Amended March 2016

Lafayette Consolidated Government

Unified Development Code

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Article 1 Introduction

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Article 1. Introduction

89-1 Purpose

This Chapter implements the Lafayette Consolidate Government's comprehensive plan and master plan (known as PlanLafayette) by:

(a) Regulating subdivision plats and development in the City of Lafayette and the unincorporated areas of Lafayette Parish, and

(b) Establishing zoning regulations in the City of Lafayette.

89-2 Title

This Chapter is known and referred to as the "Unified Development Code" or "UDC."

89-3 Applicability

(a) Use of building or land

(1) No building or land shall be used, and no building or part shall be erected, reconstructed, converted, moved, or structurally altered unless they conform to all applicable regulations in this Chapter.

(2) Nonconformities are exempt, or partially exempt, from this Chapter (see Article 6).

(b) Size and Location of Building. Except as otherwise provided, buildings and structures shall:

(1) Include the on-lot or project open space required by the applicable zoning district regulations or land use regulations;

(2) Locate only outside of minimum required yards or courts, or within maximum setbacks.

89-4 Consistency with Plan

(a) The Planning and Zoning Commission and Lafayette City-Parish Council find that this Chapter is consistent with PlanLafayette.

(b) It is LCG policy that any amendment to this Chapter shall be consistent with PlanLafayette.

89-5 Explanatory Materials

(a) Explanatory Materials

The following elements of the UDC are provided for explanatory purposes and for the convenience of the reader. They are not binding, and do not supersede mandatory standards and procedures:

(1) This document includes graphics (such as drawings, diagrams, photographs, and images) to help the reader understand the text. If there is a conflict between a graphic and the text, the text applies.

(2) Individual Articles and Sections of this Chapter include *italicized* purpose statements. These statements explain the reasons for the regulations and provide legislative findings, and may be used for interpreting the requirements and making land use decisions, but do not provide a standard for approving or denying non-legislative permits.

(3) Cross-references preceded with an arrow icon (⇔) are included for the convenience of the reader, but do not supersede the actual reference if there is an inconsistency.

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Article 2. Districts

Summary: this Chapter establishes the zoning districts for the City of Lafayette, the regulations that apply to each district, and a comprehensive list of uses (the "Use Table").

⇔ *Technical standards such as how building height and setbacks are measured, how buildings relate to utility easements, development in required setbacks, and development on substandard rights of way, are addressed in* ***Article 3****.*

89-6 Generally

To promote the public health, safety, morals, and general welfare of the community, the City of Lafayette is divided into the following districts:

District	Cross-Reference	PlanLafayette Future Land Use
"A" Agricultural	89-8	Rural / Agriculture. ⇔ *Buffer and building design requirements of Article 4 apply if the area is not zoned.*
"RS" Residential Single-Family (RS-1, RS-2)	89-9	Residential
"RM" Residential Mixed (RM-1, RM-2)	89-10	Mixed Residential
"MN" Mixed Use Neighborhood (MN-1, MN-2)	89-11	Transitional Mixed-Use
"MX" Mixed Use Center (MX-1, MX-2)	89-12	Mixed-Use Center
"D" Downtown	89-13	Mixed-Use Center
"CM" Commercial Mixed	89-14	Commercial / Office
"CH" Commercial Heavy	89-15	Commercial / Office
"IL" Industrial Light	89-16	Office / Industrial
"IH" Industrial Heavy	89-17	Office / Industrial
"PD" Planned Development	89-18	Any of the above
"PI" Public / Institutional	89-19	Any of the above & Public Park

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

(b) 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 forgoing, 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 CH and PI districts shall be permitted on Private Roads and driveways located with IL and IH districts.

