

Amended August 2015

O-180-2015

Words in ~~strike through~~ being deletions from existing law, and words **underscored and boldfaced** being additions:

- (a) Section 89-6(a) is hereby enacted to read as follows:

Notwithstanding any setback established by this Article, buildings adjacent to substandard streets may be subject to additional setbacks (see Article 3, § 89-38).

- (b) Section 89-6(b) is hereby enacted to read as follows:

Private Roads and Driveways. A private road or driveway shall be accessory to the principal use of the parcel or lot upon which the same is located. Where a private road or driveway is the principal use of a parcel or lot, the use of such private road or driveway shall be concordant with the zoning district of the property upon which the private road or driveway is located. Accordingly, a private road or driveway located on property zoned RS shall not be trafficked except for traffic accessory to uses permitted in the RS district. Notwithstanding the foregoing, traffic accessory to uses permitted in the RS district shall be permitted on private roads and driveways located within the RM district; traffic accessory to uses permitted in the RS and RM districts shall be permitted on private roads and driveways located within MN, CM, CH and PI districts; and traffic accessory to uses permitted in the RS, RM, MN, CM, CH and PI districts shall be permitted on private roads and driveways located with IL and IH districts.

- (c) Section 89-9(b)(4) is hereby deleted and the subsequent sections (5) and (6) sections are renumbered to (4) and (5) respectively.

~~The open space requirements above apply only to newly subdivided residential developments of more than four lots.~~

- (d) Section 89-9(b) is hereby amended and reenacted to provide the correct Lot Size dimensions, as follows:

| Lot Dimensions | | RS-1 | RS-2 |
|----------------|-------------------------|--------------------------|-------------|
| 1 | Lot size (<i>min</i>) | 7,000 6,000 sf | 4,000 sf |

- (e) Section 89-10(b)(2) is hereby amended and reenacted to read as follows:

A detached Single-Family Residence ~~has~~ **shall have the same** minimum lot size **and alley requirements as** ~~following~~ the RS zoning district.

- (f) Section 89-11(b)(3) is hereby deleted:

~~In the MN district, goods or merchandise or materials may be stored or displayed outside a building only in a sidewalk frontage zone (see Article 3, § 89-44 (f)).~~

- (g) Section 89-14(b)(4) is hereby deleted:

In the CM district, goods or merchandise or materials may be stored or displayed outside a building only in a sidewalk frontage zone (see Article 3, § 89-44 (f)).

- (h) Table 89-21-2, the “Use Table,” is hereby amended and reenacted to delete “Child Care, Commercial” from the “Residential, Group Living” Use Category, and to conditionally permit a “Child care facility, commercial” use in the RM district:

Table 89-21-2 Use Table

| Use Category | “A” Agricultural | “RS” Residential Single-Family | “RM” Residential Mixed | “MN” Neighborhood Mixed Use | “MX” Mixed-Use Center | “D” Downtown | “CM” Commercial Mixed | “CH” Commercial Heavy | “PI” Public/Institutional | “IL” Industrial Light | “IH” Heavy Industrial |
|-----------------------------------|------------------|--------------------------------|------------------------|-----------------------------|-----------------------|--------------|-----------------------|-----------------------|---------------------------|-----------------------|-----------------------|
| Residential | | | | | | | | | | | |
| <i>Group Living:</i> | | | | | | | | | | | |
| Child Care, Commercial | | | P | P | P | P | P | P | | P | |
| Public/Civic/Institutional | | | | | | | | | | | |
| <i>Day Care:</i> | | | | | | | | | | | |
| Child care facility, commercial | | | C | P | P | P | P | P | A | P | |

- (i) Table 89-21-2, the “Use Table,” is hereby amended and reenacted to delete “Contractor” as a permitted use in the CH district:

Table 89-21-2 Use Table

| Use Category | “A” Agricultural | “RS” Residential Single-Family | “RM” Residential Mixed | “MN” Neighborhood Mixed Use | “MX” Mixed-Use Center | “D” Downtown | “CM” Commercial Mixed | “CH” Commercial Heavy | “PI” Public/Institutional | “IL” Industrial Light | “IH” Heavy Industrial |
|--|------------------|--------------------------------|------------------------|-----------------------------|-----------------------|--------------|-----------------------|-----------------------|---------------------------|-----------------------|-----------------------|
| Industrial/Production | | | | | | | | | | | |
| <i>Manufacturing & Employment:</i> | | | | | | | | | | | |
| Contractor | C | | | | | | | P | | P | P |

- (j) Section 89-21(d) is hereby amended by amending and reenacting the definition of “Dwelling, two-family (duplex)” as follows:

A building designed as a residence for two families living separately. The units may be **integrated** horizontally, vertically (with one above the other), or back to back.

(k) Section 89-22 is hereby amended and reenacted to read as follows:

~~(a) Applicability: This section applies to areas where Council action has created overlay districts. Each district is as defined below.~~

~~(b) Districts~~

~~(1) Louisiana Avenue Zoning and Development Overlay District for limits and information see O-061-2005.~~

~~(2) Louisiana Avenue Interstate 10 Zoning and Development Overlay District for limits and information see O-012-2006.~~

The Louisiana Avenue Zoning and Development Overlay District and the Louisiana Avenue Interstate 10 Zoning and Development Overlay District, established pursuant to Ordinances O-061-2005 and O-012-2006 respectively, shall remain in full force and effect. The standards governing zoning and development within the overlay districts are set forth in Appendix A to this Chapter.

(l) Section 89-26(d)(12) is hereby amended and reenacted to read as follows:

Driveways Requiring Motorists to Back Out ~~Onto~~ **onto** Street. A driveway shall not be constructed so as to force a motorist to back out into the street as a means of egress, except for driveways constructed for a single-family or two-family residence, but these must be built in accordance with the head-in/back-out parking requirements in § 89-39(i). Single and two-family residences shall have area within the property to turn around so a vehicle may pull out onto ~~Lafayette Transportation Plan~~ streets **designated** collector or higher.

(m) Section 89-28(f)(1) is hereby amended and reenacted to read as follows:

If the MUC is a ~~privately initiated~~ **an owner-initiated** rezoning, it shall include at least the amount of open space required below. If LCG initiates an MUC, the MUC shall include a plan for providing and maintaining the required open space.

(n) Table 89-36-4 is hereby amended and reenacted to specify planting units for Buffer Type F to read as follows:

Table 89-36-4 Planting Units Required by Buffer

| Buffer Type | Planting Units |
|-------------|----------------|
| A | 2 |
| B | 5 |
| C | 11 |
| D | 11 |
| E | 12 |
| F | 13 |

Each buffer type "A" through "F," below, is assigned the following number of PUs to determine whether a type "N" buffer may be substituted:

(o) Section 89-38(c)(4)(c) is hereby amended and reenacted to read as follows:

In the unincorporated Parish, lots established in any subdivision plat that are not served by a public or off-site sanitary sewer system shall meet the requirements of the State Department of Health and Hospitals relative to sewerage disposal and potable water facilities (*i.e., lots with individual sewer systems must have a minimum lot size of 12,000 square feet with a minimum frontage of 60 feet*). ~~Lots with a public or off-site sanitary sewer system shall comply with the following:~~

| | Use | |
|----------------------------|---------------------------------|-------------|
| | Non-residential or Mixed Use | Residential |
| Area (min.) | 5,000 sf | 12,000 sf |
| Frontage (min.) | 60 feet | 20 feet |

(p) Section 89-38(f)(e) is hereby enacted to read as follows:

The Administrator may waive any setback required under regulations in effect prior to the Effective Date of this Chapter (see § 89-173) to the extent that the property at issue is located in a zoning district with required setbacks that conflict with such regulations.

(q) Section 89-40(c)(1) is hereby amended and reenacted to read as follows:

Amount Required. Open space is required as a percentage of the gross developable area of a lot or lots. ~~in as indicated for that particular zoning district~~ In the City of Lafayette, the amount of open space required depends upon the zoning district in which the property is located, as set forth in Article 2. Open space requirements may vary when included as part of a Mixed-Use Center (89-28). **In the unincorporated areas of Lafayette Parish, the amount of required open space shall be twenty (20%) of the gross developable area.**

(r) Section 89-42(f) is hereby amended by deleting the text preceding subsection (f)(1) as follows:

~~Any facility proposed for a development that controls the flow of storm water includes, but not limited to, ponds and basins.~~

(s) Section 89-44(b)(3)(c) and (d)(1)-(3) are hereby amended and reenacted to read as follows:

(c) **The external connection shall be provided by extending at least one (1) street to the boundary line of the tract.** ~~An external connection shall be provided by extending at least one (1) street to the boundary line of the tract. The number of external connections to the boundary line with adjoining tracts is equal to the common boundary length divided by twice the minimum required block length (see 89-38(d)(3)). In calculating this number, fractions are rounded down.~~

Example: A tract zoned "RM" has a common boundary of 1,000' with an adjacent tract. The minimum required block length is 200'. 2 external connections are required (1,000' / (2 x 200)) = 1,000 / 400 = 2.5, rounded down to 2.

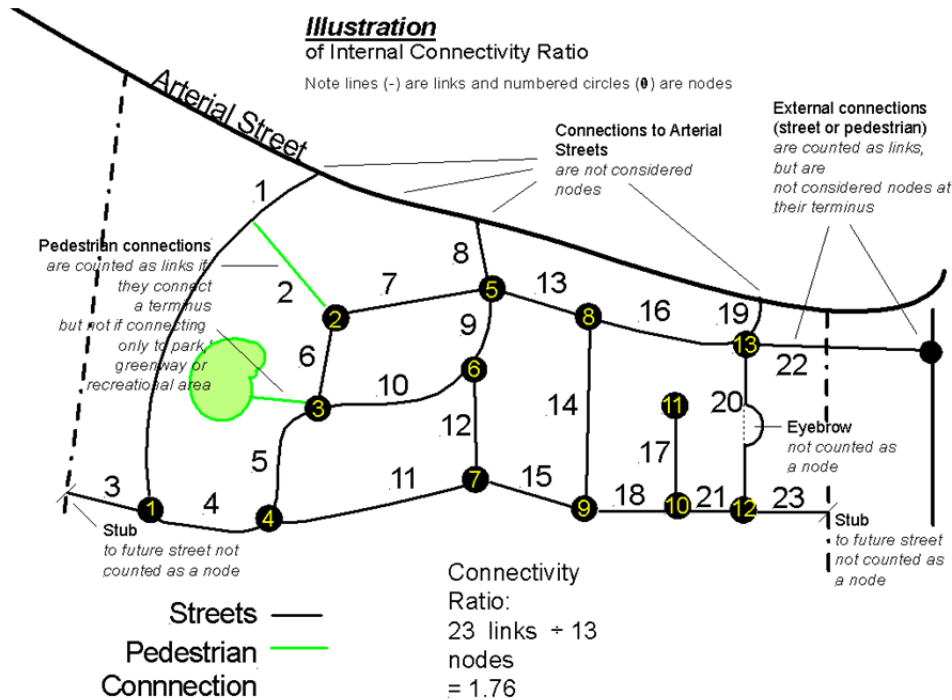
(d) The number of external connections shall be determined by one of the following:

- 1. The property boundary length divided by twice the minimum block length (see § 89-38(d)(3)). In calculating this number, fractions are rounded down. Straight line approximations of the boundary length may be used if approved by the City Engineer.**

Example: A tract zoned “RM” has a common boundary of one thousand (1,000’) feet with an adjacent tract. The minimum required block length is two hundred (200’) feet. Two (2) external connections are required $(1,000 - (2 \times 200)) = 1,000 / 400 = 2.5$, rounded down to 2.

- 2. For developments fronting streets designated as arterials or which have speed limits of 35 mph or greater, only one external connection to said street is permitted.**
- 3. A greater or lesser number of external connections may be allowed if a Traffic Impact Analysis establishes that varying from the requirements set forth above would not adversely impact the flow of traffic.**

(t) The illustrative graphic in Section 89-44(b)(4) is hereby deleted and replaced with the graphic below:



(u) Section 89-44(d)(4) is hereby amended by enacting a third bullet point under the definition of “node” to read as follows:

- The Terminus of a Local street that provides a stub for a future public street connection.**

(v) Section 89-53(b)(1)(a) is hereby amended and reenacted to read as follows:

The council, by the ~~introduction~~ **passage** of an ordinance **or resolution**, or

(w) Section 89-53(d) is hereby amended and reenacted to read as follows:

The following notice is required for a rezoning hearing (References: La. R.S. 33:4724 [zoning amendments]):

| Type | When provided |
|-------------|--|
| Publication | <ul style="list-style-type: none"> At least three (3) times if published in the official journal At least ten (10) days between the first publication and the hearing |
| Signs | <ul style="list-style-type: none"> PZD will place signs on or before the first date of publication before the meeting. |
| Mail | <ul style="list-style-type: none"> The PZD will mail notice at least ten (10) days before the public hearing. Notice is provided, at a minimum, to the owner or owners of record of the properties to be zoned or rezoned. <u>Notice is provided to all of the immediate adjacent property owners of record and the owners of property immediately adjacent to that property per the latest tax assessor's tax rolls. Property directly across the public road from the reclassification site is treated as adjacent property.</u> |
| | <ul style="list-style-type: none"> Where a comprehensive rezoning revision of more than 100 parcels is to be considered, the sign and mailing requirements shall not apply if notice is provided by publication as set forth above and at La. R.S. 33:4724 |

(x) Section 89-60(d) is hereby amended and reenacted to read as follows:

The Hearing Examiner meetings and the subsequent Planning and Zoning Commission Meeting are subject to the notice requirements of § 89-57(d) (Preliminary Plat), **except that for the Hearing Examiner meetings notice by publication in the official journal of LCG shall be within five days of the hearing.**

(y) Section 89-69(d) is hereby amended and reenacted to read as follows:

| Type | When provided |
|-----------------------|---|
| Publication | <ul style="list-style-type: none"> 5 days before the scheduled hearing |
| Certified | <ul style="list-style-type: none"> 5 days before the scheduled hearing |
| <u>Regular</u> | <ul style="list-style-type: none"> Notice is mailed to owners of property located within 300 feet of the proposed development as determined by reference to the most current tax rolls as periodically updated by the Lafayette Parish Tax Assessor. |
| Mail | <ul style="list-style-type: none"> If the owner of any property within 300 feet of a proposed subdivision is a condominium development, the notices shall be sent to the condominium association who will provide the notice to each condominium unit owner. |

(z) Table 89-151-1 is hereby amended by adding a definition of “Storm Water Management Facility” between the definitions of “State” and “Street,” to read as follows:

| | |
|---|--|
| <u>Storm Water Management Facility</u> | <u>Any facility proposed for a development that controls the flow of storm water including, but not limited to, ponds and basins.</u> |
|---|--|

(aa) Section 89-300(e) is hereby enacted to read as follows:

In the event of a conflict between the provisions of this Article and Articles 1-9, the provisions of Articles 1-9 shall control over the provisions herein.

