barge loading, repair and fabrication; and railroad freight terminals.
5. Bulletin Boards and Signs: see **Chapter 15.5 SIGNS**.

4.1102 Prohibited uses:

1. Dwellings, except for employees on the premises; churches; schools offering general education courses; libraries; lampblack manufacture.
2. Any building or structure over 45,000 square feet.

4.1103 Height regulations: No limit except when a building abuts on a Residential District, in which case it shall not exceed the maximum height permitted in the Residential District unless it is set back from all yard lines by one (1) foot for each one (1) foot of additional height in excess of the height so permitted.

4.1104 Size of lot regulations: None, except that the principal building or structure shall not cover more than sixty percent (60%) of the lot area in an M-1 District

- 4.1105 Size of yard regulations: Size of yard regulations for all buildings except accessory uses:
1. Front yard – None except when it abuts a Residential District; see “4” below.
 2. Side yard –None except when it abuts a Residential District; see “4” below;
 3. Rear yard –None except when it abuts a Residential District; see “4” below.
 4. Whenever an M-1 District abuts on a Residential District which requires front, side and rear yards the residential yard requirements shall apply to the M-1 District for the entire block where the abutment occurs.
- 4.1106 Off-street parking regulations as provided for under Section 7.2.
- 4.1107 Loading zone requirements shall be provided as set forth in Section 7.3

Section 4.12 M-2 Heavy Industrial

- 4.1201 Permitted uses:
1. Industrial service industries, foundries; ironworks, rubber manufacturing, textile manufacturing.
 2. Lamp black manufacturing.
- 4.1202 Prohibited uses:
1. Any buildings for residential use except for employees on the premises.
 2. Any building or structure over 45,000 square feet.
 3. Trailer parks, mobile home parks and travel vehicle parks. (Ord. of 5-22-79 §2.10)
- 4.1203 Bulletin Boards and Signs: see **Chapter 15.5 SIGNS**.

Section 4.13 H-R Historic Residential

- 14.1301 In H-R Districts there may only be:
1. Single-family and two-family dwellings.
 2. Bed and breakfast establishments.
 3. Bulletin Boards and Signs – See **Chapter 15.5 SIGNS**
- 4.1302 Prohibited uses:
1. All uses not specifically included in **Part V ESTABLISHMENT OF HISTORIC DISTRICT**.
 2. Public or private facilities to be utilized for incarceration of persons charged or convicted of crimes. (Ord. 1999-3, 4-13-99)
- 4.1303 Height regulations: No new construction shall exceed thirty (30) feet in height. No reconstruction of existing structures shall exceed thirty (30) feet in height, except when the existing structure already exceeds this height limitation. All existing buildings exceeding thirty (30) feet shall be allowed to remain, but no building shall be altered in such a way as to increase the existing height.
- 4.1304 Size of lot regulations: Same as Section 4.404- R-2 High Density Single Family Residential.

Size of lot regulations for all buildings except accessory uses:

1. There shall be a minimum lot width of seventy-five (75) feet.
2. Every lot shall contain an area of not less than nine thousand (9,000) square feet per family unit.
3. The minimum living area for each residence shall be one thousand two hundred (1,200) square feet.

4.1305 Size of yard regulations: Same as Section 4.405--R-2 High Density Single Family Residential.

Size of yard regulations for all buildings except accessory uses:

1. Front yard - To be thirty (30) feet.
2. Side yard - To be ten (10) feet.
3. Rear yard – The same as Section 4.305--R-1 Single Family Residential--There shall be a rear yard having a depth of not less than twenty percent (20%) of the depth of the lot, provided the depth of the required rear yard shall be less than twenty-five (25) feet and need not exceed fifty (50) feet.

4.1306 Off-street parking regulations as provided for under Section 7.2.

4.1307 Special construction considerations: Due to the unique nature of a Historic District, property owners contemplating new construction or reconstruction of existing structures or refurbishment of existing structures shall submit copies of all such plans to the Historic District Commission for review. No building permit shall be issued for any construction or reconstruction without the written approval (Certificate of Appropriateness) of the Historic District Commission. (Ord. of 4-22-79, § 2.11; Ord. No. 1992-2, 2-11-92) The above shall also be applicable to signs; see **Chapter 15.5 SIGNS**.

For additional information see **PART V. ESTABLISHMENT OF HISTORIC DISTRICT.**

Section 4.14 H-B Historic Business

4.1401 In H-B Districts there may be:

1. All of the permitted uses of H-R Districts.
2. General business offices, including: doctors, lawyers, real estate agents, insurance agents; and personal service shops.
3. Arts and crafts schools; art, architectural and photographic studios; antique shops; book and gift shops; museums; and libraries.
4. Cafes and tearooms, provided they are operated between the hours of 7:00 a.m. and 7:00 p.m. and provided no alcoholic beverages are sold on the premises.
5. Parking lots for the above establishments.
6. Bulletin Boards and Signs: see **Chapter 15.5 SIGNS**.

4.1402 Prohibited uses:

1. All uses not specifically included herein.
2. Public or private facilities to be utilized for incarceration of persons charged or convicted of crimes. (Ord. 1999-3, 4-13-99)

4.1303 Height regulations: No building or structure shall exceed thirty (30) feet, except when the existing structure already exceeds this height limitation. All existing buildings

exceeding thirty (30) feet shall be allowed to remain, but no building shall be altered in such a way as to increase the existing height.

4.1304 Size of lot regulations: Same as Section 4.404--R-2 High Density Single Family Residential.

Size of lot regulations for all buildings except accessory uses:

1. There shall be a minimum lot width of seventy-five (75) feet.
2. Every lot shall contain an area of not less than nine thousand (9,000) square feet per family unit.
3. The minimum living area for each residence shall be one thousand two hundred (1,200) square feet.

4.1305 Size of yard regulations: Size of yard regulations for all dwelling unit buildings except accessory uses:

1. Front yard – For dwelling units, same as Section 4.405—R-2 High Density Single Family Residential, to be thirty (30) feet; no front yard required for other uses except as stated in “4” below.
2. Side yard – For dwelling units, same as Section 4.405—R-2 High Density Single Family Residential, to be ten (10) feet; no side yard required for other uses except as stated in “4” below.
3. Rear yard – For dwelling units, same as Section 4.305--R-1 Single Family Residential—there shall be a rear yard having a depth of not less than twenty percent (20%) of the depth of the lot, provided the depth of the required rear yard shall be less than twenty-five (25) feet and need not exceed fifty (50) feet; no rear yard required for other uses except as stated in “4” below.
4. Whenever an H-B District abuts on a Residential District which requires front, side and rear yards the residential yard requirements shall apply to the H-B District for the entire block where the abutment occurs.

4.1406 Off-street parking regulations as provided for under Section 7.2.

4.1407 Special construction considerations: Due to the unique nature of a Historic District, property owners contemplating new construction or reconstruction of existing structures or refurbishment of existing structures shall submit copies of all such plans to the Historic District Commission for review. No building permit shall be issued for any construction, reconstruction without the written approval (Certificate of Appropriateness) of the Historic District Commission and the St. Francisville Design Review Board. (Ord. of 4-22-79, § 2.11; Ord. No. 1992-2, 2-11-92) The above shall also be applicable to signs; see **Chapter 15.5 SIGNS**.

For additional information see **PART V. ESTABLISHMENT OF HISTORIC DISTRICT**.

Section 4.15 H-C Historic Commercial

4.1501 In H-C Districts there may be:

1. The permitted uses in the H-B District shall be allowed with an approved “Certificate of Appropriateness” from the Historic District Commission.
2. Apartment hotels; commercial schools; restaurants; and office buildings.
3. Florist shops, hardware stores, small service establishments, cleaners; and upholstery shops.

4. Repair shops for repair of the following: bicycles; small electronic equipment; household appliances, and locks.
 5. Funeral homes and mortuaries.
 6. Any other similar uses to the above, as determined to be compatible with the Historic District may be approved by the Historic District Commission when deemed appropriate.
 7. Parking lots for the above establishments.
 8. Bulletin Boards and Signs: see **Chapter 15.5 SIGNS**.
- 4.1502 Prohibited uses:
1. All uses not specifically included herein or deemed appropriate by the Historic District Commission.
 2. Any building or structure over 45,000 square feet.
 3. Public or private facilities to be utilized for incarceration of persons charged or convicted of crimes. (Ord. 1999-3, 4-13-99)
- 4.1503 Height regulations: No building or structure shall exceed thirty (30) feet, except when the existing structure already exceeds this height limitation. All existing buildings exceeding thirty (30) feet shall be allowed to remain, but no building shall be altered in such a way as to increase the existing height.
- 4.1504 Size of lot regulations: Same as Section 4.404- R-2 High Density Single Family Residential.
- Size of lot regulations for all buildings except accessory uses:
1. There shall be a minimum lot width of seventy-five (75) feet.
 2. Every lot shall contain an area of not less than nine thousand (9,000) square feet per commercial or family unit.
 3. The minimum living area for each residence shall be one thousand two hundred (1,200) square feet.
- 4.1505 Size of yard regulations: Same as Section 4.405--R-2 High Density Single Family Residential.
- Size of yard regulations for all buildings except accessory uses:
1. Front yard - To be thirty (30) feet for dwelling units, no front yard required for other uses except as stated in "4" below.
 2. Side yard - To be ten (10) feet for dwelling units, no side yard required for other uses except as stated in "4" below.
 3. Rear yard – The same as Section 4.305--R-1 Single Family Residential --There shall be a rear yard having a depth of not less than twenty percent (20%) of the depth of the lot, provided the depth of the required rear yard shall be less than twenty-five (25) feet and need not exceed fifty (50) feet for dwelling units, no rear yard required for other uses except as stated in "4" below.
 4. Whenever an H-C District abuts on a Residential District which requires front, side and rear yards, the residential yard requirements shall apply to the H-C District for the entire block where the abutment occurs.
- 4.1506 Off-street parking regulations as provided for under Section 7.2.
- 4.1507 Special construction considerations: Due to the unique nature of a Historic District, property owners contemplating new construction or reconstruction of existing structures or refurbishment of existing structures shall submit copies of all such plans

to the Historic District Commission for review. No building permit shall be issued for any construction, reconstruction without the written approval (Certificate of Appropriateness) of the Historic District Commission and the St. Francisville Design Review Board. The above shall also be applicable to signs; see **Chapter 15.5 SIGNS**.

For additional information see **PART V. ESTABLISHMENT OF HISTORIC DISTRICT**.

Section 4.16 Reserved

Section 4.17 T-2 Mobile Home Park

- 4.1701 In T-2 Districts there may be mobile home parks provided they are built to development standards as set forth and maintained in accordance with all applicable ordinances. Bulletin Boards and Signs: see **Chapter 15.5 SIGNS**.
- 4.1702 No mobile home park shall be developed until such park has secured approval of the West Feliciana Parish Health Unit and any other local, parish or state agencies, as required, on the method of sewage treatment and disposal and the public water supply.
- 4.1703 No mobile home park shall be developed until the following minimum construction standards have been met:
1. Individual mobile home sites may be leased or rented, but not subdivided or sold.
 2. A minimum site of three (3) acres shall be required; the site shall have a minimum frontage of two hundred (200) feet on a publicly maintained street or road.
 3. Maximum density shall not exceed twelve (12) mobile home sites per acre.
 4. Minimum improvement requirements for private drives within a mobile home park shall be twenty-three (23) feet back-to-back of curb in a thirty-five (35) foot width between building lines with underground storm drainage and pavement construction of at least six (6) inches soil cement base and one-and-one-half (1-1/2) inches of asphaltic concrete wearing surface.
 5. Where only one drive is to be provided, each mobile home park shall include an adequate circular turnaround at the rear of the property with a minimum radius of thirty (30) feet for garbage trucks, fire trucks, emergency vehicles, and other vehicles.
 6. Minimum lot size shall be thirty (30) feet front by seventy-five (75) feet deep.
 7. Each mobile home site shall have a pair of two (2) feet wide concrete runners six (6) inches thick for mobile home location and one (1) four (4) inches thick by ten (10) feet wide by twenty-six (26) feet long concrete parking pad; this pad shall be measured from back of curb at the front of the site.
 8. If garbage hoppers are to be provided, two (2) hoppers shall be provided for each twenty (20) mobile home sites. These hoppers shall meet applicable sanitary standards, as approved by the West Feliciana Parish Health Unit.
 9. Each mobile home site shall be provided with a sanitary sewer connection and each mobile home park shall be provided with a collection and treatment system and public water supply in compliance with the standards of the West Feliciana Parish Health Unit and the appropriate state health departments

10. Where mobile home parks are developed adjacent to Residential Districts, a fence at least eight (8) feet high and ninety percent (90%) solid shall be provided along side and rear property lines. (Ord. of 5-22-79, §2.13)

For additional information see Chapter 13, Article III, Code of Ordinances of St. Francisville. (Ord. of 5-22-79, § 2.14)

Section 4.18 T-3 Travel Vehicle Parks

Refer to Camper-Trailer and Recreational Vehicle Park Ordinance adopted by the governing body, found in Chapter 13, Article III, Code of Ordinances, St. Francisville. (Ord. of 5-22-79, § 2.14)

Section 4.19 Planned Unit Development (PUD)

Any authorized agency of the municipality, parish, state, or federal government or the private owner of any tract of land, containing an area of not less than five (5) acres may submit to the Planning and Zoning Commission a plan for the development of such tract of land, the design of which makes it desirable to apply regulations more flexible than those contained in the ordinance. Complete details on Planned Unit Development or Community Unit Development are in **Chapter 17 SUBDIVISIONS**.

Section 4.20 Supplementary District Regulations

- 4.2001 Areas Subject to Inundation. On any areas subject to periodic inundation, making them unsafe for human habitation, no portion thereof shall be designated for dwelling use or any place of public use shall be erected or altered unless protected from inundation.
- 4.2002 Fences, Walls and Hedges: Notwithstanding other provisions of this ordinance, fences, walls and hedges may be permitted in any required yard, or along the edge of any yard. A fence, wall or hedge along the sides or front edge of any front yard shall not be over thirty-six (36) inches in height and the rear yard no more than six (6) feet in height, unless landscape plans are filed for which permission may be granted by the Historic District Commission or the Planning and Zoning Commission, as applicable, when in their opinion the neighborhood will be improved by such an exception. (Ord. of 5-22-79, § 2.15) See **PART VIII. Landscaping**.
- 4.2003 Home Occupations.
 1. Home occupations shall be conducted solely by residents of, entirely within, incidental to the residential use of, and utilizing not more than 25% of the dwellings.
 2. No articles or services are to be sold or offered for sale on the premises except those that are produced by residents of the dwellings themselves.
 3. No hazardous vehicular or pedestrian traffic shall be generated.
 4. Prohibited uses include: large appliance repair and services; "bed and breakfast" with more than five (5) rooms used for accommodations; beauty and/or barber shop with more than two (2) operators; medical or dental treatment, with more than one (1) doctor or dentist; dance instruction; vehicle restoration, repair, upholstery, or painting.

- 4.2004 Noise. There shall be no production by any use of noise which at any boundary of the lot is in excess of the average intensity of street and traffic noise at the boundary.
- 4.2005 Natural Production Uses. In any District the extraction of oil, gas, sod, sand, clay, gravel or other natural mineral deposit may be permitted upon the approval of the Board of Aldermen and subject to such terms and conditions as the Board may fix for the protection of adjacent property, uses, public roads and facilities.
- 4.2006 Yard Sales.
1. No owner or occupant of property in the Town of St. Francisville shall conduct a permanent garage or yard sale.
 2. For purposes of this Section, a garage or yard sale is defined as the sale of personal or household items by a person or persons not licensed as a retailer operating lawfully or as a "home occupation".
 3. For purposes of this Section, permanent is defined as: having a duration in excess of seventy-two (72) hours; having regularly scheduled hours of operation each day for more than three (3) days; or having regularly scheduled days of operation each week for more than two (2) weeks.
 4. No owner or occupant of property in the Town of St. Francisville shall conduct more than three (3) garage or yard sales within a twelve (12) month period.

Section 4.21 Telecommunication Equipment Definitions

For the purpose of this Section, certain words and phrases used are defined as follows:

- 4.2101 ANTENNAE: A device, dish or array used to transmit or receive telecommunications signals.
- 4.2102 COMMUNICATIONS TOWER: As used in this ordinance, shall mean a tower, pole, or similar structure which supports a telecommunications antennae operated for commercial purposes above ground in a fixed location, freestanding, guyed, or on a building.
- 4.2103 HEIGHT OF A COMMUNICATION TOWER: The distance from the base of the tower to the top of the structure.
- 4.2104 TELECOMMUNICATIONS: As defined by the Federal Telecommunications Act of 1996, means the transmission, between or among points specified by the user, of information of the user's choosing, without change in the form or content of the information as sent and received. (Ord. No. 1996-6, § 1 (1.1), 11-12-96)

Section 4.22 Zoning for Telecommunication Equipment

- 4.2201 A communications tower and/or antennae may be permitted upon determination by the Board of Aldermen that all of the applicable conditions in this ordinance are met.
- 4.2202 Districts in which conditioned uses are permitted and height limitations:
- | | |
|---------------|--|
| Residential | Freestanding tower with height not exceeding 100 feet is a |
| R-1, R-2 | permitted conditional use; height exceeding 100 feet |
| R-3, R-4, H-C | requires special exception. |

Commercial B-1, C-1 C-2, C-3	Freestanding or guyed tower with height not exceeding 180 feet is a permitted conditional use; height exceeding 180 feet requires special exception
Industrial M-1, M-2	Freestanding or guyed tower with height not exceeding 360 feet is a permitted conditional use; height exceeding 360 feet requires special exception.
Historical H-R, H-B	Not allowed.

4.2203 Application Requirements. The applicant for a conditional use zoning permit for construction of a communications tower or placement of a commercial telecommunication antenna on an existing structure other than a tower previously permitted must file an application accompanied by a fee of two hundred dollars (\$200.00) and the following documents, if applicable:

- a. One copy of typical specifications for proposed structures and antennae, including description of design characteristics and material.
- b. A site plan drawn to scale showing property boundaries, tower location, tower height, guy wires and anchors, existing structures, photographs or elevation drawings depiction typical design of proposed structures, parking, fences, landscape plan, and existing land uses on adjacent property. A site plan is not required if the antennae is to be mounted on an approved existing structure.
- c. A current map, or update for an existing map on file, showing locations of applicant's antennae, facilities, existing towers, and proposed towers which are reflected in public records, serving any property within the city.
- d. A report from a structural engineer showing the tower antennae capacity by type and number, and a certification that the tower is designed to withstand winds in accordance with ANSI/EIA/TIA 222, latest revision, standards and any other applicable municipal, parish state and/or Federal standards.
- e. Identification of the owners of all antennae and equipment to be located on the site.
- f. Written authorization from the site owner for the application.
- g. Evidence that a valid FCC license for the proposed activity has been issued.
- h. A line of sight analysis showing the potential visual and aesthetic impacts on adjacent Residential Districts.
- i. A written agreement to remove the tower and/or antennae within one hundred eighty (180) days after cessation of use.
- j. Evidence that applicable conditions in Subsection 4.22-4 below are met.
- k. Additional information as required to determine that all applicable zoning regulations are met. (Ord. No. 1996-6, § 1.2 11-12-96)

4.2204 Applicant must show that all applicable conditions are met:

1. The proposed communications tower, antenna or accessory structure will be placed in a reasonably available location which will minimize the visual impact on the surrounding area and allow the facility to function in accordance with minimum standards imposed by applicable communications regulations and applicant's technical design requirements.
2. Applicant must show that a proposed antennae and equipment cannot be accommodated and function as required by applicable regulations and

applicant's technical design requirement without unreasonable modifications on any existing structure or tower under the control of applicant.