(bb) Section 89-301 (b) is hereby amended and reenacted to read as follows:

Platting, Boundary Adjustment, **and** Re-Subdivision, ~~and PZC Appeal~~

(cc) Section 89-301 (c) is hereby amended and reenacted to read as follows:

Zoning/Rezoning, Zoning ~~Appeal~~ and Variance, Conditional Use Permit, and Commercial Building Permit

(dd) Section 89-403 is hereby amended and reenacted to read as follows:

89-403 Effect on Building Permits

When requested by the applicant, a complete building permit application submitted no later than close of business December 4, 2015 shall be administered under the regulations in place prior to the Effective Date. Building permits applied for after the Effective Date shall be subject to all applicable provisions of Articles 1 through 10.

Amended September 2015 O-214-2015

Words **underscored and boldfaced** being additions:

Pursuant to Article X of the City of Lafayette Comprehensive Zoning Ordinance and Section 89-53(b) of the Lafayette City-Parish Code of Ordinances, the Lafayette City-Parish Council hereby amends Chapter 89 of the Lafayette City-Parish Code of Ordinances, Appendix A – “Louisiana Avenue Zoning and Development Overlay District,” by deleting and reenacting the “Prohibited Uses” section of the Overlay District regulations to provide as follows:

PROHIBITED USES

The following uses are expressly prohibited in the Overlay District.

1. Nightclub, bars and lounges
2. Pawn shops
3. Open outdoor storage of any type, including but not limited to units for sale, such as motor vehicles or boats for sale
4. Vehicle repair or vehicle repair services
5. Car washes
6. Display or sale lots for the sale of manufactured homes and/or moveable homes
7. Mobile home parks
8. Travel trailer/RV parks
9. Self-storage or warehousing units
10. **Apartment House, Apartment hotel, Multi-family, and Live/Work Dwellings, except as to any property located within the RM (Residential Mixed) zoning district, where the same shall be permitted**

Amended November 2015

O-252-2015

Words in ~~strike through~~ being deletions from existing law, and words **underscored and boldfaced** being additions:

- (a) Section 89-10(b)(1) is hereby amended and reenacted to read as follows:

Maximum Density for attached or zero lot line (dwelling units per gross acre) is as follows:

| District | Density (max) |
|----------|-------------------------|
| RM-1 | 45 17 |
| RM-2 | 35 42 |

- (b) Table 89-21-2, the “Use Table,” is hereby amended to reflect that the Condominium/Townhouse/Row House residential use type is permitted in the Commercial Mixed (“CM”) zoning district:

Table 89-21-2 Use Table

| Use Category | "A" Agricultural | "RS" Residential Single-Family | "RM" Residential Mixed | "MN" Neighborhood Mixed Use | "MX" Mixed-Use Center | "D" Downtown | "CM" Commercial Mixed | "CH" Commercial Heavy | "PI" Public/Institutional | "IL" Industrial Light | "IH" Heavy Industrial |
|---------------------------------|------------------|--------------------------------|------------------------|-----------------------------|-----------------------|--------------|-----------------------|-----------------------|---------------------------|-----------------------|-----------------------|
| Residential | | | | | | | | | | | |
| Residences: | | | | | | | | | | | |
| Condominium/Townhouse/Row House | | P | P | P | P | P | P | | | | |

(c) Section 89-30(b)(8) is hereby amended and reenacted to read as follows:

The property owner may place fences, planting, or **any other** temporary obstructions in the public servitudes if, upon request, the ~~fences, planting or~~ temporary obstructions will be removed by the property owner.

(d) Section 89-35(c)(3) is hereby amended and reenacted to read as follows:

Or apply for a Subdivision Improvements Agreement as described below. **At least eighty (80%) percent of the public improvements must be completed prior to application for a Subdivision Improvements Agreement.**

(e) Section 89-38(c)(4)(b) is hereby deleted and the following subsections "c," "d," and "e" are hereby renumbered as "b," "c," and "d":

~~In the City, lots established in any subdivision plat must comply with the following minimum frontage requirements:~~

| Frontage (min.) | Use | | | |
|--------------------|----------------------|----------------------|-----------------------|-------------------------|
| | Attached Residential | Detached Residential | Mixed Use / Live Work | Commercial / Industrial |
| 25 feet | 40 feet | 30 feet | NA | |

(f) Section 89-38 (c)(4)(e) is hereby deleted and the following subsection 'f' relabeled as 'e':

~~When lots abut or adjoin a natural drainage way or open drainage facility that require a drainage easement or servitude as provided for in this Chapter, permanent building improvements on those lots shall be set back at least 10 feet from the platted drainage easement or servitude.~~

(g) Section 89-38(c)(9) is hereby amended and reenacted to read as follows:

a. The narrowest **part of the lot** (i.e., the “pole,” “flag” or “staff” portion”) ~~part of the lot~~ must be at least 20’ 30’ wide at all points.

i. Minimum pole/staff length: 60’

ii. Maximum pole/staff length: 200’

b. No building, structure, wall or fence is permitted within the **pole**/staff portion of the lot.

c. The **pole**/staff portion of the lot must include a driveway ~~or private road~~ providing access to the lot.

d. The restrictions above must be shown on the face of the subdivision plat in the form of a notation or a part of the dedicatory language on the plat.

(h) Section 89-38(e)(7)(a) is hereby amended and reenacted to read as follows:

a. Setback. ~~Y~~Yard setbacks are as follows:

| | |
|--|---------|
| Front setback | 20 feet |
| Side setback (where side lot line abuts right of way) | 5 feet |
| Rear setback (where rear lot line abuts right of way) | 10 feet |

(i) Section 89-39(h)(4)(a) is hereby amended and reenacted to read as follows:

Non-residential lots. The surface of parking lots shall be constructed of concrete or asphalt in accordance with the specifications of **construction plans approved by PW**. ~~The surfacing shall be constructed of six inches of mesh reinforced concrete or eight inches of full depth asphalt or six inches of stabilized base and 1½ inches of asphalt.~~

(j) Within Section 89-44(b)(4)(a) The first sentence of the definition of the term “Node” is hereby amended and reenacted as follows:

The intersection two (2) or more streets (**vehicular street or pedestrian connection**) ~~a cul-de-sac head~~ or a **vehicular** dead end.

(k) The graphic entitled “Illustration of Internal Connectivity Ratio” located in Section 89-44(b)(4) is hereby deleted.

(l) Section 89-44(d)(1)(k) is hereby amended and reenacted to read as follows:

It shall be unlawful to develop property in ~~phases~~ **Phases** or otherwise as a means of avoiding paving Private Street(s) in compliance with these regulations. For purposes of these regulations, all potential ~~phases~~ **Phases** of a proposed development will be counted to determine the number of lots or units in any such development. No individual, directly or through the interposition of any legal entity, whether an individual, corporation, partnership, limited liability company, association, trust or other entity, shall be permitted to develop property by ~~phases~~ **Phases** or any other

means in an effort to avoid compliance with the requirement of paving Private Street(s) in accordance with these regulations or that would otherwise circumvent the intent of these regulations. No property contiguous to a development in which Private Street(s) are installed as permitted herein shall be developed by the same person either directly or through the interposition of any legal entity, whether an individual, corporation, partnership, limited liability company, association, trust or other entity for a period of two years after occupancy of the last unit occupied in the previously approved subdivision.

(m) Section 84-46(d)(3)(f)(5) is hereby amended and reenacted to read as follows:

It shall be unlawful to develop property in ~~phases~~ **Phases** as a means of avoiding the installation of a community-type sewage disposal system in compliance with this ordinance. For purposes of this ordinance, all potential ~~phases~~ **Phases** of a proposed development will be counted to determine the number of lots or units in any such development. No individual, directly or through the interposition of any legal entity, whether an individual, corporation, partnership, limited liability company, association, trust or other entity, shall be permitted to develop property by ~~phases~~ **Phases** or any other means in an effort to avoid compliance with the requirement to install a community-type system in accordance with this ordinance. No property contiguous to a development in which individual systems are installed as permitted herein shall be developed by the same person either directly or through the interposition of any legal entity, whether an individual, corporation, partnership, limited liability company, association, trust or other entity for a period of two years after occupancy of the last unit occupied in the previously approved subdivision.

(n) Section 89-54(d) is hereby amended and reenacted to read as follows:

(d) What kind of public notice is required?

The following notice is required for a conditional use permit hearing:

| Type | When provided |
|--------------|--|
| Mail | <ul style="list-style-type: none"> <li data-bbox="483 1396 1218 1428">• The applicant will mail notice at least 10 days before the public hearing. <li data-bbox="483 1428 1218 1459">• <u>PZD will mail notice at least 10 days before the public hearing.</u> <li data-bbox="483 1459 1218 1570">• Notice is provided to all of the immediate adjacent property owners of record and the owners of the property immediately adjacent to that property per the latest tax assessor's tax rolls. Property directly across the public road from the reclassification site is treated as adjacent property. |
| Signs | <ul style="list-style-type: none"> <li data-bbox="483 1570 1218 1633">• <u>PZD will place signs</u> at least 14 days before the scheduled Planning and Zoning Commission hearing |

(o) Section 89-54(e)(3)b is hereby amended and reenacted to read as follows:

After receiving the Planning and Zoning Commission's recommendation (or after the time period for a report and recommendation expires), the Council will ~~adopt, adopt with revisions,~~ **grant, grant as modified,** or deny the ~~rezoning~~ **conditional use permit.**

- (p) Section 89-54(e)(3)(c) is hereby deleted in its entirety as being superfluous:

~~After receiving the planning and Zoning Commission's recommendation (or after the time period for a report and recommendation expires), the Council will adopt or deny the conditional use permit.~~

- (q) Section 89-65 (e) is hereby amended and reenacted to read as follows:

What are the standards for approval?

(1) No Certificate of Occupancy shall be issued unless the building, land, or structure complies with all provisions of this Chapter and all terms and conditions of any building permits previously issued for the building, land, or structure.

(2) No Certificate of Occupancy shall be issued for projects that include site work (i.e., work that is not part of the physical structure of the building itself, including, but not limited to, grading and excavation, as well as the installation of drainage, utilities and driveways) without certification from the architect and/or engineer of record that the on-site drainage system and any work within the public right-of-way is in accordance with the approved construction plans. If there is no architect or engineer of record associated with the project, the licensed general contractor may provide such certification.

- (r) Section 89-68(d) is hereby amended and reenacted to provide the following notification requirements:

| Type | When provided |
|---------------------|--|
| Publication | <ul style="list-style-type: none"> • 10 days before the scheduled hearing |
| Regular Mail | <ul style="list-style-type: none"> • 5 days before the scheduled hearing • Notice is mailed to owners of property located within 200 feet of the proposed development as determined by reference to the most current tax rolls as periodically updated by the Lafayette Parish Tax Assessor. • If the owner of any property within 200 feet of a proposed subdivision is a condominium development, the notices shall be sent to the condominium association who will provide the notice to each condominium unit owner. • 7 days before the scheduled hearing, signs are erected by the LCG. |
| Signs | <ul style="list-style-type: none"> • 5 days before the scheduled hearing <u>7 days before the scheduled hearing, signs are erected by LCG.</u> |

(s) Section 89-69(a)(1) is hereby amended and reenacted to read as follows:

This section applies to any appeal of any **Planning and Zoning Commission action** concerning the approval or denial of a proposed subdivision ~~or conditional use permit.~~

(t) Section 89-75(a)(3)(a) is hereby amended and reenacted as follows:

Has been vacant for at least 2 years, and is located in a designated historic structure, ~~or an a~~ **designated** historic district, **a designated historic neighborhood, landmark, property, or cultural resource**, or

(u) Section 89-77(b) is hereby amended and reenacted as follows:

Historic Significance. The structure where the bed and breakfast is established must be –
 (1) Defined as any residential structure designated as a landmark by the Lafayette Preservation Commission, or
 (2) Listed on the National Register of Historic Places, ~~or~~ **(3) Located in a structure, district, neighborhood, landmark, property, or cultural resource that has been officially designated as historic.**

(v) The table in Section 89-80 (f) is hereby amended and reenacted to read as follows:

| | Condition / Location | MN | MX | D | CM |
|---|----------------------|----|----|---|----|
| Legal Nonconformities | | | | | |
| The drive-through is a legal nonconformity. A nonconforming drive-through may expand on the same lot if - | | | | | |
| <ul style="list-style-type: none"> • The additional vehicle lanes and service windows are located entirely behind the principal building and are not visible from the sidewalk. | | | | | |
| <ul style="list-style-type: none"> • Additional vehicle lanes are not added or widened at the frontage line or sidewalk. | | | | | |
| New Drive-Through Facilities | | | | | |
| A new drive-through facility must comply with one of the following conditions - | | | | | |
| <ul style="list-style-type: none"> • The drive-through facility is located on an interior lot, with all service windows located behind or to the side of the principal building. | | | | | |
| <ul style="list-style-type: none"> • The drive-through facility is located on an interior lot, with all service | | | | | |

windows and vehicle lanes located behind or to the side of the principal building.

- | | | | | |
|---|---|---|---|---|
| • The drive-through facility is located on a “B” Street. | ✓ | ✓ | ✓ | ✓ |
| • The drive-through facility is located at least 500 feet from another drive-through facility, and all service windows are located behind or to the side of the principal building. | ✓ | ✓ | ✓ | ✓ |

(w) Section 89-79(b)(2) is hereby amended and reenacted to read as follows:

Cemeteries and mausoleums are not considered accessory to churches or worship centers, and are therefore not allowed, in the “RS” and “~~RM~~” **“MX”** districts.

(x) The table in section 89-84(b) is hereby amended and reenacted to read as follows:

| | <u>Minimum Frontage Buildout (see § 89-27(c)29(d))</u> | | | | | | Entrance | |
|-----------------------|--|-----|-----|----|----|-----|--------------------------------|--|
| | RS | RM | MN | MX | D | CM | Street Facing? | Spacing between entrances along front facade |
| Apartment Hotel | -- | -- | 50% | Z | Z | 65% | Yes | 75' |
| Apartment House | -- | 50% | 65% | Z | Z | 65% | Yes | -- |
| Cottage Courts | -- | -- | -- | -- | -- | -- | -- | -- |
| Live/Work Dwelling | -- | 25% | 45% | Z | Z | -- | Yes | -- |
| Mixed Use Building | -- | -- | 65% | Z | Z | 65% | Yes | 65' |
| Multi-family | -- | 40% | 65% | Z | Z | -- | Yes | 100' |
| Townhouse / Row house | -- | 35% | 65% | Z | Z | -- | Yes (each unit along frontage) | -- |
| Zero lot line home | -- | -- | -- | Z | -- | -- | Yes | -- |

(y) Section 89-84 (d)(4)b is hereby amended and reenacted to read as follows:

The total floor area of each cottage shall not exceed either 1.5 times the area of the ground floor area, or ~~1,500~~ **1,200** square feet, whichever is less.

(z) Section 89-98(b) is hereby amended and reenacted to read as follows:

(b) **Establishment and Scope.** ~~A non-conforming use may expanded, extended, or increased in volume if approved by the Board of Zoning Adjustment. The use was established without conditions, and it would now require a conditional use permit or subject to new use regulations.~~

(1) This Section applies only to uses established without conditions.