3. Applicant for a permit in a Residential District must show that the area cannot be adequately served by a facility placed in a Non-residential District for valid technical reasons.
4. Prior to consideration of a permit for location on private property which must be acquired, applicant must show that available publicly owned sites, and available privately owned sites occupied by a compatible use, are unsuitable for operation of the facility under applicable communications regulations and applicant's technical design requirements.
5. Applicant must show that a new tower is designed to accommodate additional antennae equal in number to applicant's present and future requirements.
6. Applicant must show that all applicable health, nuisance, noise, fire, building and safety code requirements are met.
7. A communications tower must not be painted or illuminated unless provided by state or federal regulations.
8. A permit for a proposed tower site within one thousand (1,000) feet of an existing tower shall not be issued unless the applicant certifies that the existing tower does not meet applicant's structural specifications and applicant's technical design, requirements, or that a co-location agreement could not be obtained.
9. Applicant must show by certificate from a registered engineer that the proposed facility will contain only equipment meeting FCC rules and regulations, and must file with the Building Inspector a written indemnification of the municipality and proof of liability insurance or financial ability to respond to claims up to one million dollars (\$1,000,000.00) in the aggregate which may arise from operation of the facility during its life, at no cost to the municipality, in form approved by the municipal attorney.
10. A tower must be a minimum distance equal to one-half the height of the tower from property designated historic or architecturally significant, and must be set back from all lot lines distances equal of the District setback requirements or twenty-five percent (25%) of the tower height, whichever is greater.
11. Land development regulations, visibility, fencing, screening, landscaping, parking access, lot size, exterior illumination, sign, storage, and all other General Zoning District regulations except setback and height, shall apply to the use. Setback and height in this section apply. (Ord. No. 1996-6, §1.3, 11-12-96)

4.2205 In the event the use of any communication tower has been discontinued for a period of one hundred eighty (180) consecutive days, the tower shall be deemed to be abandoned. Determination of the date of abandonment shall be made by the Building Inspector who shall have the right to request documentation and/or affidavits from the communication tower owner/operator regarding the issue of tower usage. Upon such abandonment, the owner/operator of the tower shall have an additional one hundred eighty (180) days within which to either:

- (1) reactivate the use of the tower or transfer the tower to another owner/operator who makes actual use of the tower, or
- (2) dismantle and remove the tower.

At one hundred eighty-one (181) days from the date of abandonment without reactivation or upon completion of dismantling and removal, any special exception and/or variance approval for the tower shall automatically expire. (Ord. No. 1996-6, §1.5, 11-12-96)

- 4.2106 If additional tower height is requested, total tower height shall not exceed one hundred fifty percent (150%) of the maximum height permitted in the District as a conditional use. Applicant must demonstrate that additional height above that permitted by conditional use regulations is necessary for service to occupants of an area within the municipality. (Ord. No. 1996-6, §1.5, 11-12-96)
- 4.2207 Additional conditions may be established by the Building Inspector or Planning and Zoning Commission as deemed necessary to remove danger to health and safety and to protect adjacent property. (Ord. No. 1996-6, §1.6, 11-12-96)
- 4.2208 The Telecommunications Act of 1996 requires that a denial of a permit be supported by substantial evidence. (Ord. No. 1996-6, §1.7, 11-12-96)

PART V. ESTABLISHMENT OF HISTORIC DISTRICT

Section 5.1 Purpose of the Historic District Commission

- 5.101 The preservation and stewardship of all structures in the designated Historic Districts of the Town of St. Francisville.
- 5.102 The guardianship of those structures which have architectural and historical value and which should be preserved for the benefit of the people of the municipality and state.
- 5.103 Encouraging preservation, restoration, and rehabilitation of structures, areas and neighborhoods to prevent future blight.
- 5.104 Fostering civic pride in the beauty of and accomplishments in St. Francisville’s past.
- 5.105 Gathering and organizing information of St. Francisville’s history and disseminating that information through publications, exhibits, or other means for the edification and education of the general public.

Section 5.2 Definitions

For the purpose of this Section, certain words and phrases used are defined as follows:

- 5.201 **EXTERIOR ARCHITECTURAL FEATURES:** The color, architectural style, general design, and general arrangement of the exterior of a structure including, but not limited to, the kind and texture of building materials, the type and style of roofs, windows, doors, light fixtures, signs, and other appurtenant fixtures. The style, scale, material, size, and location of outdoor advertising signs and bill posters shall also be considered architectural features.
- 5.202 **H D COMMISSION:** The St. Francisville Historic District Commission.
- 5.203 **HISTORIC DISTRICT:** An area designated by the Board of Aldermen in legal session convened, as delineated in Section 5-9 of this Chapter, which contains within its specific geographical boundaries one or more structures and other properties of historical, archaeological, or architectural significance.

- 5.204 RESOURCE: Any structure, signage, statuary, ornamental decorations or objects of archaeological importance on the site.
- 5.205 RULING OF ECONOMIC HARDSHIP: A ruling issued by the St. Francisville Board of Aldermen authorizing the construction, reconstruction, alteration, removal, or demolition in a Historic District, even though a *Certificate of Appropriateness* has not been issued by the St. Francisville Historic District Commission.

Section 5.3 The Historic District Commission

- 5.301 The St. Francisville Historic District Commission has been established by the Board of Aldermen.
- 5.302 The membership shall consist of five (5) members, all of whom shall reside in the Town and designated as follows:
1. Two (2) members who reside in the Historic District, two (2) members who own businesses in the Historic District, and one (1) member who is also a member of the St. Francisville Planning and Zoning Commission.
 2. In making appointments, preference may be given to members of historic, cultural, educational, archeological, architectural, artistic, and preservation organizations.
- 5.303 No review, approval, disapproval, or recommendation shall be made by the HD Commission until it has adopted rules, regulations, policies, procedures and standards.
- 5.304 When established, said rules, regulations, policies, and procedures shall be written and made available to applicants for Certificates of Appropriateness and any other interested person.

Section 5.4 HD Commission Membership; Terms; Vacancies

- 5.401 HD Commission members shall serve without compensation for four (4) year terms, except that members of the first appointed Commission shall serve respectively as follows:
1. One (1) resident and one (1) business owner shall serve for two (2) years,
 2. One (1) resident and one (1) business owner shall serve for three (3) years, and
 3. The Planning and Zoning Commission member shall serve for four (4) years.
- 5.402 The HD Commission shall elect annually from its membership a chairman, a vice-chairman, and any other officers it may deem necessary.
- 5.403 Any member may be recalled at any time by the Board of Aldermen for gross inefficiency, fraud or neglect, but only after an open hearing and upon notice specifying the complaint involved.
- 5.404 Vacancies due to resignations, absences or other reasons shall be filled for the remainder of terms by appointment by the Mayor in the same manner as the original appointments.

Section 5.5 Powers and Duties of the HD Commission

- 5.501 The Historic District Commission shall serve the municipality and review all applications for Certificates of Appropriateness, including plans for new construction and reconstruction of existing structures, partial renovations, and construction of new and/or refurbishment of existing signs (in accordance with CHAPTER 15.5 SIGN ORDINANCE) in a Historic District.
- 5.502 The HD Commission shall have the power to approve or deny applications as it may deem appropriate in order to maintain the character of the Historic District. Once the HD Commission has determined an applicant has met all the criteria; the HD Commission shall issue a *Certificate of Appropriateness* and forward the application to the St. Francisville Planning and Zoning Commission. [See Section 5-19 for Appeals process.]
- 5.503 The HD Commission shall not capriciously delay or deny the approval of any application.
- 5.504 The jurisdiction in which the powers and duties of the HD Commission shall be imposed, shall be those areas of the municipality designated on the *Official Zoning Map* as Historic Districts.
- 5.505 The Historic District Commission shall refer to the ***Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating & Reconstructing Historic Buildings*** in considering all proposals for new construction and/or rehabilitation of existing structures. The HD Commission may also write their own guidelines. Copies of all the guidelines shall be available at the Historic District Commission office.
- 5.506 In order to carry out its powers and duties, the HD Commission shall employ and/or appoint technical advisors and/or consultants as provided for by law. The cost of which shall be approved by the municipality prior to employing or appointing said professional. The cost shall be paid by the municipality upon satisfactory completion of the work.
- 5.507 The HD Commission, as it deems appropriate, shall submit additional areas to be considered as Historic Districts to the Board of Aldermen.
- 5.508 The HD Commission may determine an appropriate system of markers to identify historic resources.

Section 5.6 Administration and Committees

- 5.601 An Executive Director, which may be the Main Street Coordinator, shall be appointed by the Mayor and shall:
1. Serve as liaison between the HD Commission and the Office of the Mayor;
 2. Maintain all files, records, and minutes of meetings of the HD Commission; and
 3. Make quarterly reports to the Mayor, Board of Aldermen, and the St. Francisville Planning and Zoning Commission Chairman concerning the activities of the HD Commission.

- 5.602 The Municipal Attorney for the Town of St. Francisville shall be the ex officio attorney for the HD Commission.
- 5.603 Expenses necessary to carry out the duties of the HD Commission shall be budgeted by the Board of Aldermen.
- 5.604 The HD Commission may designate and appoint from among its members various committees as it deems necessary. These committees may have such powers and duties as the HD Commission may have and prescribe.

Section 5.7 Meetings and Procedures

- 5.701 The Chairman, or in his/her absence, the vice chairman, shall preside over the meetings.
- 5.702 The HD Commission shall meet monthly, or as needed, to accommodate the needs of the Historic District residents and businesses, but meetings shall be held at any time upon the request of any two (2) members, or as called by the Executive Director of the HD Commission or by the Mayor.
- 5.703 Regularly scheduled meetings shall be published in the official journal of the municipality. Special meetings shall be published in the official journal or posted in places of public access at least forty-eight (48) hours prior to meetings, if there is not time to have the meeting notice published.
- 5.704 A quorum shall be established when a simple majority of members is present.
- 5.705 Any member who misses three (3) consecutive meetings without absences approved by a vote of a quorum of the HD Commission shall be recommended by the HD Commission to the Mayor for termination on the HD Commission.

Section 5.8 Designation of Historic Districts

- 5.801 The HD Commission shall recommend the designation of a Historic District to the St. Francisville Planning and Zoning Commission and the Board of Aldermen.
- 5.802 The HD Commission's report shall include a geographic or legal description, maps, and sufficient analysis for the Planning and Zoning Commission and then the Board of Aldermen to make a reasonable decision regarding the Historic District.
- 5.803 The HD Commission shall solicit input on any proposed designations from property owners in or near any proposed Historic District that may be affected by its designation.
- 5.804 The process for designating a Historic District by the Planning and Zoning Commission and the Board of Aldermen shall follow the existing procedures as established by law.
- 5.805 When a Historic District is designated, the geographic boundaries shall be written and made available to applicants for Certificates of Appropriateness and any other interested person.