~~(2) A commercial or non-residential non-conforming use is continuous if—~~

~~a. it is opened for business at least 4 hours per day per 5 days per week, and~~

~~b. the structure is maintained in accordance with the LCG Code or other state or federal laws or regulations.~~

~~(3)~~**(2)** The existence of a nonconforming use on part of a lot or tract does not establish a nonconforming use on the entire lot or tract.

(aa) The text of Section 89-98(e)(3) prior to subsection (a) of Section 89-98(e)(3) is hereby amended and reenacted to read as follows:

The ~~Planning and Zoning Commission~~ **Board of Zoning Adjustment** may approve a ~~conditional use permit to~~ **the relocation of** ~~relocate~~ a nonconforming use, **subject to the following:** ~~In addition to the standards for approving a conditional use permit, following standards apply~~

(bb) Section 89-98(f)(2) is hereby amended and reenacted to read:

(2) Where allowed. The Board of Zoning Adjustment may approve an extension or expansion of a nonconforming use if **the extension or expansion does not involve or create a nonconforming structure or nonconforming site improvement, or it is required by a federal, state, or local law or a final court order.**

~~a. Obtains a conditional use permit (see Article 4), and~~

~~b. The extension or expansion does not involve or create a nonconforming structure or nonconforming site improvement; or~~

(cc) Section 89-98(g) is hereby deleted in its entirety and subsequent sections are renumbered:

~~The expansion is necessitated by a federal, state, or local law or a final court order.~~

~~(dd)~~ Section 89-99(b)(2) is hereby amended and reenacted to read:

The use is permitted in the district in which the lot is located; **and**

(ee) Section 89-100(b) is hereby amended and reenacted to read:

(b) Generally

(1) A nonconforming building **or structure** may not be reconstructed or structurally altered except as provided in this section.

(2) Buildings **or structures** used for neither commercial nor industrial purposes and **which** are nonconforming only as to yard areas or density may be structurally altered and their building volume increased if the alteration or increase in building volume does not ~~further~~ encroach upon any required yard space or any required off-street parking area.

(ff) The second sentence of 89-101(a) is hereby amended and reenacted to read as follows:

A “nonconforming site improvement” means a lawfully established development that does not conform to the building design, infrastructure, landscaping, parking, site design, supplemental use regulations, or other regulations of Article **2, 3** or **5** that would otherwise apply.

(gg) Table 89-151-1 is hereby amended by adding a definition of “Density” to read as follows:

| | |
|----------------|--|
| <u>Density</u> | <u>The number of dwelling units divided by the total land area subject to an Application, stated as dwelling units per gross acre.</u> |
|----------------|--|

(hh) Table 89-151-1 is hereby amended by adding a definition of “Phase” to read as follows:

| | |
|--------------|--|
| <u>Phase</u> | <u>One of a series of sequentially platted developments which, when taken together, form a singular, integrated development, regardless of whether the same is formally designated as a phased development plan. In determining whether a development is a Phase of a singular, integrated development, the Administrator shall consider: whether the development is dependent upon another development for ingress and egress; whether the development is dependent upon another development for utilities, drainage or sewer; the unity or relatedness of ownership of the developments (i.e., whether the development is owned by the same or related natural or legal persons); and any other factor which shows or tends to show that the development was intended to form a part of a singular and integrated development.</u> |
|--------------|--|

(ii) Section 89-404 is hereby enacted to read as follows:

89-404 Effect on Decisions of the Hearing Examiner

When a plat application is reviewed and finally acted upon by the hearing officer prior to December 7, 2015 in accordance with Section 9A of the Subdivision Regulations for the City of Lafayette, Louisiana or Chapter 4A of the Subdivision Regulations for Lafayette Parish, Louisiana, then, to the extent that further action is required of the Planning and Zoning Commission, the Planning and Zoning Commission shall review such application under the regulations in place prior to the Effective Date.

(jj) Section 89-14(b)(3) is hereby deleted, and the remainder of Section 89-14 is hereby renumbered accordingly. Section 89-14(b)(3) shall read as follows:

(b) Dimensional Standards

| Lot Requirements | | |
|------------------|---------------------------|-----|
| 1 | Lot size | n/a |
| 2 | Open space (<i>min</i>) | 15% |

| Setbacks (<i>principal buildings</i>) | | |
|---|---|-----|
| 3 | Front / corner street (<i>min</i>) | n/a |
| 4 | Front / corner street (<i>max</i>) | 15' |
| 5 | Frontage buildout (<i>min</i>) | 65% |
| 6 | Side (<i>min</i>) | n/a |
| 7 | Rear-common property line or alley (<i>min</i>) | 5' |

| Bulk Plane (↔ See 89-27) | | |
|--------------------------|---------------------------|--|
| 8 | From RS district boundary | 3 stories for the first 50' from the front, side or rear lot line, then 1 additional story for each additional 50 feet from the setback line. This requirement does not apply beyond 200' from any lot line bordering the RS district. |

- (1) Maximum **density** is 25 dwelling units per gross acre. This applies to mixed-use buildings or to residential uses permitted in the district.
- (2) A buffer may be required (see Article 3, § 89-36).
- ~~(3) A building or portion of a building located within 100' of an RS district may be no more than 35' or two stories in height.~~
- (4) **(3)** In the CM district, goods or merchandise or materials may be stored or displayed outside a building only in a sidewalk frontage zone (see Article 3, § 89-44 (f)).
- ~~(5)~~ **(4)** Drive-in and drive-through establishments are subject to Article 5, § 89-79.

(kk) Table 89-21-2, the “Use Table,” is hereby amended to permit the Manufacturing, Intensive use within the Industrial Light (“IL”) zoning district, and, to denote the same, the letter “P” shall be added to the Use Table at the intersection of the row “Manufacturing, Intensive” and the column “IL’ Industrial Light.”

Table 89-22-2 Use Table

| Use Category | "A" Agricultural | "RS" Residential Single-Family | "RM" Residential Mixed | "MN" Neighborhood Mixed Use | "MX" Mixed-Use Center | "D" Downtown | "CM" Commercial Mixed | "CH" Commercial Heavy | "PI" Public/Institutional | "IL" Industrial Light | "IH" Heavy Industrial |
|--|------------------|--------------------------------|------------------------|-----------------------------|-----------------------|--------------|-----------------------|-----------------------|---------------------------|-----------------------|-----------------------|
| Industrial / Production | | | | | | | | | | | |
| Manufacturing & Employment: | | | | | | | | | | | |
| Manufacturing, Intensive | | | | | | | | | | P | P |

(ll) The definition of “Self-service storage facility” within Section 89-21(d) is hereby amended and reenacted to read as follows: “A building or group of buildings in a controlled access compound that contains varying sizes of individual, compartmentalized, controlled access stalls or lockers for the storage of customers’ residential and/or commercial goods.”

(mm) Section 89-84(a)(3) is hereby amended and reenacted to read as follows:

(3) The following housing types are regulated separately and are not subject to this section –

- Dwelling, single-family detached and Dwelling, two-family (duplex) (↔ *Zoning district regulations in Article 2; development standards in Article 3 generally*)
- Accessory Apartments (↔ *see § 89-74*)
- Manufactured Home / Manufactured Housing Land Lease Community (↔ *see § 89-86*).

(nn) Section 89-90(t) is hereby amended and reenacted to read as follows:

Signs in “PD” zoning districts. Sign standards for a PD are designated in the ordinance approving the PD.

(oo) Section 89-92(b)(3)(C)(2) is hereby deleted.

c. Public Right-of-Way

The outdoor sale shall not obstruct any public right-of-way or utility easement, or reduce the clear width of any sidewalk to less than 4 feet.

~~If any part of the temporary sales activity occurs on a public right of way, the~~

Amended February 2016

O-055-2016

Article 2 of the UDC, Section 89-21 Use Table (c), Table 89-21-1 Use Table should be amended to:

- Add Retail, limited (A) as a permitted use in the MN (Mixed Use Neighborhood), MX (Mixed Use Center), D (Downtown), CM (Commercial Mixed), CH (Commercial Heavy) and IL (Industrial Light) zoning districts and as an Accessory use in the PI (Public/Institutional) zoning district.

And add

- Retail, limited (B) as a permitted use in the MX (Mixed Use Center), D (Downtown), CM (Commercial Mixed), CH (Commercial Heavy) and IL (Industrial Light) zoning districts and as an Accessory use in the PI (Public/Institutional) zoning district.
- And remove Retail, general as a permitted use in the MN and CM zoning districts.

Pursuant to Article 2 of the UDC, Section 89-21 (d), definitions, should be amended to add:

- Retail, limited (A)

An establishment engaged in the sale and/or rental of goods such as apparel and accessories/uniforms, bicycles, cameras and photographic supplies, candy and confections, electronics, entertainment media (such as videos, compact discs, DVDs, or computer games), floral goods, gifts and novelties, hardware, health and personal care (such as pharmacies, cosmetics and optical or surgical supplies), hobby, home décor, jewelry, luggage and leather goods, music, news media (newsstand), office supplies, pets, picture frames, shoes, sporting goods, stationary, tobacco, toys, used merchandise/antiques, arts and crafts, or similar items. This includes artist studios/galleries that both create and sell visual artwork. Uses in Retail, Limited (A) shall be limited to six thousand (6,000) gross square feet per lot.

And

Retail, Limited (B)

An establishment engaged in the sale and/or rental of all goods permitted in Retail, Limited (A) with no limitation on gross square feet per lot, and, additionally, the sale and/or rental of goods such as beer or liquor (package), firearms, and furniture.

And redefine Retail, general as follows:

Retail, General

An establishment engaged in the sale and/or rental of all goods permitted in Retail, Limited (B), and, additionally, appliances, auto parts/tires, general merchandise, heating and plumbing equipment, and pawn shops. This Use classification shall also include the sale and/or rental of goods at establishments such as department stores, warehouse clubs, variety stores, superstores, swap meets or flea markets, auctions, and consumer goods rental/general rental centers.

Amended March 2016

O-055-2016

Words in ~~strike through~~ being deletions from existing law, and words **underscored and boldfaced** being additions:

- (a) Section 89-10(b)(2) is hereby amended and reenacted to read as follows:

~~A detached Single Family residence shall have the same minimum lot size and alley requirements as the RS zoning district.~~ **Notwithstanding that there is no minimum lot size in the RM zoning district, a detached Single-Family Residence in the RM-1 zoning district shall be subject to the same minimum lot size requirements as the RS-1 zoning district, and a detached Single-Family Residence in the RM-2 zoning district shall be subject to the same minimum lot size and alley requirements as the RS-2 zoning district.**

- (b) Section 89-14(b)(3) is hereby amended and reenacted to read as follows:

Drive-in and drive-through establishments are subject to Article 5, § 89-~~79~~**80**.

- (c) Section 89-14(b) is hereby amended to enact subsections (4), (5) and (6), to read as follows:

(4) Whenever a setback greater than the maximum setback established in this Section would be required under § 89-38(f), the setback requirements of § 89-38(f) shall supersede the maximum setback established in this Section. In such a case, the setback required under § 89-38(f) shall be the maximum setback.

(5) The minimum frontage buildout established by this Section may be reduced to the extent necessary to satisfy any other requirement of this Chapter.

(6) Where a lot in the CM district has 100 feet or less of street frontage and a driveway is provided for access to that street frontage, the minimum frontage buildout for

that street frontage may be reduced by a maximum of 35 feet to provide adequate space for the driveway and required landscaping.

(d) Table 89-21-2, the “Use Table,” is hereby amended and reenacted to delete the term “condominium” from the Townhouse/Row House use classification:

Use Category

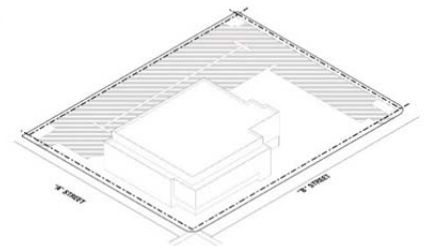
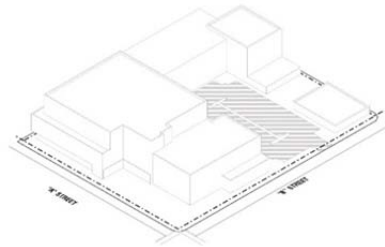
Residential

Residences:

~~Condominium~~/Townhouse/Row House

(e) The Parking regulations within the Site Element table in Section 89-28(h) are hereby amended and reenacted to read as follows, with the remainder of the Site Element table being unchanged:

| Site Element | Definition & General Requirements | Site Category 1 | Site Category 2 |
|----------------|---|--|--|
| Parking | <ul style="list-style-type: none"> • This establishes the location and size of parking areas. • The reduced parking ratios established here are in addition to any shared parking reductions in § 89-39. • A parking space located on a street is included in the calculation of required parking space if it is adjacent to the building site where the use is located. | <ul style="list-style-type: none"> • Required parking spaces are reduced to 50% of those otherwise required, and are limited to 120% of the required spaces (see § 89-39) • At least 85% of the parking spaces must be located to the rear of the principal building, in an interior courtyard, or a shared parking structure. | <ul style="list-style-type: none"> • Required parking spaces are reduced to 50% of those otherwise required (see § 89-39). No maximum applies. • Parking may be located between the street and the principal building, <u>except where, pursuant to § 89-39(d), parking is required to be located at the rear or side of a building.</u> Front and interior landscaping requirements apply. |



(f) Section 89-36(a)(1)(b) is hereby amended and reenacted to read as follows:

b. This section does not apply to --

1. Single-family detached residences.
2. Developments without a vehicular use area.
3. The “MX” (Mixed Use) **District for Site Category 1 developments, and** ~~or~~ “D” (Downtown) Districts.

(g) Section 89-36(c)(2) is hereby amended and reenacted to read as follows:

Multiple street frontages. **Except as provided in section § 89-36(c)(1)(b) above, ~~On~~ on** lots with multiple frontages, the landscape strip shall be provided on all street frontages. However, **all** landscaping ~~within the sight triangle~~ shall comply with line of sight regulations (see § 89-44(f)).

(h) Section 89-39(g)(5)(b) is hereby amended and reenacted to read as follows:

If parking over this percentage is requested or planned, the owner must install corresponding Green Infrastructure to their site for the space needed for the excessive parking. The area of Green Infrastructure is a 2:1 ratio to the area of the access isle and parking spaces over the percentages in subsection ~~4a~~ **4a**. Green Infrastructure provided herein shall qualify as Parking Lot Landscaping for the purposes of Open Space requirements.

(i) Section 89-40(a)(1) is hereby amended and reenacted to read as follows:

Any subdivision of property, except for a single-family residential subdivision of less than ten (10) lots ~~or less than two acres~~.

(j) Section 89-40(d) is hereby amended to add Sidewalks to the list of Civic Spaces credited toward the total required open space, with the remainder of Section 89-40(d) being unchanged:

| Category | Description / Standards | Percentage |
|------------------|---|------------------|
| <u>Sidewalks</u> | <u>A component of the Public Frontage with a continuous, unobstructed, accessible, paved area dedicated to pedestrian movement along the private frontage, built in accordance with § 89-44(e) and dedicated to public use.</u> | <u>Up to 40%</u> |

(k) Section 89-44(f)(1) is hereby amended to enact subsection d., to read as follows:

d. This subsection shall apply to properties located at the intersection of a public street with a public street, the intersection of a public street with a private street, and as otherwise provided herein.

(l) Section 89-44(f) is hereby amended to enact subsection (6), to read as follows:

(6) For permitting purposes, a 30 foot sight triangle may be used instead of the line of sight calculations for corner lots located at the intersection of a private street with a private street. On such corner lots, no driveway, automobile, trailer, sign, movable object, fence, wall, hedge, or other structure shall be erected, placed, or maintained within the triangular area formed by the intersection projections of the lines forming the edge of the pavement at points which are 30 feet distant from the point of the intersection, measured along the edge of the pavement. Notwithstanding the foregoing, if the speed limit for either intersecting private street would require line of sight distances greater than the 30foot sight triangle, it shall be the responsibility of the developer to comply with AASHTO safety guidelines and present those findings on the permit drawings.

(m) Figure 89-44-2 is hereby redesignated as Figure 89 44-1, and Figure 89-44-4 is hereby redesignated as Figure 89-44-2.

(n) Section 89-80(e)(1) is hereby amended and reenacted to read as follows:

Drive-through facilities shall provide a minimum stacking length as provided in Table 89-~~7980~~-1 (Drive-Through Stacking Length), below. The stacking lengths provided below are in addition to any aisle or parking space.

(o) The penultimate sentence in Section 89-84(b) is hereby deleted, with the remainder of Section 89-84(b) being unchanged:

~~If street facing is required, at least one of the following entry types is required along the street frontage, with minimum spacing as indicated in the table above.~~

- (p) The cross-reference in Section 89-85(b) is hereby amended and reenacted to reference the appropriate section as follows, with the remainder of Section 89-85(b) being unchanged:

Buffer (↔ see § 89-~~34~~**36**)

- (q) Section 89-89(b) is hereby amended and reenacted to read as follows:

Lot Size. The maximum lot size for a self-service storage facility in the “CM” or “MN” zoning district is 3 acres.

- (r) Section 89-98(d)(1) is hereby amended to and reenacted to read as follows:

- (1) Once changed to a more restricted use or to a conforming use, no building or land shall revert to a nonconforming use. **Notwithstanding the foregoing, in the “D” (Downtown) zoning district, any structure originally constructed and used as a “Dwelling, Single Family Detached” or “Dwelling, Two-Family (Duplex)” (as those terms are defined in this Chapter) and thereafter used as a non-residential use, such structure may revert to its previous residential use notwithstanding the fact that such structure had been converted to a non-residential use.**

- (s) The definition of Front Lot Line found within Section 89-151 is hereby amended and reenacted to read as follows, with the rest of Section 89-151 being unchanged:

~~The property line of any lot or parcel that abuts the street right-of-way (other than an alley). A corner lot has two Front Lot Lines. If there is an existing sidewalk, or a sidewalk designated on the subdivision plat or the capital improvements program of the LCG, the front lot line is considered the edge of the sidewalk furthest from the street for purposes of measuring the front setback.~~

- (t) Lines 20, 23 and 45 of Section 89-301(b) are hereby amended and reenacted to read as follows, with the remainder of Section 89-301(b) being unchanged:

- 20 Adjacent Property Owners (within the required notification distance) **including property directly across a Public or Private Road from the platted boundary, which shall be treated as adjacent property**

- 23 North arrow (**in the same orientation as the plat**) and scale (written and graphic) for the plat vicinity map (1" = 3,000') **showing the location of the proposed subdivision or development and the entire subject property**
- 45 Location, ~~number of stories, and~~ footprint **of any existing building or structures**, ~~and gross square footage of existing buildings or structures~~
- (u) Line 12 of Section 89-301(c) is hereby amended and reenacted to read as follows, with the remainder of Section 89-301(c) being unchanged:
- 12 Adjacent Property Owners (within the required notification distance) **including property directly across a Public or Private Road from the platted boundary, which shall be treated as adjacent property**

(v) Section 89-98(f)(3) is hereby amended and reenacted to read as follows:

~~The expansion is necessitated by a federal, state, or local law or a final court order.~~
Dwelling, Single Family Detached. The Administrator may approve an extension or expansion of a nonconforming "Dwelling, single family detached" use (↔ § 89-21(d)) for which a building permit was issued prior to the Effective Date of this Chapter, provided that the extension or expansion does not encroach upon the minimum setbacks required in the RS-1 zoning district or otherwise create any site improvements that would be nonconforming in the RS-1 zoning district.

(w) Section 89-100(g) is hereby enacted to read as follows:

Corner lots in subdivisions which have received preliminary or final subdivision plat approval prior to the Effective Date of this Chapter may be developed in accordance with the minimum yard requirements applicable to the said corner lots prior to the Effective Date.

Amended August 2016

O-156-2016

With words in ~~strikethrough~~ being deletions from existing law, and words underscored and boldfaced being additions.

(a) Section 89-8(c)(2)(b) is hereby amended and reenacted to read as follows:

Excluded Areas. The following areas do not qualify as conservation units:

1. ~~Areas located stormwater~~**Stormwater** detention areas or artificial water bodies;
2. Septic recovery areas, except as provided in subsection **89-8(c)(2)(d); or**
3. Lawns or planted areas located on private lots;~~;~~

(b) The regulations governing Setbacks set forth in Section 89-14(b) are hereby amended to read as follows:

| Setbacks (<i>principal buildings</i>) | |
|---|---|
| 3 Front / corner street (<i>min</i>) | n/a |
| 4 Front / corner street (<i>max</i>) | 15' |
| 5 Frontage buildout (<i>min</i>) | 65% or forty (40') feet less than the street frontage of the lot |
| 6 Side (<i>min</i>) | n/a |
| 7 Rear-common property line or alley (<i>min</i>) | 5' |

(c) Section 89-14(b)(6) is hereby deleted:

~~Where a lot in the CM district has 100 feet or less of street frontage and a driveway is provided for access to that street frontage, the minimum frontage buildout for that street frontage may be reduced by a maximum of 35 feet to provide adequate space for the driveway and required landscaping.~~

(d) Section 89-18(c)(4)(b) is hereby amended and reenacted to read as follows:

Public streets must serve the entire planned development. However, ~~the Zoning Code~~**where private roads would otherwise be allowed under this Chapter, the Department of Public Works** may approve private roads **for a planned development** if they meet minimum construction standards and can be used by police and fire department vehicles for emergency purposes.

(e) Table 89-21-2, the "Use Table," is hereby amended to remove the word Theater from the Entertainment facility/ Theater line:

Table 89-21-2 Use Table

| Use Category | "A" Agricultural | "RS" Residential Single-Family | "RM" Residential Mixed | "MN" Neighborhood Mixed Use | "MX" Mixed-Use Center | "D" Downtown | "CM" Commercial Mixed | "CH" Commercial Heavy | "PI" Public/Institutional | "IL" Industrial Light | "IH" Heavy Industrial |
|---|------------------|--------------------------------|------------------------|-----------------------------|-----------------------|--------------|-----------------------|-----------------------|---------------------------|-----------------------|-----------------------|
| Public/Civic/Institutional | | | | | | | | | | | |
| Arts, Entertainment, & Recreation: | | | | | | | | | | | |
| Entertainment facility/ Theater | | | | C | P | P | P | P | P | | |

(f) Table 89-21-2, the "Use Table," is hereby amended and reenacted to add a use category for "Theater," as follows:

Table 89-21-2 Use Table

| Use Category | "A" Agricultural | "RS" Residential Single-Family | "RM" Residential Mixed | "MN" Neighborhood Mixed Use | "MX" Mixed-Use Center | "D" Downtown | "CM" Commercial Mixed | "CH" Commercial Heavy | "PI" Public/Institutional | "IL" Industrial Light | "IH" Heavy Industrial |
|---|------------------|--------------------------------|------------------------|-----------------------------|-----------------------|--------------|-----------------------|-----------------------|---------------------------|-----------------------|-----------------------|
| Public/Civic/Institutional | | | | | | | | | | | |
| Arts, Entertainment, & Recreation: | | | | | | | | | | | |
| Theater | | | | C | P | P | P | P | P | | |

(g) Table 89-21-2, the "Use Table," is hereby amended and reenacted with respect to the districts in which the "Utility, Major" use is permitted, and shall read as follows:

Table 89-21-2 Use Table

| Use Category | "A" Agricultural | "RS" Residential Single-Family | "RM" Residential Mixed | "MN" Neighborhood Mixed Use | "MX" Mixed-Use Center | "D" Downtown | "CM" Commercial Mixed | "CH" Commercial Heavy | "PI" Public/Institutional | "IL" Industrial Light | "IH" Heavy Industrial |
|-----------------------|------------------|--------------------------------|------------------------|-----------------------------|-----------------------|--------------|-----------------------|-----------------------|---------------------------|-----------------------|-----------------------|
| Infrastructure | | | | | | | | | | | |
| Utilities | | | | | | | | | | | |
| Utility, Major | PG | P | P | P | | | P | P | | P | P |

(h) The definition of "Entertainment Facility/Theater" within Section 89-21, the "Use Table," is hereby amended and reenacted as follows:

Public/Civic/Institutional

Arts, Entertainment & Recreation:

Entertainment facility / Theater An establishment where the primary source of revenue is derived from live or recorded performances shown or played for the amusement of an audience. Examples include auditoriums, music clubs and dance halls.

(i) The definition of "Contractor" within Section 89-21, the "Use Table," is hereby amended and reenacted to read as follows:

Industrial/Production

Manufacturing & Employment:

Contractor The ~~offices and/or maintenance~~ facilities for a specialized trade related to construction, electric, glass, painting and decorating, welding, water well drilling, sign making, or similar items. Includes storage yards (for equipment, materials, supplies and/or vehicles), roofing and sheet metal, elevator maintenance and service, and venetian blind and metal awning fabrication and cleaning.

(j) Section 89-34(a)(3) is hereby amended and reenacted to comply with LSA-R.S. 25:756, to read as follows:

Appointment and Terms

- a. The Mayor-President shall appoint the members of the Lafayette Preservation Commission ~~(1) member as his direct appointment.~~

(1) One (1) appointment shall be a person who resides outside of the corporate limits of the City of Lafayette.

(2) One (1) appointment shall be a minority as defined by LA. R.S. 38:2233.2.

(3) One (1) appointment shall be a person who is a licensed architect.

b. Six (6) members shall be the direct appointments of the Lafayette City-Parish Council as a whole. **Preservation Commission appointments shall be subject to approval by a majority vote of the City-Parish Council.**

~~(1) One (1) appointment shall be a person who resides outside of the corporate limits of the City of Lafayette.~~

~~(2) One (1) appointment shall be a minority as defined by LA. R.S. 38:2233.2.~~

~~(3) One (1) appointment shall be a person who is a licensed architect.~~

(k) Section 89-36(d)(1) is hereby amended and reenacted to read as follows:

Generally. At least the following ~~area~~ **percentage** of **the vehicular use area of** a lot or parcel ~~that includes vehicular use areas~~ shall include interior **parking lot** landscaping. This section does not apply to parking structures.

(l) Table 89-39-2, "Required Parking Spaces," is hereby amended as follows:

| Public/Civic/Institutional | Use <small>(see § 89-21 for definitions)</small> | Required Parking Spaces |
|-----------------------------------|--|--|
| | <i>Assembly:</i> | |
| | Church or worship center | 1 per 450 sf 6 seats |

(m) Table 89-39-2, "Required Parking Spaces," is hereby amended to reclassify the "Entertainment facility/Theater" use as "Entertainment facility":

| Public/Civic/Institutional | Use <small>(see § 89-21 for definitions)</small> | Required Parking Spaces |
|-----------------------------------|--|--------------------------------|
| | <i>Arts, Entertainment, & Recreation:</i> | |
| | Entertainment facility/ Theater | 1 per 150 sf |

(n) Table 89-39-2 is hereby amended to provide new parking requirements for On-site Parking Spaces Required for Professional, Non-medical buildings between 1 and 8,000 square feet:

| Commercial/Mixed Use |
|--|
| <i>Office, Business, & Professional:</i> |

Office, professional, non-medical (1-8,000 sf) 1 per 250 sf

Office, professional, non-medical (**more than 8,000 sf**) See chart below

| On-site Parking Spaces Required for Professional, Non-medical buildings | |
|---|-----------------|
| Building area (sq ft) | Required spaces |
| 1-500 | 3 |
| 501-1,000 | 5 |
| 1,001-1,500 | 8 |
| 1,501-2,000 | 10 |
| 2,001-2,500 | 13 |
| 2,501-3,000 | 15 |
| 3,001-3,500 | 18 |
| 3,501-4,000 | 20 |
| 4,001-4,500 | 22 |
| 4,501-5,000 | 25 |
| 5,001-5,500 | 26 |
| 5,501-6,000 | 27 |
| 6,001-6,500 | 28 |
| 6,501-7,000 | 29 |
| 7,001-7,500 | 30 |
| 7,501-8,000 | 31 |
| 8,001-8,500 | 32 |

(o) Section 89-40(d) is hereby amended to provide for an additional subcategory of open space within the Landscaping category, to read as follows:

| Category | Description / Standards | Percentage |
|--------------------------------|--|-------------------------|
| Landscaping | | |
| Frontage Landscaping | Frontage landscaping as required by 89-36. | Up to 40% |
| Parking Lot Landscaping | Parking lot landscaping as required by 89-36, including green infrastructure in parking section (89-39 (g)). | Up to 40% |
| Stormwater management | Stormwater detention basins of at least one 1 acre and designed to provide for acceptable maintenance and upkeep of the detention basin. | Up to 40% |
| Wetlands | Natural wetlands reasonably visible from walkways provided in and through the wetland. | Up to 40% |
| Other | <u>Areas landscaped with plants that do not otherwise qualify as Landscaping under the foregoing categories.</u> | <u>Up to 50%</u> |

(p) Section 89-42(b)(9)(a) is hereby amended and reenacted to read as follows:

Open ditch drainage is not allowed **on proposed public or private streets** in the City of Lafayette ~~or the Unincorporated Areas~~, **and is not allowed on proposed public streets in the unincorporated areas of Lafayette Parish.**

(q) Section 89-44(a)(1)(e) is hereby amended and reenacted to read as follows:

~~Streets~~**New public streets** shall be constructed with curb and gutter unless otherwise approved by PW based upon the results of the Drainage Impact Study.

(r) Section 89-44(d)(1)(g) is hereby amended and reenacted to read as follows:

~~Typical Pavement Sections shall be hard surfaced and use minimum construction requirements that are supported by sufficient geotechnical testing or design documentation to determine the section is suitable for the site specific or borrow material soil properties and anticipated traffic loading. The geotechnical testing used for design and construction testing/inspection results are to be submitted to PW at the time of completion of construction of the Private Street and the final inspection of the Private Street construction by PW.~~

Typical Pavement Section.