Section 5.9 Current Historic Districts

- 5.901 The **St. Francisville Historic District** shall be delineated as follows: Begin at the intersection of Commerce Street and Burnett Road, then east along the centerline of Burnett Road to the eastern property line of the apartment complex; then north to a point 300 feet from Burnett Road; then east approximately 1,000 feet to the property line that delineates zoning categories on the *Official Zoning Map*; then south to LA Hwy. 3057 (Commerce Street) and continue south to the municipal boundary; then west to Gaspers Creek; then northwest to the centerline of Weevil Street; then northwest to the centerline of Pecan Grove Street; then south to the property line that is parallel to Commerce Street; then west until it intersects with a property line perpendicular to Ferdinand Street; then north to a point 340 feet south of the centerline of Ferdinand Street; then west to the centerline of Dogwood Drive; then south to the centerline of Princeville Road; then west to the municipal boundary; then west, north, west, north, and east along the municipal boundary to the corner of the municipal boundary; then southeast to the property line that appears to be an extension of Burnett Road; then east to the intersection of Commerce Street and Burnett Road (point of beginning).
- 5.902 Within the St. Francisville Historic District shall be an area designated as the **Historic Commercial District**, which shall begin at the intersection of Commerce Street and Burnett Road, then east along the centerline of Burnett Road to the eastern property line of the apartment complex; then north to a point 300 feet from Burnett Road; then east approximately 1,000 feet to the property line that delineates zoning categories on the *Official Zoning Map*; then south to LA Hwy. 3057 (Commerce Street) and continue south to the municipal boundary; then west to Gaspers Creek; then northwest to the centerline of Weevil Street; then northwest to the centerline of Pecan Grove Street; then south to the property line that is parallel to Commerce Street; then west until it intersects with a property line perpendicular to Ferdinand Street; then north to a point 340 feet south of the centerline of Ferdinand Street; then west to Leonard Street; then north to the centerline of Ferdinand Street; then east to the property line that divides Lots 18 and 19; then north to the property line that appears to be an extension of Burnett Road; then east to the intersection of Commerce Street and Burnett Road (point of beginning).

Section 5.10 Standards

- 5.1001 Due to the unique nature of the Historic District, all new construction or reconstruction of existing structures shall be made to conform with the architectural periods or styles prevalent in the Historic District, specifically the neighboring structures (an example of non-conformance would be a new 1950's style blond brick veneer residence being constructed next door to an 1840's Greek Revival style, painted siding residence). Conformance with this intent shall be at the discretion of the Historic District Commission.
- 5.1002 Any existing building in the Historic District shall not be altered or changed to resemble or mimic a style that is earlier than its construction (ground breaking) date.
- 5.1003 No building within the Historic District shall be moved from the Historic District.

- 5.1004 The Historic District Commission shall refer to the ***Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, & Reconstruction Historic Buildings*** in considering all proposals for rehabilitation and/or new construction. Copies of the guidelines shall be available at the Historic District Commission office.
- 5.1005 The HD Commission may develop its own set of detailed design guidelines for the construction, reconstruction, removal, alteration, and demolition of structures in a Historic District. These guidelines shall be published and be available at the Historic District Commission office.
- 5.1006 Bulletin Boards and Signs see **CHAPTER 15.5 SIGNS.**

Section 5.11 General Historic District Characteristics

- 5.1101 **SUITABLE COLORS and COLOR COMBINATIONS:** The Historic District Commission shall prepare and maintain a book of historic colors suitable for use. This book shall be available at the Historic District Commission office. All construction, including new construction, reconstruction, partial renovations, or refurbishing of existing structures or construction of new or refurbishment of existing signs shall conform with this book of historic colors and shall be compatible with the neighboring properties.
- 5.1103 **FENCES:** All fence designs must be in harmony with the nature of the District. A list of fencing materials that are generally acceptable, including composite material fencing, shall be maintained at the Historic District Commission office. The following fencing materials are not acceptable: barbed wire, chain-link, concrete block, stockade, plastic, plywood, hardboard, or asbestos board.
- 5.1104 **FLOODLIGHTS:** The Historic District shall not be illuminated by privately controlled floodlights or other illumination except as approved by the Historic District Commission or as permitted specifically by this Chapter. Electric utility company maintained security lights on poles shall be allowed in the Historic District. It is recommended that these floodlights be placed in backyards.
- 5.1105 **PORCHES and OVERHANGING BALCONIES:** No porches, galleries, or overhanging balconies may be removed, but new or additional balconies may be constructed if they conform to the distinctive architecture of the building and of the Historic District. The application for a *Certificate of Appropriateness* for all such new construction or any renovation shall be subject to the requirements of this Chapter.
- 5.1106 **AERIALS, ANTENNAE, ETC.:** The placement or construction of aerials, antennas, satellite dishes of any type, or other forms of objects not in keeping with the presentation of the Historic District shall not be located where they can be seen by casual observance by the general public. Applications and plans for the discreet placement or construction of any of these items shall be submitted to the Historic District Commission for its approval.
- 5.1107 **COMMERCIAL VEHICLES:** No heavy duty or highway duty vehicles (such as semi-trailers or large travel trailers), except in the case of deliveries or repairs, shall be parked in plain view of the general public in the residential areas of the Historic

District. Any existing authorized use as of the effective date of this Ordinance shall be allowed as a non-conforming use.

Section 5.12 New Construction

Proposals for new construction in a Historic District should seek compatibility with existing structures through the appropriate use of site planning, materials, decorative details, architectural elements and scale. A proposal should not draw unnecessary attention to itself in any one of these characteristics. The architectural context is of primary concern.

- 5.1201 **SCALE:** the relationship of the building and its elements, including doors and windows, to other structures in the District. It is important in considering scale, that a careful study be made of the height, width, and mass of buildings in the immediate neighborhood and Historic District as a whole. This study should serve to confirm or deny the appropriateness of the height, width, and mass of the proposed building. Maximum height of any new structure shall conform to the proportion and scale of the building, but in no case shall a new structure exceed a height of thirty (30) feet above the street. [For additional information see *The Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring & Reconstructing Historic Buildings.*]
- 5.1202 **SITING:** the positioning of a building on a lot. This process includes determining the setback of a building, the spacing of the building from adjacent buildings, and the location of the walls, fences, walks, drives, and landscaping, as any of these are used in the overall design. The setback of any new construction shall correspond to those of the adjacent properties, but shall not be in conflict with zoning ordinance setback requirements.
- 5.1203 **MATERIALS:** the surface building fabric which contributes to the exterior character and appearance of a building. The materials used in the new construction should conform to the style of the structure, the neighborhood and the Historic District.
- 5.1204 **DECORATIVE DETAILS:** the ornamentation or embellishment of the structure. These include cornices, lintels, arches, balustrades, chimneys, shutters, columns, and other common details. When used, these details should create a unifying effect on a building and should be compatible with the context of the neighborhood.
- 5.1204 **ARCHITECTURAL ELEMENTS:** the parts of a building which are integral to its composition. These include balconies, roofs, porches, chimneys, dormers, parapets, and other parts of a building that contribute to its overall shape and silhouettes. The choice and arrangement of elements of a proposed building should reflect those of other buildings in the neighborhood. The building should not draw unnecessary attention to itself by failing to relate to neighboring styles. The object is to compliment the context of the Historic District.

Section 5-13 Minimum Maintenance Requirements

In order to insure the protective maintenance of resources, the exterior features of properties in a Historic District shall be maintained to meet the requirements of the municipality's *Minimum Housing and Building Code*. Violations shall be referred to the Building Official.

Section 5.13 Historic District Landscaping and Yard Maintenance

- 5.1401 Landscaping of all properties in the Historic District shall be of a scale and style that is compatible with the structure(s) on the property and appropriate to the neighborhood.
- 5.1402 All trees, shrubs, bushes, planting beds, etc. shall be maintained to their normal maintenance requirements.
- 5.1403 General landscaping requirements are in **PART VIII. LANDSCAPING.**
- 5.1404 Lawns and grass shall be maintained and mowed on a regular basis. If the height of the grass is over twelve (12) inches, then:
1. The Commission shall notify the municipality;
 2. The municipality shall notify the owner, agent, or other person having legal custody of the property of the violation;
 3. If, after a period of fourteen (14) days from the time of notification, the violation has not been corrected the Maintenance Staff of the municipality shall correct the problem, and have the right to enter the premises;
 4. The municipality shall have the right to invoice the property owner or person having legal custody for the cost of the maintenance.
- 5.1404 All tree limbs overhanging sidewalks shall be maintained at a height not less than eight (8) feet measured from the sidewalk. If the limbs are below this height, then:
1. The Commission shall notify the municipality;
 2. The municipality shall notify the owner, agent, or other person having legal custody of the property of the violation;
 3. If, after a period of fourteen (14) days from the time of notification, the violation has not been corrected the Maintenance Staff of the municipality shall correct the problem, and have the right to enter the premises;
 4. The municipality shall have the right to invoice the property owner or person having legal custody for the cost of the maintenance.
- 5.1405 All yard ornamental statuary, fixtures, amenities, gazebos, etc. shall be compatible with the scale and proportion of the structure(s) and lot size. The context of these items shall be appropriate to the Historic District. Plywood cutouts of figures shall be approved by the Historic District Commission prior to placement in a yard.

Section 5.15 Submission of Plans for Exterior Changes for *Certificate of Appropriateness*

- 5.1501 The owner of any property within a Historic District shall apply for a *Certificate of Appropriateness* from the HD Commission before commencement of any work which involves the:
1. Erection of any new building or other construction in a Historic District; or
 2. Alteration or addition to any existing structure in a Historic District, including, but not limited to fences, boundary walls, light fixtures, steps paving or other appurtenant fixtures; or
 3. Painting and major repairing of any existing building situated within a Historic District; or
 4. Relocation of any building into a Historic District; or

5. Movement, excavation or destruction of any earthworks of historical or archaeological importance;
6. Construction or refurbishment of any signage, or
7. "Demolition by Neglect" as regulated in Section 21.25.

- 5.1502 A *Certificate of Appropriateness* is not required for the following:
1. Ordinary maintenance or repairs to structures which do not involve a change of design, color, material, or the outward appearance of the structure; or
 2. Construction, reconstruction, alteration, removal, or demolition of any structure which is required to protect the public safety because of an unsafe or dangerous condition; or
 3. Where a permit was issued prior to the establishment of the Historic District within which the permitted structure or site is located; or
 4. When the Board has issued a Ruling of Economic Hardship or has otherwise overruled the HD Commission on appeal; or
 5. If ordered by final decision of a court of competent jurisdiction; or
 6. Other actions clearly exempted in rules adopted by the HD Commission.