(i) For all subdivisions in unincorporated Lafayette Parish with more than fifteen (15) lots and all subdivisions in the City of Lafayette, pavement section shall meet the requirements of Section 89-44(a)(1)(g).

(ii) For subdivisions in unincorporated Lafayette Parish with fifteen (15) lots or fewer, pavement section shall meet the requirements of Section 89-44(d)(1)(i).

(iii) For subdivisions served by private roads in existence prior to the Effective Date of this Chapter, or for which access is obtained through private rights-of-passage or other private access agreements recorded prior to December 7, 2015, pavement shall be of a strength sufficient to insure stable passage and adequate drainage, as determined by the Department of Public Works. "As built" documentation demonstrating the stability of the pavement and adequacy of the drainage shall be submitted to the Department of Public Works prior to recordation of the final plat, and shall be subject to approval by the Department of Public Works.

(s) Section 89-44(d)(8) is hereby amended and reenacted to read as follows:

Drainage of Private Streets and Private Alleys.

~~a. Private streets and private alleys must be provided with adequate sub-surface drainage approved by PW.~~

~~b. These requirements do no supersede any other development drainage requirements in the chapter.~~

New Private Streets, private Alleys and private drainage systems shall conform to the applicable requirements of §89-42(a)-(g) with respect to the design and construction of the sub-surface/open ditch roadway drainage system and private drainage outfall.

(t) Section 89-52(d) is hereby amended and reenacted to read as follows:

The following notice is required for a text amendment hearing (~~References: LRSA 33:112 [subdivision regulations]; 33:4724 [zoning amendments]~~):

| Type | When provided |
|--------------------|---|
| Publication | <ul style="list-style-type: none"> <li data-bbox="609 457 1055 741">• At least 10 days before the scheduled Planning and Zoning Commission or (if required) Council hearings<u>For subdivision regulations, one (1) time, at least ten (10) days before the scheduled hearing. (See LSRA 33:112.)</u> <li data-bbox="609 751 1055 963">• <u>For zoning regulations, three (3) times, with the first publication occurring at least ten (10) days before the scheduled hearing. (See LSRA 33:4724.)</u> |

(u) Section 89-95-1 is hereby enacted to read as follows:

89-95-1 Utility, Major

↔ Use Category (§89-21 Use Table): Infrastructure – Utilities

(a) Applicability. This section applies to any “Utility, Major” use in the City of Lafayette.

(b) Buffer ↔ Buffer Specifications (§89-36 Types of Buffer Required)

(1) When a “Utility, Major” use adjoins or is adjacent to a RS or RM zoning district, the following must be provided:

- a. **a fifty (50’) foot buffer; and**
- b. **planting units and/or plant types required for an E or N buffer yard type.**

(2) When a “Utility, Major” use adjoins or is adjacent to a MN, MX, CM, CH, PD or PI zoning district, a D buffer yard type must be provided.

(v) Section 89-99 is hereby amended to enact subsection 89-99(e), to read as follows:

(e) Replatting and Boundary Line Adjustments. In the case of lots platted prior to the Effective Date of this Chapter, and which met all applicable minimum lot size requirements under the rules in effect at the time of platting, the Administrator may permit boundary line adjustments to or the replatting of such lots, notwithstanding that after such boundary line adjustment or replatting the size of one or more such lots will not meet the minimum lot size for the district; provided, however, that the Administrator may permit such a boundary line adjustment or replatting only if:

- (1) it does not increase the nonconformity as to any particular lot;**
- (2) compliance with minimum lot size requirements is not reasonably possible (mere financial hardship does not constitute grounds for finding that compliance with minimum lot size requirements is not reasonably possible);**
- (3) the property can be developed as proposed without any significant adverse impact on surrounding properties or the public health and safety; and**
- (4) the nonconformity as to minimum lot size is the only nonconformity with respect to any particular lot.**

(w) Section 89-151, "Definitions," is hereby amended to enact a definition of "Variety Store," to read as follows:

| | |
|-----------------------------|---|
| <u>Variety Store</u> | <u>A price-point retailer or other similar retail store carrying a wide variety of merchandise of low unit value, including, but not limited to, household goods, food and drink, personal hygiene products, cleaning materials, small home and garden tools, office supplies, decorations, electronics, garden plants, toys, pet supplies, remaindered books, recorded media, and motor and bike consumables.</u> |
|-----------------------------|---|

(x) The table of Class B Trees in Section 89-155, "Tree and Shrub Species," is hereby amended to change the name of the Oriental Magnolia to Japanese Magnolia:

| | |
|------------------------|--|
| <i>Class B Trees</i> | |
| Magnolia x soulangiana | Ø Oriental <u>Japanese</u> Magnolia |

Amended June 2017
O-12-2017

Words in ~~strike through~~ being deletions from existing law, and words **underscored and boldfaced** being additions:

- (a) Subsection 89-14(5) is hereby amended, and subsection 89-14(6) is hereby enacted, to read as follows:
- (5) ~~The minimum frontage buildout established by this Section may be reduced to the extent necessary to satisfy any other requirement of this Chapter.~~ **Whenever a public servitude would be required under §89-30 and such servitude would prevent the Lot owner from complying with the maximum setback established herein, the maximum setback shall be adjusted such that the maximum setback shall be no greater than the interior boundary of the public servitude (e.g., if a twenty (20') foot public servitude is required along a front lot line and/or a lot line fronting on a corner street, the maximum setback shall be 20' feet).**
- (6) The minimum frontage buildout established by this Section may be reduced to the extent necessary to satisfy any other requirement of this Chapter.**
- (b) Table 89-21-2, the “Use Table,” is amended in the following particulars, with the remainder of Table 89-21-2 remaining unchanged:

Table 89-21-2 Use Table

| Use Category | "A" Agricultural | "RS" Single-Family Residential | "RM" Mixed Residential | "MN" Neighborhood Mixed Use | "MX" Mixed-Use Center | "D" Downtown | "CM" Commercial Mixed | "CH" Commercial Heavy | "PI" Public/Institutional | "IL" Industrial Light | "IH" Heavy Industrial |
|--|------------------|--------------------------------|------------------------|-----------------------------|-----------------------|--------------|-----------------------|-----------------------|---------------------------|-----------------------|-----------------------|
| Residential | | | | | | | | | | | |
| <i>Group Living:</i> | | | | | | | | | | | |
| Child Care, Commercial | | | P | P | P | P | P | P | | P | |
| Commercial / Mixed Use | | | | | | | | | | | |
| <i>Financial Services:</i> | | | | | | | | | | | |
| Pawn Shop | | | | | | P | P | P | | P | |
| Public / Civic / Institutional | | | | | | | | | | | |
| <i>Arts, Entertainment, & Recreation</i> | | | | | | | | | | | |
| Adult Business | | | | | | | | P | | P | P |
| Industrial / Production | | | | | | | | | | | |
| <i>Manufacturing & Employment:</i> | | | | | | | | | | | |
| Manufacturing, | | | | | | C | | C | | P | P |

Table 89-21-2 Use Table

| Use Category | "A" Agricultural | "RS" Single-Family Residential | "RM" Mixed Residential | "MN" Neighborhood Mixed Use | "MX" Mixed-Use Center | "D" Downtown | "CM" Commercial Mixed | "CH" Commercial Heavy | "PI" Public/Institutional | "IL" Industrial Light | "IH" Heavy Industrial |
|--------------|------------------|--------------------------------|------------------------|-----------------------------|-----------------------|--------------|-----------------------|-----------------------|---------------------------|-----------------------|-----------------------|
| General | | | | | | | | | | | |

(c) Section 89-21(d) is hereby amended and reenacted in the following particulars, with the remainder of Section 89-21(d) remaining unchanged:

Residential

Group Living:

~~**Child Care, Commercial** A facility that is licensed as such by the State of Louisiana and provides non-medical care to children, normally for periods less than 24 hours. It serves more than six children and/or is operated by a person who is not a resident of the site.~~

Commercial / Mixed Use

Retail Sales:

Retail Limited (A) An establishment engaged in the sale and/or rental of goods such as apparel and accessories/uniforms, bicycles, cameras and photographic supplies, candy and confections, electronics, entertainment media (such as videos, compact discs, DVDs, or computer games), floral goods, gifts and novelties, hardware, health and personal care (such as pharmacies, cosmetics and optical or surgical supplies), hobby, home décor, jewelry, luggage and leather goods, music, news, media (newsstands), office supplies, pets, picture frames, shoes, sporting goods, stationary, tobacco, toys, used

merchandise/antiques, arts and crafts, or similar items. This includes artist studios/galleries that both create and sell visual artwork. ~~Uses in Each~~ Retail, Limited (A) **use on a Lot** shall be limited to six thousand (6,000) gross square feet per lot.

Accessory

Sign ~~See Supplemental Use Regulations. See §89-90 (“Signs”).~~

Miscellaneous

Temporary Uses ~~See Supplemental Use Regulations. See §89-92 (“Temporary Uses”).~~

(d) Section 89-28(d)(3) is hereby amended and reenacted to read as follows:

The following minimums and maximums apply to an overall development plan for supportive zoning districts:

| Zoning District | Minimum | Maximum |
|------------------------|----------------|----------------|
| RS-1 | None | 10% |
| RS-2 | None | 30% |
| RM (1 & 2) | 10% | None |
| MX | 10% | 50% |
| MN (1 & 2) | • | • |
| CM | • | • |

(e) Subsections 89-30(a)(1)-(2) are hereby amended and reenacted to read as follows:

(1) Public ~~utility~~ servitudes are those servitudes established ~~within a plat which are designed to~~ accommodate publicly owned or controlled utility facilities necessary to provide various types of utility services to ~~the individual properties within the plat boundaries.~~

(2) Public ~~utility~~ servitudes may be used for, ~~but not limited to~~ **among other uses**, facilities necessary to provide water, electrical power, natural gas, drainage, storm sewer, traffic control, fiber, access, access management, telephone, telegraph, sanitary sewer services, and “utility” as defined in Article 8.

(f) Subsections 89-30(b)(5)-(8) are hereby amended and reenacted, with subsection 89-30(b)(9) being deleted in its entirety, and shall henceforth read as follows:

- (5) LCG shall control the space allocation in all ~~utility~~ **public** servitudes.
- (6) No permanent buildings, overhangs, or obstructions shall be **constructed or placed in the** public servitudes. ~~For quasi-permanent structures, fences, plantings, and temporary obstructions see below.~~
- (7) ~~Quasi-permanent structures,~~ **quasi-permanent structures, fences, plantings, and all other temporary obstructions** may be constructed **or placed within a** ~~in the required~~ **public servitude,** only if **approved in advance by LCG in writing.** **LCG may approve in full, approve in part, or reject the request to place a quasi-permanent structure, fence, planting or other temporary obstruction within the public servitude. No quasi-permanent structure, fence, planting or other obstruction shall be constructed or placed within the public servitude unless and until the same is specifically authorized by LCG. Any damage to a quasi-permanent structure, fence, planting or other temporary obstruction occurring as a result of the maintenance or improvement of a facility shall be the responsibility of the property owner, not LCG.**
- (a) ~~Location of the quasi-permanent structure is reviewed and approved by LCG.~~
- (b) ~~Any damage incurred by the structure during maintenance or improvement of the facility is the responsibility of the property owner, not LCG/LUS.~~
- (8) ~~The property owner may place fences, plantings, or any other temporary obstructions in the public servitudes if, upon request, the temporary obstructions will be removed by the property owner.~~**In the event LCG approves the construction or placement of a quasi-permanent structure, fence, planting or other temporary obstruction within the public servitude, LCG shall have the right to require the property owner to remove the same, at the cost of the property owner, if removal of the same is necessary for the enjoyment and/or exercise of the public servitude by LCG. A property owner required to remove a quasi-permanent structure, fence, planting or other temporary obstruction shall not be entitled to damages for the removal of the same, nor shall the property owner be entitled to recover the costs of removing, replacing or reconstructing the same. Further provided, should LCG require the removal of a quasi-permanent structure, fence, planting or other temporary obstruction from the public servitude, the property owner shall allow LCG to place the removed objects adjacent to the public servitude on property belonging thereto.**
- (a) ~~Upon removal, the property owner is not entitled to damages and may not recover any cost of replacing the objects removed from the servitude, and~~

(b) ~~On removal of any objects from the utilities servitude, the property owner is obligated to permit the items removed to be placed on the property adjacent to the servitude.~~

(9) ~~Dead-end public utility servitudes are not allowed, unless specifically agreed to by the servitude beneficiary for that utility.~~

(g) Subsections 89-30(c)(4)-(7) are hereby enacted to read as follows:

(4) No permanent buildings or obstructions shall be placed in the public utility servitude.

(5) Quasi-permanent structures, fences, plantings and other temporary obstructions shall not be allowed within public utility servitudes unless the same are approved in accordance with the procedure set forth in §89-30(b)(7), and any such structures, fences, plantings or other temporary instructions shall be subject to the provisions of §89-30(7)-(8).

(6) Overhangs into the public utility servitude shall not be allowed, unless:

(a) The overhang does not encroach more than twelve (12") inches into the public utility servitude at a height of no less than ten (10') feet above final grade.

(b) The overhang is specifically approved by the Field Operations division of LUS.

(7) Dead-end public utility servitudes are not allowed unless specifically agreed to by the the utility in whose favor the public utility servitude has been granted.

(h) Subsection 89-32(b)(1) is hereby amended and reenacted to read as follows:

Fences may be erected along the boundaries of a lot or required setbacks, ~~unless a specific restriction is provided in another part of this Chapter (see Section 89-30(b) and 89-38 (e)).~~ Additional fences may be erected within required setbacks. **The restrictions and procedures set forth at §§89-30(b)-(c) and 89-38(e) shall apply to fences.**

(i) Subsection 89-36(b)(7) is hereby amended and reenacted to read as follows:

Required **buffers and** landscape areas shall not be encroached upon by:

- a. Accessory buildings;
- b. Storage of equipment or goods;
- c. Garbage or trash collections;
- d. Vehicular use areas **(except for Accessways within landscape strips as provided for in §89-36(g)(4)(b)); or**
- e. Within 10 feet of a sidewalk located in the right-of-way or in a sidewalk servitude.

(j) Subsection 89-36(c)(1)(b) is hereby amended and reenacted to read as follows:

This requirement does not apply to frontage lines along Lots in the “RM,” “MN,” “MX,” “CM,” “CH,” “IH,” “PI,” or “PD” zoning districts where a building frontage (see § 0) is within 10 feet of a sidewalk.