Section 5.16 Procedure to Obtain a *Certificate of Appropriateness*

- 5.1601 At least twenty-one (21) days prior to commencement of any construction, reconstruction, alteration, removal, demolition or painting, and at least three (3) working days prior to the regularly scheduled meeting of the HD Commission, the owner and/or contractor shall submit an application for a *Certificate of Appropriateness*, in a form prescribed by the HD Commission accompanied by full plans and specifications as they relate to:
1. The proposed appearance, color, texture, or materials and to the architectural design of the exterior, including the front, sides, rear and roof of such buildings; and
 2. Alterations and/or additions of any building, out-building, accessory structure, party wall, courtyard, sidewalk, driveway, parking area, fence, sign or other dependency thereof.
- 5.1602 Where, by reason of topographic conditions, irregularly shaped lots, or an unusual circumstance applicable solely to the particular applicant, the strict enforcement of the provisions of this Part would result in serious undue hardship, then the HD Commission shall have the power to vary or modify adherence to this Part provided always that its requirements insure harmony with the general purposes hereof, and will not adversely affect the Historic District as a whole.

Section 5.17 HD Commission Recommendation and Action Thereon

- 5.1701 The Historic District Commission shall at a public meeting, review copies of the applications with the plans for construction, reconstruction or refurbishment as properly submitted.
- 5.1702 The HD Commission shall make a decision to approve or deny the issuance of the *Certificate of Appropriateness*, which may include such changes, if any, as in its judgment are reasonably necessary to comply with the requirements of this Chapter.

- 5.1703 The HD Commission shall then submit the plans to the St. Francisville Design Review Board for approval.
- 5.1704 If the application is approved, the HD Commission shall issue the *Certificate of Appropriateness* and send its decision, in writing, to the applicant, the Planning and Zoning Commission Chairman, and the Building Official within two (2) working days.
- 5.1705 The applicant shall then submit the *Certificate of Appropriateness* to the Building Official, who shall within two (2) working days issue building permits for the proposed work.

Section 5.18 Building Permits

- 5.1801 No building or demolition permit shall be issued by the town which affects a site or structure in a Historic District without:
1. A *Certificate of Appropriateness* having first been issued by the Historic District Commission, including review by the St. Francisville Design Review Board; or
 2. A Certificate of Economic Hardship having first been issued by the Board of Alderman; or
 3. An order having been issued by a court of competent jurisdiction.
- 5.1802 Upon completion of the permitted construction, reconstruction, alteration, removal, demolition or painting, the Building Official shall submit a written report to the HD Commission certifying that all of its requirements have been met, such report to describe in detail any minor deviations from its requirements and the reasons therefore.
- 5.1803 All construction, reconstruction and alteration of a building used for business, commercial, or manufacture enterprise are subject to review by the Office of the State Fire Marshal.

Section 5.19 Appeals

Any person or persons aggrieved by any decision, act or proceedings of the Historic District Commission shall have the right to apply in writing to the Board of Aldermen within ten (10) days for reversal or modification thereof; and the Mayor, or presiding officer of the Board of Aldermen, shall have the right to stay all further action until the Board of Aldermen shall have an opportunity to rule thereon. The Board shall hear the matter within forty-five (45) days and decide the appeal by a majority vote of its members.

Section 5.20 Rulings of Economic Hardship

- 5.2001 Appeals on grounds of Economic Hardship shall be made to the Board of Aldermen according to the following procedure:
1. Application for a Ruling of Economic Hardship shall be made in a form prescribed by the Board within ten (10) days of an adverse decision by the HD Commission.
 2. The Board may solicit expert testimony and/or require the applicant to submit any or all of the following information before it makes a determination:
 - a. An estimate of the extra costs that would be incurred from compliance with the HD Commission's requirements;

- b. A report from a competent construction professional as to the structural integrity of the structure and its suitability for rehabilitation;
 - c. A comparison from a real estate appraiser or other competent professional as to the current market value of the property in: (1.) it's current condition, (2.) after the applicant's proposed changes, and (3.) after meeting the HD Commission's requirements.
 - d. In the case of a proposed demolition or removal, an estimate from an appraiser or other competent professional as to the economic feasibility of rehabilitation or reuse of the existing structures on the property.
 - e. Financial information related to the property as requested by the Board to determine whether the property does or may yield a reasonable return to the owner.
- 3. The Board may issue a Ruling of Economic Hardship or remand the applicant to the HD Commission for a proper *Certificate of Appropriateness*.
 - 4. The Mayor may stay all proceedings during appeal.
- 5.2002 Appeals on grounds other than Economic Hardship shall be made to the Board in a form prescribed by it; however, variance requests are governed by Section 5.1702
- 5.2003 Any person aggrieved by a decision of the Board may appeal that decision in a court of competent jurisdiction according to law.

Section 5.21 Injunctions

Whenever any person has engaged in, or is about to engage in, any act or practice which constitutes or will constitute a violation of this Ordinance, the HD Commission or municipality may make application to a court of competent jurisdiction for an order enjoining such act or practice, or requiring such person to refrain from such prospective violation or to remedy such violation by restoring the affected property to its previous condition. Upon showing by the HD Commission or the municipality that such person has engaged or is about to engage in such act or practice, a permanent or temporary injunction, temporary restraining order, or other appropriate order shall be granted without bond.

Section 5.22 Penalties

- 5.2201 Any owner, agent, or other person having legal custody of the property who has not received a *Certificate of Appropriateness* from the Historic District Commission and has begun construction, reconstruction or refurbishment of a property or signage within a Historic District shall be considered in violation of this Ordinance and shall be fined not less than fifty dollars (\$50) nor more than one-hundred dollars (\$100) for each violation. Each day that a violation continues shall constitute a separate offense.
- 5.2202 Any owner, agent, or other person having legal custody of the property who shall demolish or remove a structure without a *Certificate of Appropriateness* shall be considered in violation of this Ordinance and may be fined a single fine of not less than one-thousand dollars (\$1,000.00) nor more than ten thousand dollars (\$10,000.00).
- 5.2203 The Building Official shall promptly stop any work started without or contrary to a *Certificate of Appropriateness*.

5.2204 The HD Commission shall have the power to institute suit in any court of competent jurisdiction to prevent any unlawful action in violation of the provisions of this Part or any of the rules and regulations adopted by the HD Commission in conformity with it.

Section 5.23 Stopping Work Commenced Without Permit

The Building Official shall promptly stop any work started without or contrary to a *Certificate of Appropriateness* issued under this Ordinance. The HD Commission or municipality shall promptly prosecute any person responsible for such a violation of this Ordinance or who is engaged in such violation.

Section 5.24 Demolition by Neglect or Because of Natural Disaster

5.2401 Any and all resources within the Historic District shall be preserved by the owner, agent, or other person having legal custody of the property against decay and deterioration and free from unreasonable structural defects.

5.2402 The owner or other person shall repair any resource if it is found to have one or more of the following defects:

1. Deterioration to the extent that creates or permits a hazardous or unsafe condition as determined by the Building Official; or
2. Deterioration as determined by the Building Official, of a building characterized by one or more of the following:
 - a. Those buildings which have parts thereof which are so attached that they may fall and injure persons or property.
 - b. Deteriorated or inadequate foundations.
 - c. Defective or deteriorated floor supports, or floor supports insufficient to carry imposed loads safely.
 - d. Parts of walls or other vertical supports that split, lean, list or buckle due to defective material, workmanship, or deterioration.
 - e. Members of walls or other vertical supports that are insufficient to carry imposed loads safely.
 - f. Members of ceilings, roofs, ceiling and roof supports, or other horizontal members which sag, split or buckle due to defective material, workmanship, or deterioration.
 - g. Members of ceilings, roofs, ceiling and roof supports, or other horizontal members which are insufficient to carry imposed loads with safety.
 - h. Fireplaces or chimneys which list, bulge, or settle due to defective material, workmanship, or deterioration.
 - i. Any fault, defect, or condition in the building which renders the same structurally unsafe or not properly watertight.

5.2403 If the preliminary determination that a resource is being demolished by neglect, the Building Official shall notify the owner, agent or other person having legal custody of the property of the preliminary determination. The procedure shall be as follows:

1. The notice shall be by certified mail, restricted delivery, mailed to the last known address of the record owner(s) as listed on the municipal and/or Parish tax rolls.
2. If the above mailing procedure is not successful, notice shall be posted in a conspicuous, protected place on the resource.
3. The notice shall state the reasons for the repairs.

4. The owner or agent shall have thirty (30) days from the date of mailing of the notice or the posting of the notice on said resource, whichever comes later, to apply for a *Certificate of Appropriateness*, if required, and/or to commence work to correct the specific defects as determined by the HD Commission.
- 5.2404 If the owner or agent fails to apply for a *Certificate of Appropriateness* or a Building Permit, if required, or commence work, the HD Commission shall notify the Building Official, who shall then:
1. Notify the owner or agent in the manner provided above to appear at a public hearing before the HD Commission and the Building Official at a date, time and place to be specified in said notice.
 2. Said notice shall be mailed or posted on the resource at least thirty (30) days before said hearing. For the purpose of ensuring lawful notice or mitigating circumstances, a hearing may be continued to a new date and time.
 3. The HD Commission shall receive evidence on the issue of whether the subject resource should be repaired and the owner or agent may present evidence in rebuttal.
 4. If, after such hearing, the HD Commission and the Building Official, after review by the St. Francisville Design Review Board shall determine that the resource is being demolished by neglect, the Building Official may take appropriate action against the owner or agent if the necessary repairs are not completed within ninety (90) days of the determination that the subject building or structure is being demolished by neglect.
- 5.2405 If a resource has sustained damage to the structure due to natural causes, such as wind storms, then the owner or agent may apply to the Commission and the Building Official for an emergency ruling and/or *Certificate of Appropriateness* for repairs or demolition.

PART VI. NON-CONFORMING LOTS; NON-CONFORMING USES OF LAND; NON-CONFORMING STRUCTURES AND NON-CONFORMING USES OF STRUCTURES AND PREMISES IN ALL DISTRICTS

Section 6.1 Intent

Any building, structure or use lawfully existing at the time of enactment of this ordinance may be continued as a non-conforming use even though such building, structure or use does not conform with the provisions of this ordinance for the Zoning District in which it is located. Similarly, whenever a Zoning District shall be changed hereafter, the then existing lawful use may be continued. (Ord. of 5-22-79 § 6.1)

Section 6.2 Non-conforming Uses

- 6.201 No building, structure or premises containing a non-conforming use shall hereafter be enlarged or extended, unless such extension or alteration shall conform to the provisions of the Zoning District in which it is located.
- 6.202 Structural repairs and alterations to the non-conforming building or structure may be permitted to the extent of fifty percent (50%) of its replacement value.

- 6.203 Any non-conforming building or structure which has been damaged to the extent of not exceeding fifty percent (50%) of its replacement valuation and such damage is by reason of fire, flood, explosion, earthquake, riot, war, or act of God, may be reconstructed and reused as before if done within twelve (12) months from the time such damage occurred. If such damage is greater than fifty percent (50%) of its replacement value, any such building or structure must conform with the provisions of the Zoning District in which it is situated.
- 6.204 No building or structure or premises where a non-conforming use has ceased operations for reasons other than those stated in Subsection 19.4003 for more than twelve (12) consecutive months or has changed to a permitted or conforming use may revert to its earlier use. In Historic Districts, no building, structure or premises where a non-conforming use has ceased for reasons other than those stated in Subsection 19.4003 for more than sixty (60) days or has changed to a permitted or conforming use shall again be used in a non-conforming manner.
- 6.205 A non-conforming building or structure or premises which become obsolete or substandard under any applicable ordinance and for which the repair exceeds fifty percent (50%) of the replacement value shall not be restored
- 6.206 Signs and Billboards: see **Chapter 15.5 SIGNS**
- 6.207 Any use not enclosed within the confines of a building (such as junk yards, signs and billboards) existing at the time of enactment or subsequent amendment of this ordinance but not in conformity with its provisions, may be continued not longer than six (6) months from and after the enactment of this ordinance; provided, however, that such uses shall not be considered non-conforming so long as they are enclosed and screened from view by walls and/or fences and/or planting of not less than six (6) feet in height in a manner prescribed by the building inspector. (Ord. of 5-22-79 § 6.2; Ord. No. 1992-4, 2-11-92)

PART VII. OFF-STREET AUTOMOBILE PARKING AND LOADING REGULATIONS

Section 7.1 General Requirements

Off-street parking facilities for one-family and two-family dwellings shall be located on the same lot or plot of ground as the building to be served. The location of off-street parking facilities for other uses shall not be more than three hundred (300) feet measured along the nearest pedestrian walkway, provided, however, that the zoning classification of such land is the same or less restrictive than the classification of the lot upon which the main use is located. Such parking shall be established by a recorded covenant or agreement. Parking space to be used in conjunction with the principal use shall be reserved as such through an encumbrance of the title of the property to be designated as a required parking space, such encumbrance to be valid for the total period of the use or uses for which the parking is needed or in existence.

Such agreement or covenant shall be duly recorded in the office of the West Feliciana Parish Clerk of Court and a certificate furnished the Building Inspector. Such parking space shall be surfaced with a minimum of four (4) inches of concrete or one and one-half (1½) inches of asphaltic concrete over a six (6) inch soil stabilized base. Parking spaces shall be ten (10) feet wide by twenty (20) feet long and there shall be a driveway twenty (20) feet wide when

automobiles are parked back to back; no required parking spaces shall be closer than four (4) feet to any property line. (Res. of 4-24-81)

- 7.101 Parking requirements for two (2) or more uses of the same or different types may be satisfied by the allocation of a common or collective parking facility. Such facility shall not be less than the same requirements for the individual uses computed separately.
- 7.102 Area reserved for off-street parking or loading in accordance with the provision of this section shall not be reduced in area or changed to any other use unless the permitted use which it serves is discontinued or modified except where equivalent off-street parking or loading space is provided.
- 7.103 For uses not mentioned in this section the requirements for off-street parking and loading facilities for a similar use specifically mentioned in this section shall apply. (Ord. of 5-22-79, §4.1)

Section 7.2 Off-street Parking Requirements

Off-street automobile parking space shall be provided on any lot on which any of the following listed uses are hereafter established and in accordance with the schedule shown. When a use is increased in capacity by the addition of dwelling rooms, guestrooms, floor area or seats the minimum off-street parking shall be provided for such increase.

	USE	PARKING SPACE REQUIRED
7.201	Single-family dwelling	2 spaces per dwelling unit
7.202	Two-family dwellings	2 spaces per dwelling unit
7.203	Multi-family dwellings	1 space for each bedroom per dwelling unit (Res. of 3-24-81)
7.204	Apartment; transient hotels	1 space for each guest bedrooms plus 1 space for each 3 employees
7.205	Hotels and motels; bed and breakfast establishments	1 space for each guest bedroom plus 1 additional space for resident manager
7.206	Boarding and lodging homes	1 space for each 3 bedrooms plus 1 additional space for resident manager
7.207	Clinics	1 space for each 500 square feet of gross floor area
7.208	Clubs and lodges	1 space for each 4 members at time of construction or structural alterations
7.209	Hospitals	1 space for every 6 beds, plus 1 space for each staff doctor, plus 1 space for each 4 employees (including nurses) on the largest work shift

7.210	Nursing and convalescence homes and institutions	1 space for each 8 beds plus 1 space for each 4 employees on the largest work shift
7.211	Churches, temples and other places of worship, mortuaries	1 space for each 4 seats in the main auditorium or each 64 square feet where there are no seats
7.212	Schools, public and private Elementary and middle school High school, adult education	2 spaces per classroom 1 space per 2 students
7.213	Theaters, auditoriums, sports arenas and places of public assembly	1 space for each 3 seats
7.214	Skating rink, dance halls, exhibit halls, gymnasiums	Space equal to 2 times the gross floor area
7.215	Kennels and animal hospitals	Space equal to 2 times the enclosed area in such kennels
7.216	Bowling alleys	2 spaces per alley, plus 1 space for the manager
7.217	Business and professional offices	1 space for each 400 square feet of gross floor area
7.218	Restaurants, bars and night clubs	1 space for each 200 square feet of floor area devoted to patron use, plus 1 space for each 4 employees on the largest shift
7.219	Automobile repair garage	1 space per each employee
7.220	General business, commercial and personal service establishments, not including "supermarkets"	1 space for each 400 square feet of gross floor area
7.221	Supermarkets	1 space for each 300 square feet of gross floor area
7.222	Riding stables	Space equal to 50 percent of the covered area of such stable
7.223	Libraries and museums	Space equal to 50 percent of the floor area devoted to public use
7.224	Roadside stands	5 spaces for each such establishment

- 7.225 Commercial, manufacturing and industrial establishments not catering to retail trade (Ord. of 5-22-79, § 4.2) 1 space for each 5 employees on the largest work shift plus 1 space for each company vehicle operating from the premises
- 7.226 Mobile home, trailer home 1 space per mobile home; see Subsection 19.3403.7 for requirements
- 7.227 Landscaping: Any parking facility containing twenty (20) or more parking spaces shall provide landscaped strips or areas within the parking area. Landscaping plans shall be submitted to the Planning and Zoning Commission for approval, see **PART VIII. Landscaping.**
- 7.228 Lighting: Any parking facility accommodating ten (10) or more vehicles shall provide lighting, which shall be arranged so that the source of light does not shine directly into adjacent properties and does not interfere with traffic.
- 7.229 Residential Areas: In Residential Districts, off-street parking facilities shall be used only by vehicles up to 8,000 pounds gross vehicle weight, manufacturer's capacity rating, and having wheels not exceeding seventeen (17) inches in diameter.

Section 7.3 Off-street Loading Requirements

- 7.301 Every hospital, institution, hotel, theater for live performances, commercial or industrial building or use having a gross floor area in excess of seven thousand five hundred (7,500) square feet and requiring the receipt or distribution by vehicle of material and merchandise shall have at least one (1) permanently maintained off-street loading space for each seven thousand five hundred (7,500) square feet of gross floor area or fraction thereof and so located as not to hinder the free movement of pedestrians and vehicles over sidewalks, streets or alleys.
- 7.302 Retail operations, wholesale operations and industrial operations with a gross floor area of less than seven thousand five hundred (7,500) square feet shall provide sufficient off-street loading space (not necessarily a full berth if shared by an adjacent establishment) so as not to hinder the free movement of pedestrians and vehicles over a sidewalk, street or alley. (Ord. of 5-22-79, § 4.3)

PART VIII. LANDSCAPING

Section 8.1 Intent

- 8.101 The intent of the landscaping requirements herein is to:
 1. Aid in stabilizing the environment's ecological balance;
 2. Provide for storm water run-off control;
 3. Provide visual buffering between land uses of differing character;
 4. Safeguard and enhance property values and to protect public and private investment;
 5. Encourage innovation and quality in landscape and architectural design; and
 6. Enhance the pedestrian character of the municipal streetscapes.

Section 8.2 Landscape Definitions

For the purpose of this Part certain words and phrases are defined as follows:

- 8.201 **BUFFER PLANTING AREA:** The unpaved area of land located between the property line and building or vehicular use area, designated for the preservation and/or placement of plant materials.
- 8.202 **CALIPER:** The diameter of a tree trunk measured six inches above ground level. If a tree is a multi-trunk variety, the caliper of the tree is the average caliper of all its trunks
- 8.203 **CANOPY TREE:** A species of tree that normally has a crown or canopy foliage no lower than six (6) feet above ground level upon maturity. The tree branches form a canopy that usually extends to cover its roots.
- 8.204 **GROUND COVER:** Natural mulch or plants of a species which normally reach a height of less than thirty inches upon maturity, installed in such a manner so as to form a continuous cover over the ground.
- 8.105 **LARGE TREE:** A tree of a species which normally reaches a height of thirty (30) feet or more upon maturity.
- 8.206 **NON-PERMEABLE COVERAGE:** Coverage with non-permeable pavement or any surface lacking the ability for air and water to pass through to the root zone of plants and vegetation.
- 8.207 **PERMEABLE COVERAGE:** Any surface with the ability for air and water to pass through to the root zone of plants and vegetation.
- 8.208 **SIGHT-SAFETY TRIANGLE:** The triangle that if formed by the sides of access ways or public rights-of-way.
- 8.209 **SMALL TREE:** A tree of a species which normally reaches a height of less than thirty (30) feet upon maturity.
- 8.2010 **VISIBILITY AT INTERSECTIONS:** The area between thirty (30) inches and ten (10) feet above grade at street intersections.

Section 8.3 Requirements

- 8.301 The provisions of this Part shall apply to:
 - 1. Any newly established non-residential and multi-family uses in both conforming and non-conforming structures;
 - 2. Any substantially remodeled non-residential or multi-family uses;
 - 3. Any newly created or added parking facilities for existing multi-family, business, commercial, or industrial uses, whether or not required by other standards;
 - 4. Any newly created parking facilities associated with newly established “bed and breakfast’ uses.