- (k) Subsection 89-36(d)(3)(a) is hereby amended and reenacted to read as follows:

Interior landscape islands, **peninsulas, or areas fronted by vehicular use areas on two or more sides,** ~~or~~

- (l) Subsection 89-36(d)(3)(c) is hereby amended and reenacted to read as follows:

Existing tree clusters contiguous to or within the ~~vehicular use areas~~ **interior landscape islands, peninsulas, or areas fronted by vehicular use areas on two or more sides** that have the same tree density as the minimum planting requirements below, **including the area extending to five (5') beyond the drip line (i.e., the area defined by the outermost circumference of a tree canopy where water drips from and onto the ground), but not including vehicular use areas.** ~~and area is the open space measured at 5' beyond the drip line.~~

- (m) Subsection 89-36(d)(5) is hereby enacted to read as follows:

Whenever low-impact stormwater management features are provided, the following minimum standards shall apply:

- a. **All islands, peninsulas, or other qualifying areas shall receive and collect stormwater runoff from the site.**
- b. **Appropriate pervious vegetation and/or ground cover shall be used in all islands, peninsulas and other qualifying areas.**
- c. **The minimum area for islands, peninsulas, and other qualifying areas is set forth in subsection (4) above.**
- d. **Plants in islands, peninsulas and other qualifying areas shall be selected from those listed in §89-155.**

- (n) Subsection 89-38(a)(2) is hereby amended and reenacted to read as follows:

~~Required in the subdivision regulations or~~ **Otherwise required under this Article** ~~within the City or unincorporated Parish.~~

- (o) Subsection 89-38(c)(5)(b) is hereby amended and reenacted to read as follows:

Only 1 principal building is allowed on one lot in the “AG” or “RS” zoning districts, unless otherwise provided for Manufactured Homes in Article 5.

- (p) Subsection 89-38(e)(4)(b) is hereby specifically amended in the following particulars and reenacted to read as follows, with the remainder of subsection remaining unchanged:

The features as conditioned and designated below may encroach into a required setback:

| Feature | Setbacks where encroachment is permitted | Maximum Encroachment | Minimum Setback From street or lot line |
|---------------------------|---|-------------------------|--|
| Heating and cooling units | Side/Rear | No restriction | 30 feet |

(q) Subsection 89-38(f), “Setbacks,” is hereby redesignated “**Enhanced** Setbacks.”

(r) Subsection 89-39(b) is hereby amended and reenacted to read as follows:

Parking areas that include parking spaces required by this section must be accessible to a public or private street right-of-way or approved permanent access servitude.

↔ See § ~~089-26~~ for ingress and egress requirements.

(s) Subsection 89-39(d)(2) is hereby amended and reenacted to read as follows:

A required parking lot **adjoining or** separated only by an alley, servitude, or street from the property containing the principal use, is considered contiguous if:

- a. such parking lot is located within 300 feet of the property line of the principal use; or**
- b. such parking lot is located within 1,000 feet of the property line of the principal use area where the property including the principal use is located, and the parking areas are connected by a continuous system of sidewalks (including any street intersection) or pedestrian pathways.**

~~a. No required parking space shall be located further than the following distance from the property line of the principal use—~~

- ~~1. 300 feet, or~~
- ~~2. 1,000 feet where the property including the principal use and the parking areas are connected by a continuous system of sidewalks (including any street intersection) or pedestrian pathways.~~

(t) Subsection 89-39(g)(5)(a) is hereby specifically amended in the following particulars and reenacted to read as follows, with the remainder of subsection 89-39(g)(5)(a) remaining unchanged:

Parking shall not exceed the required number of spaces based on size and use. **For purposes of this subsection, only Parking Lots and the first level of Parking Garages shall be counted toward the maximum number of parking spaces herein established. Notwithstanding the foregoing, Additional-additional parking spaces within Parking Lots (and the first level of Parking Garages) are allowed up to the following limits:**

(u) Subsection 89-39(j) is hereby enacted to read as follows:

(i) Inventory Parking

- (1) The required parking set forth in §89-39(g)(5) shall not apply to motor vehicles for sale or lease as inventory at an automobile or vehicle dealership (hereinafter an “Inventory Lot”) in the City of Lafayette or in unincorporated areas of Lafayette Parish.**
- (2) The provisions of §§89-36(c), 89-39(d) (3) (a)-(b), and 89-39(h) (4)-(7) shall apply to parking areas used as an Inventory Lot.**
- (3) The area utilized by an automobile or vehicle dealership as an Inventory Lot shall be considered in determining required Open Space for the automobile or vehicle dealership.**
- (4) Inventory Lots shall be used exclusively for motor vehicles for sale or lease as inventory, and shall not be used for any other purpose, including employee or customer parking.**

(v) The table set forth at Subsection 89-40(d) together with the prefatory language immediately preceding the same is hereby redesignated as Subsection 89-40(d)(1), and the said table is specifically amended in the following particulars and reenacted to read as follows, with the remainder of redesignated Subsection 40(d)(1) remaining unchanged:

(1) Where the zoning district or this section requires an open space allocation, the following areas count toward the total requirement at the percentage designated below:

| Category | Description / Standards | Percentage |
|--|---|---|
| Landscaping | | |
| Parking Lot Landscaping | <ul style="list-style-type: none"> ● Parking lot landscapingInterior landscaping as required by § 89-36, including green infrastructure in parking section (89-39(g)). ● Low-impact stormwater management features and existing tree clusters (↔ § 89-36), including green infrastructure (↔ §89-39(g)). | <p>Up to 40%</p> <p><u>Up to 75%</u></p> |
| Stormwater management | Stormwater detention basins of at least one 1 acre and designed to provide for acceptable maintenance and upkeep of the detention basin. | Up to 40% |
| Common Open Space — unless otherwise provided in the rules for a Mixed Use Center, the following categories qualify for a 1.5 multiplier (e.g., one acre of Common Open Space results in 1.5 acres of credit towards the Open Space requirement for the district) | | |
| Wet areas | Unpaved lakes, ponds, bayous, streams, or creeks, including stormwater retention basins that are designed so that where at least 20% percent of the abutting shoreline is accessible for the common use of the development. The accessible shoreline must | Up to 75% |

| Category | Description / Standards | Percentage |
|------------------------------------|---|--------------------------------|
| | have at least 300 feet of frontage on a street. | |
| Stormwater Management | | |
| <u>Stormwater Detention Basins</u> | <u>Stormwater detention basin/pond, for which a perpetual Private Maintenance Agreement is provided to the Department of Public Works (↔ § 89-40(d)(2)).</u> <u>Additional credits may be added to the stormwater management percentage if:</u> | <u>Up to 40%</u> |
| | <ul style="list-style-type: none"> • <u>At least three (3) types of plants set forth in Table 89-155-4 are planted along at least twenty (20%) percent of the perimeter of the basin/pond</u> | <u>5%</u> |
| | <ul style="list-style-type: none"> • <u>Basin/pond holds water at a minimum depth of eighteen (18") inches. If the basin/pond has a depth of greater than four (4') feet, a safety shelf shall be required. The safety shelf shall be at a 2' water depth and shall have a minimum length of six (6') feet</u> | <u>10%</u> |
| | <ul style="list-style-type: none"> • <u>Basins/ponds are constructed in a series, with discharge from one basin/pond to another</u> | <u>5%</u> |
| | <ul style="list-style-type: none"> • <u>The basin/pond is designed as an amenity based on the criteria set forth below</u> | <u>Up to an additional 15%</u> |
| | <ul style="list-style-type: none"> <ul style="list-style-type: none"> • <u>Aeration feature (e.g., a fountain or other water feature) suitable for such basin/pond, as determined by the Director of the Department of Public Works or his/her designee</u> | <u>up to 4%</u> |
| | <ul style="list-style-type: none"> <ul style="list-style-type: none"> • <u>Walking trail constructed around at least fifty (50%) percent of basin/pond shoreline</u> | <u>up to 3%</u> |
| | <ul style="list-style-type: none"> <ul style="list-style-type: none"> • <u>Permanent installation of at least three (3) of the following along shoreline: benches, tables, chairs and trash cans</u> | <u>up to 1%</u> |
| | <ul style="list-style-type: none"> <ul style="list-style-type: none"> • <u>Permanent installation of pier or bridge or pier over the basin/pond, extending at least eight (8') feet over the shoreline</u> | <u>up to 3%</u> |
| | <ul style="list-style-type: none"> <ul style="list-style-type: none"> • <u>Basin/pond is stocked with non-invasive fish species in accordance with guidelines established by the Department of Public Works</u> | <u>up to 2%</u> |
| | <ul style="list-style-type: none"> <ul style="list-style-type: none"> • <u>At least twenty (20%) of shoreline is accessible to the public, or, in the case of a residential subdivision, to residents thereof, and has at least one hundred (100') feet of street</u> | <u>up to 2%</u> |

| Category | Description / Standards <u>frontage</u> | Percentage |
|----------|--|------------|
|----------|--|------------|

(w) Subsection 89-40(d) (1) is hereby redesignated as Section 89-40(d) (2).

(x) Subsection 89-40(d)(3) is hereby enacted to read as follows:

(3) The required Private Maintenance Agreement referenced in subsection 89-40(d)(1) shall provide for the perpetual maintenance and upkeep of open space in a form approved by the Environmental Quality section of the Department of Public Works. A form Private Maintenance Agreement is available from the Environmental Quality Section.

(y) Subsection 89-44(d)(6)(b) is hereby amended and reenacted to read as follows:

Fire hydrants, where required, must be so located and provided within the project boundaries that ~~500~~**three hundred (300)** feet of fire hose, extending on the ground from the hydrant, can reach the furthestmost part of any building within the boundaries of the plat.

(z) Subsection 89-52(h) is hereby amended and reenacted to read as follows:
How is a decision appealed?

~~Not applicable.~~**Appeal of any Council action shall be made to the 15th Judicial District Court for the Parish of Lafayette within thirty (30) days of the date of the Council action.**

(aa) Subsection 89-53(e)(4) is hereby amended and reenacted to read as follows:

Conditional rezoning. The rezoning decision may –

- a. Limit the property to specified uses that are allowed in the zoning district;~~;~~~~or~~
- b. Attach appropriate conditions to mitigate the impacts of the proposed development, such as, restrictions relative to the site plan and any future modifications, set back requirements, and other restrictions appropriate to mitigate the impacts of the development;~~;~~~~or~~
- c. In the case of a comprehensive rezoning revision of more than ten (10) parcels, allow, as a matter of right, a conditional use that is permitted within the zoning district.**

(bb) Subsection 89-53(g) is hereby amended and reenacted to read as follows:
How is a decision appealed?

~~Not applicable.~~**Appeal of any Council action shall be made to the 15th Judicial District Court for the Parish of Lafayette within thirty (30) days of the date of the Council action.**

- (cc) Subsection 89-54(h) is hereby amended and reenacted to read as follows:
How is a decision appealed?

See § 89-69. Appeal of any Council action shall be made to the 15th Judicial District Court for the Parish of Lafayette within thirty (30) days of the date of the Council action.

- (dd) Subsection 89-54(k) is hereby enacted to read as follows:
For how long is my Conditional Use Permit valid?

A Conditional Use Permit runs with the land and shall continue to be valid upon a change of ownership of the site, business, service, use or structure which was the subject of the use permit application, unless conditioned otherwise.

- (ee) Subsection 89-69(g) is hereby amended and reenacted to read as follows:
How is a decision appealed?

Appeal of any Council action is to the appropriate district court **shall be made to the 15th Judicial District Court for the Parish of Lafayette within thirty (30) days of the date of the Council action.**

- (ff) Subsection 89-72(e) is hereby amended and reenacted to read as follows:

Some sections in this Article apply to development situation or building/site features that are not a “use.” Examples are Adaptive Reuse (~~089-75~~), Garages (~~089-81~~), or Drive-Through Facilities (~~89-79(e)~~ **89-80**). These apply to any use, unless otherwise indicated.

- (gg) Subsection 89-73(a)(3) is hereby amended and reenacted to read as follows:

Other sections of this Article also regulate accessory buildings or uses (such as accessory apartments (89-74), drive through facilities (89-79(e)), garages (~~089-81~~), home occupations (89-83), **swimming** pools (89-88), and signs (89-90)). Those section supersede this section, but only to the extent that they are inconsistent with this section.

- (hh) Subsection 89-74(c) is hereby amended and reenacted to read as follows:

Maximum **living** area is the lesser of: -

- a. 25 percent of the gross floor area of the principal dwelling unit, or
- b. 1,000 square feet.

- (ii) Subsection 89-86(a)(3)(d) is hereby enacted to read as follows:

(d) This subsection 89-86(a) (3) shall apply only in the unincorporated areas of Lafayette Parish.

- (jj) Subsection 89-90(a)(2) is hereby amended to specifically enact a definition of “One-Time Event,” to read as follows, with the remainder of Subsection 89-90(a)(2) remaining unchanged:

| | |
|-----------------------|--|
| <u>One-Time Event</u> | <u>For purposes of this Section, a sign advertising a One-Time Event shall mean a sign advertising an event of limited duration which is either non-recurring or, if recurring, occurring at distinct and/or defined intervals (e.g., quarterly, annually, bi-annually). Illustrative examples of signs advertising One-Time Events include, without limitation, signs advertising carnivals, concerts, public meetings, sporting events, political campaigns (including qualifying), the sale or lease of immovable property, the grand opening of a business, a festival, a state or local fair, and a cattle or horse show. The foregoing examples are given for illustrative purposes only, and shall not be interpreted as exhaustive or as limiting the generality of this definition of One-Time Event.</u> |
|-----------------------|--|

- (kk) Subsection 89-90(j) is hereby amended and reenacted to read as follows:

Landmark Sign. A sign existing prior to ~~November 25, 2008~~September 28, 2007, and designated as a landmark sign by the Lafayette Preservation Commission, is exempt from this Section. Any proposed alteration to a landmark sign, except to bring it into compliance with this Section, must be approved by the Lafayette Preservation Commission. In order to retain its landmark sign designation, the sign must be maintained in good repair.

- (ll) Subsection 89-90(k) is hereby deleted in its entirety and reenacted to read as follows:

~~(1) Permit.~~

- ~~a. Except as provided in subparagraph (b), no person shall erect a temporary sign without first obtaining a permit from the Administrator.~~
- ~~b. No permit shall be required for (i) a political sign; (ii) a sign advertising immovable property for sale or lease; (iii) a sign identifying a developer, engineer, architect or contractor engaged in the construction of a building or development; (iv) a sign advertising a charitable event; or (v) an opinion sign.~~
- ~~c. Except as otherwise provided herein, only one (1) temporary sign per temporary event shall be allowed per lot (i.e., only one sign advertising the sale or lease of immovable property is allowed on a particular lot, although a political sign would also be allowed at the same time).~~

~~(2) Duration.~~

- ~~a. The Administrator may approve a permit for up to forty five (45) days, except that the Administrator may approve one sign per street entrance advertising the development of a new subdivision of five lots or more, which may be installed for up to one (1) year. In all cases, the temporary sign shall be removed by the applicant at the end of the permit period.~~

~~(3) With respect to signs that do not require a permit, a sign may be placed upon initiation of the temporary event, and must be removed by the person who erected it within 14 days after the event terminates. Examples of the initiation and termination of particular events are:~~

| | |
|-------------------------------------|---|
| Political | Initiation 90 days prior to the last day of qualification of candidates for a candidate election or, for a proposition election, no sooner than the date of the deadline of submission of the proposition to the Secretary of State. Termination upon the election of a candidate to office or resolution of a ballot question. |
| Real estate sale or lease | Initiation upon the actual availability of the property or premises for sale or lease, and termination upon execution and acceptance of a final contract for the real estate transaction. |
| Building construction or remodeling | Initiation upon issuance of a building permit and termination upon issuance of the certificate of occupancy or approval for connection to electric power for the work authorized by the building permit. |

~~(4) Temporary signs in an “RS” or “RM” zoning district—~~

- ~~a. shall not exceed 12 square feet in cumulative area, and~~
- ~~b. shall not advertise off premises commercial activity~~

~~(5) A temporary sign in districts other than “RS” or “RM” shall not exceed 32 square feet in area.~~

~~(6) Political Signs. Any restriction in the number of temporary signs does not apply to political signs, if the number of political signs does not exceed the number of ballot issues and ballot candidates in any current election.~~

~~(7) A lot may contain one Opinion Sign for each street frontage, or one Opinion Sign within each tenant space within the overall applicable allocation for freestanding or attached signs. Opinion Signs are permitted on private property only and may be placed only upon approval of the property owner. Opinion Signs not attached to a freestanding or attached sign may not exceed 6 square feet in area or 4 feet in height. Opinion Signs may not be located closer than 7 feet to the paved portion of a street and must be at least 5 feet from any property line. An illuminated sign may not be used in residential districts as a non-commercial opinion sign.~~

(1) Size.

(a) On a particular lot in the “RS” or “RM” districts, one or more temporary signs may be erected provided that the total square footage of all such temporary signs, whether one or more, does not exceed twelve (12) square feet in area.

(b) On a particular lot in a district other than “RS” or “RM,” one or more temporary signs may be erected provided that the total square footage of all such temporary signs, whether one or more, does not exceed thirty-two (32) square feet in area.

(2) Temporary signs advertising a One-Time Event shall not be erected more than ninety (90) days prior to the initiation of the One-Time Event and shall be removed within ten (10) days following the termination of the One-Time Event.

(3) Temporary signs shall not be illuminated.

(4) Temporary signs shall not advertise off-premises commercial activity.

(5) Except where specifically in conflict with this subsection (k), all regulations set forth in this Section 89-90 shall apply to temporary signs.

(mm) Subsection 89-101(a) is hereby amended and reenacted to read as follows:

Applicability. A “nonconforming site improvement” means a lawfully established development that does not conform to the building design, infrastructure, landscaping, parking, site design, ~~supplemental use regulations,~~ or other regulations of Article 2, 3 or 5 that would otherwise apply. Examples of nonconforming site improvements include:

- Landscaping (or lack of landscaping) that does not conform to the landscape area, location, or planting requirements.
- Parking spaces, drive aisles, and loading areas that do not conform to the requirements of Article 3 in terms of their number or dimensions.

(nn) Subsection 89-122(i) is hereby amended and reenacted to read as follows:

The Board shall keep an accurate record of all of its meetings and shall at least annually give to the Lafayette City-Parish Council ~~both a written and oral~~ report on the Board’s activities for the prior year. The Board shall provide to the clerk of the Lafayette City-Parish Council; copies of the minutes of each of its meetings.

(oo) The definition of “Lot of Record” set forth in Table 89-151-1 is hereby amended and reenacted to read as follows, with the remainder of Table 89-151-1 remaining unchanged:

| | |
|----------------------|--|
| Lot of Record | A lot of record is a lot which is part of a subdivision, the map of which has been recorded in the office of the Parish Clerk of Court; or a parcel of land which became legally established and defined by deed or act of sale on or before the adoption of this chapter. <u>September 23, 1971 in the City of Lafayette or January 21, 1981 in the unincorporated areas of Lafayette Parish; further provided, in order to be considered a lot of record, a lot shall have a direct frontage on a public or private street or permanent access easement or servitude approved by LCG.</u> |
|----------------------|--|

(pp) Section 89-155 is hereby amended and reenacted to read as follows:

89-155 Tree and Shrub Species

(a) Trees

(1) Class A Trees

| <i>Class A Trees</i> | |
|---|--------------------|
| Acer rubrum 'drummondii' | Swamp Red Maple |
| Fraxinus pennsylvanica | Green Ash |
| Ginkgo biloba | Maidenhair Tree |
| Ilex opaca | American Holly |
| Juniperus virginiana 'canaertii' | Eastern Red Cedar |
| Liquidambar styraciflua | American Sweet Gum |
| Magnolia grandiflora | Southern Magnolia |
| Nyssa aquatica | Tupelo Gum |
| Nyssa sylvatica | Black Gum |
| Pinus Elliottii (clustered 3 to 5 specimens) | Slash Pine |
| Pinus glabra | Spruce Pine |
| Quercus acustissima | Sawtooth Oak |
| Quercus falcata 'pagodifolia' | Cherrybark Oak |
| Quercus glauca | Blue Japanese Oak |
| Quercus lyrata | Overcup Oak |
| Quercus michauxii | Cow Oak |
| Quercus nuttallii | Nuttall Oak |

| | |
|---------------------------------------|-----------------|
| Quercus phellos | Willow Oak |
| Quercus shumardii | Shumard Oak |
| Quercus virginiana | Live Oak |
| Taxodium distichum | Bald Cypress |
| Tilia americana | American Linden |
| Ulmus alata | Winged Elm |
| Ulmus americana American Elm** | |
| Ulmus crassifolia | Cedar Elm |
| Ulmus parvifolia 'drake' | Chinese Elm |
| Liriodendron Tulipifera | Tuliptree |
| **Dutch Elm Disease Resistant Variety | |

(2) Class B Trees

| | |
|------------------------|------------------|
| <i>Class B Trees</i> | |
| Betula nigra | River Birch |
| Cedrus deodara | Deodar Cedar |
| Cercis canadensis | Eastern Redbud |
| Chionanthus virginicus | Grancy Graybeard |
| Cornus florida | Dogwood |
| Crataegus opaca | Mayhaw |
| Cyrilla racemiflora | Titi |

| | |
|---|-------------------------|
| Halesia diptera | Silver-Bell |
| Ilex x attenuata 'Fosteri' | Foster's Holly |
| Ilex 'Nellie R. Stevens' | Nellie Stevens Holly |
| Ilex decidua | Deciduous Holly |
| Ilex vomitoria | Yaupon |
| Lagerstroemia indica (varieties maturing at a minimum height of 15') | Crape Myrtle |
| Ligustrum lucidum | Tree Ligustrum |
| Magnolia virginiana | Sweetbay Magnolia |
| Myrica cerifera | Wax Myrtle |
| Osmanthus fragrans | Sweet Olive |
| Persea Borbonia | Red Bay |
| Phoenix canariensis | Canary Island Date Palm |
| Pinus Thunbergiana | Japanese Black Pine |
| Pistacia chinensis | Pistachio |
| Prunus campanulata | Flowering Cherry |
| Prunus caroliniana | Cherry Laurel |
| Prunus mexicana | Mexican Plum |
| Pyrus Calleryana 'Bradford' | Bradford Flowering Pear |
| Robinia Pseudoacacia | Black Locust |
| Trachycarpus fortunei (clustered 3 to 5 specimens) | Windmill Palm |

| | |
|--|-------------------|
| Ulmus parvifolia | Chinese Elm |
| Magnolia x soulangiana | Japanese Magnolia |
| Cabbage Palm (clustered 3 to 5 specimens) | Sabal palmetto |

~~Other species may be considered when presented as part of a landscape plan prepared by a registered landscape architect licensed in the State of Louisiana.~~

(3) Shrubs

| | |
|---|----------------------|
| <i>Shrubs</i> | |
| <i>Ground Cover Shrubs 3' height**</i> | |
| Buxus microphylla | Littleleaf Boxwood |
| Fatsia japonica | Fatsia |
| Hibiscus rosa-sinensis | Chinese Hibiscus |
| Ilex cornuta 'Burfordi' | Burford Holly |
| Ilex crenata 'compacta' | Dwarf Japanese Holly |
| Ilex vomitoria 'nana' | Dwarf Yaupon |
| Juniperus species | Juniper |
| Pittosporum Tobira 'Wheeler's Dwarf' | Dwarf Pittosporum |
| Sabal Louisiana | Louisiana Palmetto |
| Sabal minor | Dwarf Palmetto |
| Sabal palmetto | Sabal Palm* |
| <i>Screening Shrubs 4' height**</i> | |

| | |
|-------------------------------------|--------------------|
| Abelia grandiflora | Glossy Abelia |
| Butia capitata | Cocos Palm* |
| Chamaerops humilis | European Fan Palm |
| Cycus circinalis | Queen Sago Palm |
| Cycus revoluta | King Sago Palm |
| Gardenia Jasminoides | Cape Jasmine |
| Gardenia Jasminoides 'Prostrata' | Dwarf Gardenia |
| Ilex cornuta | Chinese Holly |
| Ligustrum japonicum | Wax Leaf Ligustrum |
| Livistonia chinensis | Chinese Fan Palm |
| Michelia Figo | Banana Shrub |
| Nandina domestica | Heavenly Bamboo |
| Rhododendron indica | Indian Azalea |
| Ternstroemia gymnanthera | Cleyera |
| Trachycarpus fortunei | Windmill Palm* |
| Viburnum suspensum | Viburnum |
| <i>Buffer Shrubs 12' height**</i> | |
| Callistemom rigidis | Bottlebrush |
| Camellia japonica | Camellia |
| Camellia sasanqua | Sasanqua Camellia |

| | |
|-------------------------------------|--------------------------|
| Feijoa Sellowiana | Pineapple Guava |
| Ilex attenuata 'Fosteri' | Foster's Holly |
| Nerium oleander | Oleander |
| Phoenix canariensis | Canary Island Date Palm* |
| Photinia Fraseri | Fraser's Photinia |
| Photinia glabra | Redtip Photinia |
| Pittosporum Tobira | Pittosporum |
| Raphiolepis indica | Indian Hawthorn |
| Viburnum odoratissimum | Sweet Viburnum |
| Washingtonia robusta | Mexican Fan Palm* |
| <i>Herbaceous Shrubs***</i> | |
| Alpinia zerumbet | Shell Ginger |
| Alpinia zerumbet 'variegata' | Variegated Shell Ginger |
| Ensete maurelii | Red Abyssinian Banana |
| Ensete vetricosum 'red stripe' | Abyssinian Banana |
| Hedychium coronarium | White Butterfly Ginger |
| Musa acuminata 'sumatrana' | Bloodleaf Banana |
| Musa acuminata 'dwarf Cavendish' | Dwarf Cavendish Banana |
| Musa acuminata 'Cavendish' | Cavendish Banana |
| Musa 'Grand Nain' | Banana |

| | |
|--|-------------------------------|
| Musa ornata 'Lavender' | Dwarf Lavender Banana |
| Musa ornate 'milkyway' | Dwarf White Banana |
| Musa velutina | Dwarf Banana |
| Philodendron Selloum | Split Leaf Philodendron |
| <i>Shrub Like Grasses & Irises ***</i> | |
| Arundo donax | Giant Reed Grass |
| Cymbopogon citratus | Lemon Grass |
| Deschampsia caespitosa | Tufted Hair Grass |
| Eragrostis spectabilis | Purple Love Grass |
| Iris fulva | Copper Louisiana Iris |
| Iris giganteaerulea | Big Blue Louisiana Iris |
| Iris ' Louisiana' | Hybrid Louisiana Iris |
| Iris nelsonii | Abbeville Iris |
| Iris Pseudacorus | Yellow Flag or Evergreen Iris |
| Iris virginica | Blue Flag Iris |
| Miscanthus sinensis 'Gracillimus' | Maiden Grass |
| Miscanthus sinensis 'Variegatus' | Varigated Maiden Grass |
| Miscanthus sinensis ' Zebrinus' | Zebra Grass |
| Pennisetum alopecuroides | Fountain Grass |
| Pennisetum villosum | Feathertop Grass |

| | |
|---|---------------|
| Vetiveria zizanioides | Vetiver Grass |
| * used as a shrub in a subtropical climate | |
| ** or may be kept at this height by effective pruning | |
| *** certain plants subject to winter die back | |

(b) Stormwater Management Basin/Pond Plantings

(1) Woody Plants

| <u>Woody Plants</u> | | |
|-------------------------------|-------------------------|------------------------------|
| <u>Scientific Name</u> | <u>Common Name</u> | <u>Recommendations/Notes</u> |
| <u>Acer rubrum</u> | <u>Swamp Red Maple</u> | <u>Wet or upland areas</u> |
| <u>Chionanthus virginicus</u> | <u>White Fringe Ash</u> | <u>Wet or upland areas</u> |
| <u>Fraxinus pennsylvanica</u> | <u>Green Ash</u> | <u>Wet or upland areas</u> |
| <u>Myrica Cerifera</u> | <u>Wax Myrtle</u> | <u>Wet or upland areas</u> |
| <u>Taxodium ascendens</u> | <u>Pond Cypress</u> | <u>Wet or upland areas</u> |
| <u>Taxodium distichum</u> | <u>Bald Cypress</u> | <u>Wet or upland areas</u> |
| <u>Ulmus americana</u> | <u>American Elm</u> | <u>Wet or upland areas</u> |

(2) Herbaceous Plants

| <u>Herbaceous Plants</u> | | |
|-----------------------------|------------------------------|------------------------------|
| <u>Scientific Name</u> | <u>Common Name</u> | <u>Recommendations/Notes</u> |
| <u>Callicarpa americana</u> | <u>American Beauty Berry</u> | <u>Upland</u> |

| | | |
|--------------------------------|----------------------------|---------------------------|
| <u>Hydrangea quercifolia</u> | <u>Oakleaf Hydrangea</u> | <u>Upland</u> |
| <u>Ilex glabra</u> | <u>Inkberry</u> | <u>Upland</u> |
| <u>Itea virginica</u> | <u>Virginia Willow</u> | <u>Upland</u> |
| <u>Leucothoe axillaris</u> | <u>Dog Hobbie</u> | <u>Upland</u> |
| <u>Rhododendron canescens</u> | <u>Honeysuckle Azalea</u> | <u>Upland</u> |
| <u>Asclepias tuberosa</u> | <u>Butterfly milkweed</u> | <u>Upland</u> |
| <u>Chasmanthium latifolium</u> | <u>Sea Oats</u> | <u>Wet areas</u> |
| <u>Eupatorium coelestinum</u> | <u>Mist Flower</u> | <u>Wet areas</u> |
| <u>Hibiscus militaris</u> | <u>Mallow</u> | <u>Wet areas</u> |
| <u>Hibiscus moscheutos</u> | <u>Hibiscus</u> | <u>Wet areas</u> |
| <u>Hymenocallis liriosme</u> | <u>Spider Lily</u> | <u>Wet areas</u> |
| <u>Iris fulva</u> | <u>Copper Iris</u> | <u>Wet areas</u> |
| <u>Iris louisiana</u> | <u>Louisiana Iris</u> | <u>Wet areas</u> |
| <u>Junus effusus</u> | <u>Rush</u> | <u>Wet areas</u> |
| <u>Pontederia cordata</u> | <u>Pickerel Weed</u> | <u>Wet areas</u> |
| <u>Sabal minor</u> | <u>Palmetto</u> | <u>Wet areas</u> |
| <u>Sagittaria lancifolia</u> | <u>Bull tongue</u> | <u>Wet areas</u> |
| <u>Hibiscus coccineus</u> | <u>Native Red Hibiscus</u> | <u>Wet or upland area</u> |

(c) Species other than those listed in §89-155(a)-(b) may be considered when presented as part of a landscape plan prepared by a registered landscape architect licensed in the State of Louisiana.