- 8.302 Only height requirements for sight-safety triangle and visibility at intersections shall apply to single-family and two-family dwelling units.
- 8.303 Public utility uses that must occur in residential areas shall be suitably buffered and landscaped.
- 8.304 In any Zoning District where building setbacks are not required, the provisions of this Part shall be limited to those structures and lots already existing in the district that have open space, yards or parking lots, or new structures that will use building setbacks as part of the overall site plan.

Section 8.4 Landscape Plan Submission

- 8.401 A landscape plan shall be submitted, along with any required site plan, to the Planning and Zoning Commission.
- 8.402 The landscape plan can either be a separate document or be included on the required site plan print. The plan shall be submitted in duplicate, drawn to scale of not less than one-eighth (1/8) of an inch to one (1) foot (1/8" = 1") showing:
1. Locations and dimensions of the proposed landscaping strips adjacent to public rights-of-way including a description and location of the trees and plant materials to be placed with the landscaping strip;
 2. Locations and dimensions of the proposed landscaped areas within the parking area including a description and location of the trees and plant materials to be placed within the landscape areas;
 3. The locations and calipers of existing healthy trees to be retained and counted as part of the landscaping requirements;
 4. An indication of how existing, healthy trees, which are proposed to be retained, will be protected from damage during construction; and
 5. A representation of the methods used to comply with the intersection visibility requirements.
 6. One (1) copy of the plans shall be returned to the applicant by the Administrative Official, after he/she shall have marked such copy either as approved or disapproved and attested to the same by signature on such copy.
 7. The second copy of the plans, similarly marked, shall be retained by the Administrative Official.

Section 8.5 Landscaping Materials

- 8.501 Landscaping shall consist of a combination of:
1. Grasses, ground covers and vines;
 2. Shrubs and hedges;
 3. Trees;
 4. Non-living, durable materials such as bricks, stones, rocks, landscape timbers, pavers, etc.
- 8.502 Eighty percent (80%) of all required landscaping shall consist of living materials, however, grasses and ground covers alone shall not constitute adequate landscaping.
- 8.503 There shall be at least one large tree for every sixty (60) linear feet or one small tree for every thirty (30) linear feet of required landscaping strip. This requirement may be

waived if the adjacent public rights-of-way, excluding medians, contain existing street trees.

1. Large trees shall have a minimum caliper of two inches or a minimum height of ten feet at the time of planting, depending on the standard measuring techniques for the species.
2. Small trees shall have a minimum height of six feet at the time of planting.
3. For purposes of this Section, a tree's height is measured from the top of its root ball or transport container to the top of the tree.
4. All tree limbs overhanging sidewalks shall be maintained a height not less than eight (8) feet high measured from the sidewalk.

8.504 Landscaping in the adjacent right-of-way shall meet line-of-sight requirements and be permitted subject to approval by the Planning and Zoning Commission and the Board of Aldermen.

Section 8.6 Street Frontage Requirements

8.601 For all land under the jurisdiction of this Section, there shall be a minimum or a three (3) foot landscaping strip abutting the public rights-of-way running parallel with the street lines, exclusive of driveways and access ways at points of ingress and egress to and from the property. For parcels of between twenty (20) and fifty (50) acres, a six (6) foot landscaping strip shall be required. For parcels in excess of fifty (50) acres, a ten (10) foot landscaping strip shall be required.

8.602 The width of a driveway or access way to an off-street parking area or other off-street vehicular use area shall be between twenty (20) and thirty (30) feet for two-way vehicular movement and between twelve (12) and twenty (24) feet for one-way vehicular movement.

8.603 For a street frontage of seventy-five (75) feet or less, two (2) one-way or one (1) two-way access ways will be permitted. For each additional seventy-five feet of street frontage, two (2) additional one-way or one (1) additional two-way access ways may be permitted.

8.604 A sight-safety triangle shall be required:

1. At either side of a driveway or vehicle access way intersecting with a public street and shall be not less than ten (10) feet in length along either the access way or the public street right-of-way.
2. At the junction of two public streets and shall be not less than twenty (20) feet in length along each public street right-of-way.
3. The height of any living or non-living elements, excluding required municipal signs, shall not exceed thirty inches.

8.605 Visibility at intersections: On corner lots, nothing shall be erected, placed, planted or allowed to grow in such a manner as materially to impede vision between a height of thirty (30) inches and eight (8) feet above grades of the intersecting streets in a triangle area bounded by the street right-of-way line on such corner lots and a side line joining points along right-of-way lines thirty-five (35) feet from the intersection right-of-way corner

Section 8.7 Off-street Parking Facilities

- 8.701 In addition to the street frontage landscaping requirement, a minimum of twenty (20) square feet of landscape area shall be provided for each 200 square feet of required off-street parking space. Such landscaping shall be located within the paved portion of the parking lot and/or within twenty (20) feet immediately adjacent to the paved portion of the parking lot.

Fuel dispensing stations may request an exemption for the area that contains the fuel dispensing "islands". The requested exemption area shall not exceed a space of twelve (12) feet on each side of the fuel dispensing "islands" for at least a minimum length ten (10) feet for the "islands".

- 8.702 One (1) large or two (2) small trees shall be required in the off-street parking area for each twelve (12) required parking spaces.

Fuel dispensing stations may request an exemption for the area that contains the fuel dispensing "islands". The requested exemption area shall not exceed a space of twelve (12) feet on each side of the fuel dispensing "islands" for at least a minimum length ten (10) feet for the "islands".

- 8.703 Landscaped areas in vehicle parking areas shall be, to the extent possible, evenly distributed to effectively relieve the monotony of large paved areas, while not interfering with the orderly circulation of vehicular and pedestrian traffic. Locations of landscaped areas can be adjusted to accommodate existing trees and other natural features, while meeting the total off-street parking area landscaping requirements.

- 8.704 All landscaped areas, except grass areas, shall be protected from vehicular encroachment by raised concrete curbs, wheel stops, or other permanent barriers.

- 8.705 Any tree with a twelve (12) inch or greater caliper that is retained with the parking facility, shall be counted as two trees in satisfying the requirements of this Section; however:

1. Permeable coverage shall be maintained to the extent of the canopy of the existing tree at the original elevation, and
2. If such existing tree or trees later die or are removed, two trees shall be required to be planted to replace each of the original trees.

- 8.706 A reduction of two feet, measured from the concrete curb or other permanent barrier shall be allowed in the computation of the depth of parking spaces contiguous to the perimeter landscaping strips and/or interior planting areas. In such event, this reduction shall not be considered as a reduction of the landscaped area.

- 8.707 Off-street parking areas shall provide one (1) trash receptacle, attached to the ground for every ten (10) vehicle spaces.

- 8.708 Storage areas containing three (3) or more refuse, garbage or rubbish containers or containing one (1) or more dumpsters shall be screened on all sides with a six (6) foot high, seventy percent (70%) sight obscuring screen of living plant or one hundred percent (100%) of non-living screen.

Section 8.8 Methodology and Maintenance

- 8.801 In satisfying the landscaping requirements of this Part, the use of high quality, hardy and drought tolerant plant material is recommended and encouraged.
- 8.802 Landscaping of all properties in the Historic District shall be of a scale and style that is compatible with the structure(s) on the property and appropriate to the neighborhood.
- 8.803 Property owners should consult with landscape nursery operators, landscape architects, architects or other knowledgeable professionals regarding the development of landscape plans and appropriate plant materials.
- 8.804 All trees, shrubs, bushes, planting beds, etc. shall be maintained to their normal maintenance requirements.
- 8.805 The property owner, agent or other person having legal custody of the property shall be responsible for watering and maintaining all installed landscaping in a healthy, neat and orderly condition, replacing plants and trees when necessary, and keeping the area free of refuse and debris. Tree limbs and other plantings shall be maintained in order not to obstruct driver visibility and/or pedestrian movement.
- 8.806 Ground covers, including wildflowers, which are used to satisfy the requirements of this Section, are not considered grasses and thus shall not be subject to the town's grass height limitation requirements.
- 8.807 Lawns and grass shall be maintained and mowed on a regular basis. If the height of the grass is over twelve (12) inches, then:
1. The Building Official shall notify the municipality;
 2. The municipality shall notify the owner, agent, or other person having legal custody of the property of the violation;
 3. If, after a period of fourteen (14) days from the time of notification, the violation has not been corrected the Maintenance Staff of the municipality shall correct the problem, and have the right to enter the premises;
 4. The municipality shall have the right to invoice the property owner or person having legal custody for the cost of the maintenance.
- 8.808 All tree limbs overhanging sidewalks shall be maintained at a height not less than eight (8) feet measured from the sidewalk. If the limbs are below this height, then:
1. The Building Official shall notify the municipality;
 2. The municipality shall notify the owner, agent, or other person having legal custody of the property of the violation;
 3. If, after a period of fourteen (14) days from the time of notification, the violation has not been corrected the Maintenance Staff of the municipality shall correct the problem, and have the right to enter the premises;
 4. The municipality shall have the right to invoice the property owner or person having legal custody for the cost of the maintenance.

Section 8.9 Enforcement

Certificates of Occupancy may be withheld or revoked in the absence of approved required landscaping plans; however, the Planning and Zoning Commission may permit temporary

occupancy for a period not to exceed eight (8) months due to the seasonal nature of living, landscaping materials. In such cases the applicant for a Certificate of Occupancy must submit the plan for approval with assurances that the planting will be fulfilled within the required eight (8) month period subject to the same penalty or penalties as other violations of the zoning regulations.

PART IX. SCHEDULE OF FEES, CHARGES AND EXPENSES

Section 9.1 Establishment of Schedule

The governing body shall establish a schedule of fees, charges and expenses and a collection procedure for building permits; landscape permits; certificates of zoning compliance; appeals; and other matters pertaining to this ordinance. This schedule of fees shall be posted in the office of the Administrative Official and may be altered or amended only by the governing body. The Town Clerk shall collect all such fees as found applicable by the governing body. (Res. of 3-24-81)

No rezoning approval, permit, certificate, special exemption or variance shall be issued unless and until such costs, charges, fees or expenses have been paid in full, nor shall any action be taken or proceedings before the Board of Adjustment unless or until preliminary charges and fees have been paid in full (Res. of 3-24-81) (Ord. of 5-22-79, Pt. 5)

PART X. BOARD OF ADJUSTMENT

Section 10.1 Creation of the Board of Adjustment

There shall be a Board of Adjustment, the membership, terms of office, and rights and duties of which shall be as provided in LA R.S. 33:4727. The Board shall adopt rules in accordance with the provisions of this Section. Meetings of the Board shall be held at the call of the chairman and at such other times as the Board may determine. All meetings shall be open to the public and shall be preceded by due advertisement. (Code 1979, § 2-9011; Ord of 5-22-79, § 7.1)

Section 10.2 Powers of the Board

- 10.201 The Board shall hear and decide upon:
1. Appeals from alleged errors in the Building Inspector's decisions;
 2. Appeals for variance where exceptional and peculiar hardship would be caused by enforcement of the regulations in this ordinance and where such variance would not substantially deviate from the intent of this ordinance but not otherwise; and/or
 3. Interpretations of the provisions of this ordinance.
- 10.202 The Board shall not be authorized to grant variances in the use of land or to take any other action the result of which would constitute a change in the District boundaries. The Board shall always act with due consideration to promote the public health, safety, convenience, and welfare, encouraging the most appropriate use of land and conserving property values; shall permit no building or use detrimental to a neighborhood and may prescribe appropriate conditions and safeguards in each case. Such appropriate conditions and safeguards may include among other things provisions for the screening of parking areas by walls, fences and plants and other such measures.

10.203 The Board shall have the power and authority to appoint a secretary who shall not necessarily be a member of the Board, in which event the salary of such secretary shall be fixed by the Board. It shall be the duty of the secretary to keep a true and correct record of all proceedings at such meetings, both general and special meetings of such Board, in a book or books, to be kept specially for that purpose. Certified copies of the minutes or all such proceedings shall be furnished the chairman of the Planning and Zoning Commission. (Ord. of 5-22-79, §7.2)

Section 10.3 Fee

A fee as set forth in PART IX of this ordinance shall be paid the Building Official at the time the notice of appeal is filed, which said fee shall be credited to the general revenue of the municipality. (Ord. of 5-22-79, § 7.3)

Section 10.4 Salaries

The Board shall fix the salary of its secretary and of such other employees as are necessary to perform its functions. The salary, fees and other expenses of the Board shall not exceed the amount appropriated for use by the governing body of the municipality. (Ord. of 5-22-79, § 7.4)

Section 10.5 Actions of the Board of Adjustment; Review and Approval by the Board of Aldermen; Judicial Review

10.501 Decisions of the Board of Adjustment shall be recommendations to the Board of Aldermen, which body shall approve or disapprove the recommendation of the Board of Adjustment or send the recommendation back to the Board of Adjustment for further consideration. The secretary of the Board of Adjustment shall within seven (7) days of the meeting at which a recommendation is made forward the recommendation in writing to the Town Clerk. The Board of Aldermen shall within thirty (30) days or receipt of the recommendation by the Town Clerk review and act upon the recommendation of the Board of Adjustment at a regular meeting of the Board of Aldermen. Public notice of the regular meeting of the Board of Aldermen and its intention to consider and act upon the recommendation of the Board of Adjustment shall be published one time in the Official Journal, which publication shall be no less than seven (7) days prior to the meeting of the Board of Aldermen. Decisions of the Board of Aldermen on recommendations of the Board of Adjustment shall be final. (Ord. No. 1999-1, 2-9-99)

10.502 Any person or persons or any board or taxpayer aggrieved by the decision of the Board of Aldermen relative to a recommendation of the Board of Adjustment may seek judicial review by a court of competent jurisdiction, in the manner provided by the laws of the State of Louisiana. (Ord. No. 1999-1, 2-9-99)

PART XI. AMENDMENTS

Section 11.1 [Prerequisites]

No amendment, supplement or change of the Zoning Ordinance or Official Zoning Map shall become effective unless and until:

- 11.101 Amendments to this ordinance may be initiated by the Town of St. Francisville, by the Planning and Zoning Commission, or by any person, firm or corporation.
- 11.102 There shall have been held a public hearing in relation thereto before the municipal Planning and Zoning Commission at which parties of interest and citizens shall have had an opportunity to be fully heard.
- 11.103 Public notice shall be published at least fifteen (15) days before a public hearing of the Planning and Zoning Commission and shall be published once a week for two (2) different weeks in the Official Journal of the municipality. The public notice shall include the proposed change and the time and place of the public hearing. The Town Council shall then hold a public hearing at its next regularly scheduled meeting and take action on the recommendation of the Planning and Zoning Commission.
- 11.104 A printed notice in bold type shall have been posted for not less than ten (10) consecutive days prior to the hearing, on signs not less than one and one-half (1½) square feet in area, prepared, furnished and placed by the building inspector on each block on each street adjoining the area proposed for a change in zoning classification. Said signs shall contain an accurate statement of the proposed change and also the time and place of the public hearing as proved above.
- 11.105 The Planning and Zoning Commission shall submit its report and recommendations upon the proposed changes and amendment to the Town Clerk. The governing body shall not hold its public hearings or take action until it has received the final report of the Planning and Zoning Commission.
- 11.106 Reversionary Zoning Clause: Changes made to the Official Zoning Map through the procedures in Sections 19.5702 and 19.5703 shall remain in full force and effect for one (1) year after the date granted by the governing body of the municipality. After the lapse of one (1) year, the municipality will determine if significant improvements to the property warrant the continuation of the rezoning action or if a revision of same is in order. When the governing body of the municipality determines that insufficient action has been taken by the property owner(s) or agent to improve the property as per the initial request for rezoning, the municipality shall notify the present property owner(s) in writing that the municipality will pursue those steps delineated in Subsection 19.5801, 19.5802 and 19.5803 above to rescind the reclassification of zoning for same property. The present property owners will be heard at the public hearings and at the discretion of the governing body of the municipality may elect to have the property revert to its original classification. (Ord. of 5-22-79, § 8.1)

PART XII MODIFICATIONS AND EXCEPTIONS

Section 12.1 Establishment of Transition Area

Where the boundary line of a Commercial District abuts a Residential District, the property with a distance equivalent to the required width of the one (1) residential lot of record adjoining either side shall be considered being a transition area.

- 12.101 Uses permitted:
 - 1. Professional buildings for the following uses:
 - a. Medical, dental and chiropractic offices

- b. Music and art studies and school
 - c. Engineering, legal, architectural and accounting offices
 - d. Other uses deemed compatible to the adjacent usage of the Planning and Zoning Commission and the Board of Aldermen.
2. Nursing homes
 3. Two-family, three-family and four-family dwellings, subject to the front, side, and rear yard requirements of the District in which it is located.
 4. Parking lots subject to the following conditions:
 - a. Parking area shall serve only the establishment abutting the parking area
 - b. That along the lot lines of the parking area abutting on the Residential District there shall be established and maintained a planting area having a minimum width of six (6) feet.
 - c. The planting shall be not less than seven (7) feet in height and at least a seventy percent (70%) sight obscuring screen. The planting shall be maintained in a healthy growing conditions and further provided that a substantial bumper rail of wood, metal or concrete shall be placed along the inside of the planting area, and along the street side of the parking area there shall be erected a concrete bumper wall at least twenty-four (24) inches above the parking surface grade.
 - d. Illumination provided shall be so designed that light is reflected away from residential properties.
 - e. All parking areas shall be surfaced with concrete or bituminous material and shall be maintained in a dust free condition (Ord of 5-22-79, § 10.1)

Section 12.2 Lot of Record

The minimum lot size requirement, Article D Zoning Districts notwithstanding, a single family dwelling and its accessory buildings may be erected on any lot of record or parcel of land in a Residential, B-1, C-1 or C-2 District, or Planned Unit Development (PUD) which became legally established and defined by deed or act of sale before the passage of this ordinance provided that the side yard of no dwelling shall be less than three (3) feet. (Ord. of 5-22-79, § 10.2)

Section 12.3 Exceptions to Height Requirements

The height regulations as stated in this ordinance shall not apply to:

1. Churches; schools; hospitals; sanitariums, public and semi-public buildings; public service buildings and institutions. There shall be no restrictions on the height of such buildings, provided the front, side and rear yards required in the district in which such building is to be located shall be increased an additional one (1) foot for each one (1) foot of height that the building exceeds the maximum height permitted in such district.
2. Silos, barns and other farm structures when located on farms; belfries; cupolas; domes; flagpoles; monuments; water towers; transmission towers; windmills; chimneys; smoke stacks; radio towers; waste and aerial conveyors; fire towers; and oil derricks.
3. Bulk heads; elevator penthouses; water tanks; cooling towers; scenery lofts; and similar structures provided that such structures shall cover not more than twenty-five percent (25%) of the total roof area of the building of which such structure is located. (Ord. of 5-22-79, § 10.3)

Section 12.4 Carport

A carport attached to or detached from the main building may be constructed in a required side yard and may be attached to an enclosed accessory building provided that no wall of such accessory building is less than sixty (60) feet from the front lot line nor less than three (3) feet from the side lot line. That every part of the projection of such carport is at least two (2) feet from the side lot line; that the combined length of such carport and accessory building does not exceed thirty (30) feet; and that the height of such carport or accessory building does not exceed thirteen (13) feet. A carport attached to the main building may be enclosed on the street side and on the side nearest the side lot line. (Ord. of 5-22-79, § 10.4)

Section 12.5 Existing Railroads

Railroads may continue to operate and be maintained in all Zoning Districts. (Ord. of 5-22-79, § 10.5)

Section 12.6 Area Requirements

- 12.601 Yard regulations: Where the yard regulations cannot be reasonably complied with or their application determined on lots of peculiar shape, location or topography, such regulations may be recommended for modified by the Board of Adjustment.
- 12.602 Setbacks: Side yard waived. For the purpose of side yard regulations, the following dwellings with common party walls shall be considered as one (1) building occupying one lot:
1. Semi-detached dwellings
 2. Row dwellings
- 12.603 Projections into Yards: Cornices, eaves, belt courses, chimney or other similar architectural features may extend or project into a required side yard. Unroofed platforms, landings, steps or balconies may extend or project into a required side yard and landscape buffer.

PART XIII. SEPARABILITY CLAUSE

Section 13.1 [Effect]

Should any section or provision of this ordinance be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the ordinance as a whole or any part thereof other than the part so declared to be unconstitutional or invalid. (Ord. of 5-22-79, Pt. 11)

PART XIV. REPEALS OF CONFLICTING ORDINANCES

Section 14.1 [Repealer]

All ordinances or parts of ordinances in conflict herewith or incompatible with the provisions of this ordinance are hereby repealed, including but not limited to the zoning ordinance of January 7, 1958, the zoning ordinance of May 22, 1979 and all amendments and supplements thereto.