(qq) Section 89-301(c) is hereby amended and reenacted to read as follows:

Material / Information

- required
- required if requested by Administrator or approving agency to demonstrate compliance with the UDC

| | Rezoning & Annexation Zoning Assignment | Conditional Rezoning or Zoning Assignment | Variance (Zoning) | Conditional Use Permit | Commercial Building Permit |
|----------------------------|---|---|-------------------|------------------------|----------------------------|
| General | | | | | |
| 1 | Names, addresses, and contact information of property owner, applicant and agent. | ■ | ■ | ■ | ■ |
| 2 | <u>Surveyor's name, address, stamp and signature</u> | ■ | ■ | ■ | ■ |
| 23 | Property owner/affidavit of ownership | ■ | ■ | ■ | ■ |
| 34 | General location and street address (if available) of property | ■ | ■ | ■ | ■ |
| 45 | An analysis of whether the application is consistent with <i>PlanLafayette</i> , including any potential internal inconsistencies and methods to resolve them. | ■ | ■ | ■ | ■ |
| 56 | Area of subject property (in acres or square feet) | ■ | ■ | ■ | ■ |
| 67 | Legal description of the subject property. | ■ | ■ | ■ | ■ |
| 78 | Section, Township and Range | ■ | ■ | ■ | ■ |
| 2 | <u>Minimum Class A, B or C stamped survey (see La. Adm. Code tit. 43, § 2901 for survey classifications)</u> | ■ | ■ | ■ | ■ |
| 810 | Zoning category requested and/or existing zoning | ■ | ■ | ■ | ■ |
| 911 | Proposed and/or existing use(s) | ■ | ■ | ■ | ■ |
| 1012 | Proposed number of dwelling units, by type | ■ | ■ | ■ | ■ |
| 1113 | Proposed gross square footage by use category | ■ | ■ | ■ | ■ |
| 1214 | Adjacent Property Owners (within required notification distance) | ■ | ■ | ■ | ■ |
| Boundaries / Plats | | | | | |
| 1315 | A title block which includes the subdivision or development name, type of subdivision or development (residential, commercial), scale and preparation date | ■ | ■ | ■ | ■ |
| 1416 | North arrow and scale (standard engineer for site development plan and standard architectural for building elevations/details) for the plat and vicinity map showing the location of the proposed subdivision or development , the entire subject property, and North arrow in the same orientation as the plat | ■ | ■ | ■ | ■ |
| 1517 | Dimensions and bearings of lot lines as well as line and curve tables containing the length and radii of all curved street and lot lines, bearings, length of all straight streets and lot lines, and the area in square feet of each lot. | ■ | ■ | ■ | ■ |
| 1618 | Easements showing width and purpose. | ■ | ■ | ■ | ■ |
| 1719 | Indicate public and private streets | ■ | ■ | ■ | ■ |
| 20 | Utility legend, indicating source of water, sewer, electrical, etc. | ■ | ■ | ■ | ■ |
| Existing Conditions | | | | | |

Material / Information

- required
- required if requested by Administrator or approving agency to demonstrate compliance with the UDC

| | Rezoning & Annexation Zoning Assignment | Conditional Rezoning or Zoning Assignment | Variance (Zoning) | Conditional Use Permit | Commercial Building Permit |
|--|---|---|-------------------|------------------------|----------------------------|
| 21 The location, width and names of all existing public or private streets and sidewalks within or adjacent to the tract, together with easements, railroad rights-of-way, and other important features such as section lines and corners, municipal boundary lines, property lines and monuments. | ■ | ■ | ■ | ■ | ■ |
| 22 All existing streams, drainage channels, watercourses, other bodies of water, servitudes, the location of the one hundred (100) year flood zone with boundaries and elevations. | ■ | ■ | ■ | ■ | ■ |
| Site | | | | | |
| 23 Proposed overall development, including dimensions. | ■ | ■ | ■ | ■ | ■ |
| 24 Existing and proposed grading and/or drainage plans | | | ○ | ○ | ○ |
| 25 Drainage Impact Study | | | | ○ | ○ |
| 26 Land use allocation map, including a general designation of all building types and mixed-use, residential, commercial, industrial, or other areas by general land use description. | ■ | ■ | | ■ | ■ |
| 27 Location, number of stories, footprint, and gross square footage of buildings and structures | ○ | ■ | ■ | ■ | ■ |
| 28 Location and dimensions of all required landscaping noting common and botanical names and planting size. | ○ | ■ | ○ | ■ | ■ |
| 29 Location, height, candle power and type of outside lighting fixtures for buildings and parking lots. | | ■ | | ■ | |
| 30 Location, size, and type of all proposed freestanding signs. | ○ | ■ | ○ | ■ | ■ |
| 31 Fences – location, construction type, and height | | ○ | ○ | ○ | ○ |
| 32 Parking layouts drawn to scale and showing dimension details, ingress, egress, parking stalls, curbing, adjacent sidewalks, streets and alleys, location of the nearest street intersection in each direction, and other pertinent data | | ○ | ○ | ○ | ○ |
| 33 Status of structures on the site (i.e., vacant, to be removed; good condition, interior remodel only; new, as is; etc.). | | ■ | ■ | ■ | ○ |
| 34 Building elevations showing architectural features, stories, fenestration, and articulation of all exterior building facades in the "MX," "D," and "CM" zoning districts. | | ■ | ■ | ■ | ■ |
| Infrastructure | | | | | |
| 35 Sufficient dimensions and information to indicate existing and proposed rights-of-way, pavement width and type, number of lanes, medians and median breaks, sidewalks, existing and proposed driveways, and easements | | ■ | | ■ | ■ |
| 36 Cross sections for streets, roadways, and shoulders as determined by the Department of Public Works, Engineering Division. | | | | | ○ |
| 37 Indicate if streets are public or private | | ■ | ○ | ■ | ○ |
| 38 Traffic impact analysis addressing the level of service (LOS) | ○ | ■ | | ■ | |

(rr) Section 89-36(g)(1)(c) by adding subsection (5), to read as follows:

- c. In the unincorporated Parish, this subsection does not apply to:
1. Any detached single-family residence located on its own individual legal lot, that may include any accessory building;
 2. Any apartment, condominium, or townhouse or other development of attached housing, consisting of 15 or less units;
 3. The location or placement of no more than 4 mobile homes on one tract that otherwise meets applicable regulations in Article 5-;
 4. Any development which is to be an asphalt and/or concrete batching plant with a temporary location to service the construction of a road or highway project is exempt from this subsection at its temporary location but only for the duration of the construction project which it is servicing. After the completion of the construction project, should said asphalt and/or concrete batching plant remain at said location, it must then comply with all of the applicable terms and provisions of these regulations. Furthermore, this exemption shall apply only to the temporary location of the batching plant which is servicing the highway and/or road construction project and any other location owned or operated by the same owner or operator of the temporary asphalt and/or concrete batching plant will be subject to all applicable terms and conditions of these regulations: **or**
 5. **Any barn, shed or other storage building constructed or placed on an individual legal lot that is either entirely undeveloped or used exclusively for agricultural purposes, where the barn, shed, or other storage building is used solely for the storage of materials, supplies, equipment and/or machinery necessary for the maintenance of the lot. Where the lot is used for agricultural purposes, this shall include any materials, supplies, equipment and/or machinery necessary to the cultivation of the agricultural product or products being cultivated thereupon.**

Amended October 2017

O-2017-2017

Section 89-42(b)(1) of the Lafayette City-Parish Code of Ordinances is hereby amended and reenacted to provide as follows:

All drainage systems shall be designed, signed and sealed by a Louisiana Registered Professional Engineer in accordance with the most recent editions of LCG’s Public Infrastructure Design Standards and LCG’s Standard Specifications for Roads, Drainage, Bridges, and Other Infrastructure, unless otherwise approved by the PW Director; shall include hydraulic calculations, plan profile sheets, typical sections and a Drainage Impact Study; and shall be submitted to PW for approval.

Section 89-42(b)(5) of the Lafayette City-Parish Code of Ordinances is hereby amended and reenacted to provide as follows:

Streets and lots in a proposed development shall be arranged to minimize natural and/or artificial drainage channel relocation. Existing natural and/or artificial channels shall not be incorporated into or function as a proposed storm water management facility.

Section 89-42(b)(10) of the Lafayette City-Parish Code of Ordinances is hereby amended and enacted to provide as follows:

Developments shall be designed for the applicable design storm criteria and shall not negatively impact adjacent properties or the existing public infrastructure upon which the particular development relies.

Section 89-42(c)(5) of the Lafayette City-Parish Code of Ordinances is hereby amended and reenacted to provide as follows:

Design Storm Event

The drainage systems for the following development categories, uses, and infrastructure categories shall be designed and evaluated for the following designated storm events:

| Site | Type | Design Event (min.) | Retention/Detention Event | Evaluated For |
|-------------|--|--------------------------------|--|----------------------|
| | Drainage system and outfalls for commercial or multi-use subdivision | 10-year storm | 10-year storm ¹ 25-year storm ² | 100-year storm |

| | | | |
|--|----------------------------|---|------------------------|
| Drainage system and outfalls for residential subdivision | 5-year storm | 5-year storm ¹ 25-year storm ² | 100-year storm |
| System | | | |
| Channel/System modification ³ | 10-year storm | 25-year storm | 25 and 100-year storms |
| Collector street crossings | 10-year storm | N/A | 25 and 100-year storms |
| Arterial street crossings | 25-year storm | N/A | 100-year storms |
| Channel crossings in excess of 100 square feet | 25-year storm ⁴ | N/A | 25 and 100-year storms |
| Relocated channel ⁴ | 100 year storm | N/A | 100 year storm |

¹ For developments up to and including 2.5 acres

² For developments larger than 2.5 acres

³ Channels shall not be incorporated into a storm water management facility

⁴ Or such lesser minimum design storm event as determined by the PW Director or his designee

Section 89-42(c)(6) of the Lafayette City-Parish Code of Ordinances is hereby amended and reenacted to provide as follows:

Tailwater (TW) is defined as the flow depth of the downstream channel or pipe measured from the flow line of the outlet structure or culvert. Tailwater is considered to be an important factor in outfall structure or culvert hydraulic design because a submerged outlet may cause structures or culverts to flow full, rather than partially full, thereby impacting the hydraulic efficiency of the drainage system. The hydraulic analysis of the drainage system shall address the tailwater elevation of the outfall channel. The tailwater elevation of the outfall channel shall be set at top bank and/or flowing full level (*i.e.*, top of pipe) for sub-surface drainage systems unless otherwise determined to be lower through a hydraulic analysis for the applicable design storm event.

Section 89-42(d)(1) of the Lafayette City-Parish Code of Ordinances is hereby amended and reenacted to provide as follows:

Any development causing post-development runoff that exceeds the development area's pre-development runoff rate shall mitigate the increase through drainage improvements such that the post-development runoff shall be fifteen percent (15%) less than the pre-development runoff (eighty-five percent (85%) of the pre-development runoff) for developments greater than two and half (2.5) acres. Additionally, developments up to and including two and a half (2.5) acres in area are required to retain the design storm event, not a 25-year storm event. The design and calculations of the mitigation measures shall be presented to LCG for review and approval in a drainage impact study.

Additional descriptions of the information required in the study may be found in LCG's Public Infrastructure Design Standards.

Section 89-42(e)(1) of the Lafayette City-Parish Code of Ordinances is hereby amended and reenacted to provide as follows:

Culverts

- a. Size and Type.** Only drainage pipe constructed of materials approved by PW may be used in storm sewer construction in the public rights-of-way or servitudes. The minimum size pipes for any culvert shall be a diameter of fifteen (15") inches, unless otherwise approved by PW. The design service life for materials used in a drainage system is fifty (50) years, unless otherwise approved by PW.
- b. All roadway cross drains** shall be reinforced concrete. No other material will be accepted unless otherwise approved by PW.

Section 89-42(g) of the Lafayette City-Parish Code of Ordinances is hereby amended and reenacted to provide as follows:

Development within Designated Special Flood Hazard Area

- (1)** In addition to any other stated provisions, a development proposed within a FIRM designated Special Flood Hazard Area (Flood Plain, Flood Hazard or Floodway) whether located in the City or Parish of Lafayette, shall be in accordance with the rules and regulations of all applicable regulatory agencies and comply with the provisions of the Flood Damage Prevention Ordinance of the applicable governing authority.
- (2)** The Planning Commission shall not permit the development of any land in a Special Flood Hazard Area where such land is found to be incompatible with its proposed use due to poor drainage, flooding or other factors, which would make the area vulnerable to flooding and pose a potential threat to public health and safety.
- (3)** A Flood Plain Analysis shall be required for any development of 5 acres or more (whether or not comprising 50 or more lots), or 50 or more lots (whether or not comprising 5 acres or more), located within a designated Special Flood Hazard Area. The complete analysis must be conducted after Preliminary Plat approval by the Planning Commission.
- (4)** No development, fill, or obstruction of any type on or over any portion of a designated Floodway shall be permitted that alone or cumulatively with other developments, fill, or obstructions would cause or result in an obstruction or other condition that would adversely affect the efficiency of or restrict the flow or capacity of a designated Floodway so as to cause foreseeable damage to others, wherever located.

- a. Any application for development within a designated Floodway shall include hydrologic and hydraulic HEC-RAS data, or other models acceptable to the applicable regulatory agency, certifying that no adverse flood effects will result from a proposed development in the designated Floodway.
 - b. This certification shall be subject to review and approval or denial by the LCG Floodplain Administrator and/or FEMA.
- (5) Any Flood Plain Impact Analysis conducted for a development located in a designated Special Flood Hazard Area Zone “A” shall include, as an integral part of the Flood Plain Impact Analysis, a Base Flood Elevation Determination in accordance with FEMA document “Managing Floodplain Development in Approximate Zone A Area.”
- (6) Development proposals shall have public utilities and facilities such as water, sewer, gas, and electrical systems located and constructed to minimize flood damage.
- (7) For plat requirements relative to proposed development within a Flood Hazard, Floodplain or Floodway, see §89-33.
- (8) Any development that fills or modifies a designated Special Flood Hazard Area must mitigate that development activity volumetrically.

The volume of any proposed fill material or modification below the base flood elevation and above natural grade shall be calculated and documented. Mitigation activities shall restore that volume to achieve an effective “zero net fill” of the pre-development storage capacity of the Special Flood Hazard Area. The development shall accept stormwater during a 100-year (1%) storm event, both from on-site and off-site, such that post-development conditions provide storage volume equal to the pre-development storage volume, as measured in acre-feet. If the stormwater retention/detention facility is used as a storage mitigation area, the storage volume shall be calculated as the volume above the static water surface elevation of the facility.