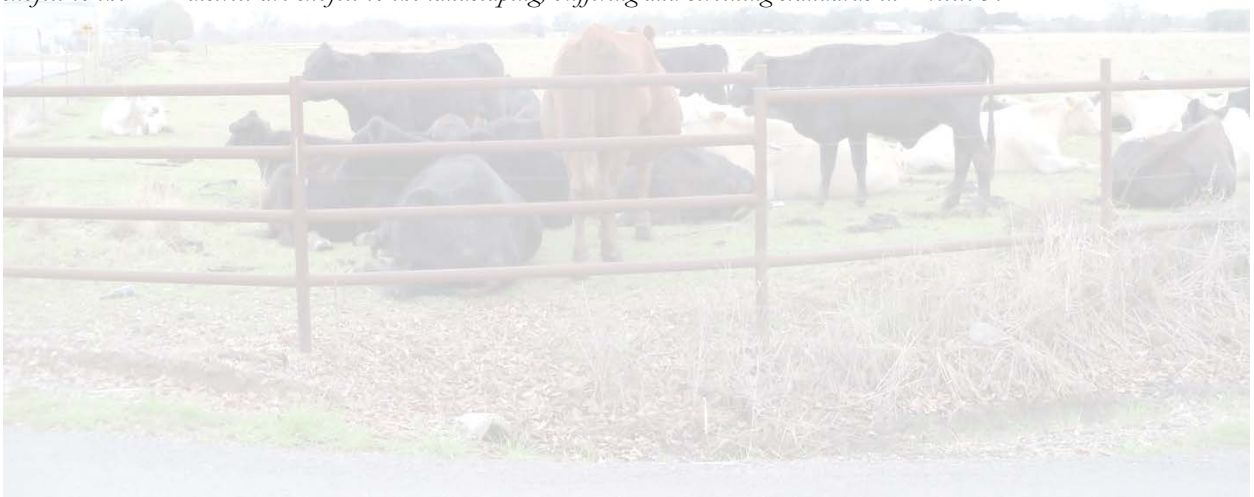
89-7 Zoning Map

(a) The boundaries of the zoning districts are shown on a separate instrument referred to as the zoning map of the Lafayette Consolidated Government (LCG). The Official Zoning Map is maintained as an electronic map layer by the LCG Geographic Information Systems (GIS) application maintained by PZD. The official copy of the electronic version of the Official Zoning Map shall be recorded onto permanent media to ensure the electronic information is protected.

(b) The map, together with all of its notations, references, and other information, is a part of this Chapter and has the same force and effect as if fully set forth or described in the text.

89-8 "A" Agricultural

Purpose: the "A" Agricultural district implements the Rural/Agriculture future land use category of PlanLafayette by creating a district for land that is principally agricultural or natural in character. The area has low residential densities, and commercial areas are small in scale and either buffered from residential uses or integrated with a conservation design development. This district is applied on a voluntary basis at the request of a property owner, or as part of an area plan. Property owners have the option to build on a lot by lot basis, or to use a conservation subdivision option. Unzoned unincorporated areas that are not subject to the "A" district are subject to the landscaping, buffering and screening standards in Article 3.



(a) Permitted Uses. See § 89-21.

(b) Dimensional Standards

		Option 1	Option 2
	Lot Requirements		
1	Lot size *(min)*	20 acres	n/a
2	Lot coverage *(max)*	2%	n/a
3	Lot frontage *(min)*	100'	50'
	Setbacks *(principal buildings)*		
4	Front / corner street	30'	20'
5	Side	10'	5'
6	Rear	40'	20'

	Bulk Plane *(⇔ See 89-27)*	
7	From RS district boundary	3 stories for the first 200' from the front, side or rear setback line or boundary of a conservation development (see subsection (c). This requirement does not apply beyond 200' from the setback or development boundary line.

Notes:

(1) **Option 1** refers to development on an individual lot, except as provided below. **Option 2** refers to conservation design.
(2) Lot size, coverage and frontage do not apply to Public/Civic/Institutional uses.

(c) Conservation Design

Purpose: a conservation subdivision is a development option that preserves agricultural land, natural resources, and rural character. The standards provide for low development impacts, while providing design flexibility and eliminating standards that would require unnecessary consumption of land. The site characteristics conserve important site features such as open space networks and contiguous woodland habitats adjacent to other existing open space tracts. The site design should encourage connectivity between environmental characteristics of adjacent properties and provide a continuous open space network between the proposed development layout and the adjacent properties. Intermodal trails which provide a link to adjacent properties as an enhancement of recreational opportunities are encouraged. Because the development standards are flexible, development costs per lot are significantly lower than conventional options, and lot yield is typically higher. Conservation street designs are provided in Article 3 of this Chapter.

(1) Lot Yield. The number of lots that may be developed under a Conservation Design approach are based on –

a. A maximum density of **1 dwelling unit per 5 acres**. To maintain design flexibility and to maximize open space and rural character, minimum lot size requirements do not apply, and

b. The conservation areas provided (see subsection (2), below).

(2) Conservation Areas

a. Amount. As a baseline, at least **60%** of the site shall be preserved as conservation areas. This percentage establishes a baseline requirement that is adjusted based on the quality and value of the conservation space, based on conservation units (see below).

1. Determine the number of conservation units within the conservation areas as follows:

Type of Conservation Area *(defined in Article 3)*	Conservation Units
Woodland	1.15
Floodplain or Wetland (not within a riparian corridor)	1.0
Agriculture land	1.0
Riparian Corridor	1.25
Other	0.9
Areas of up to 5 acres that are not part of contiguous conservation areas	0.65

2. Determine the **conserved portion of the development** as follows:

C = S * (0.6 x U), where

C = conserved portion of the development
S = site area (prior to subdivision)
U = conservation units

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

1. Areas located stormwater detention areas or artificial water bodies;

2. Septic recovery areas, except as provided in subsection

3. Lawns or planted areas located on private lots; or

c. Agricultural Land.

1. Farm structures shall be retained whenever possible.

2. The subdivision or development layout shall retain existing farm operations within the conservation area.

d. Stormwater Management and Septic Areas.

1. Septic recovery areas and stormwater management facilities may be counted as part of a conservation area if –

A. The area is maintained by the homeowners' association; and

B. The applicant demonstrates, by a report submitted by a registered professional engineer, that:

i. there is no adverse impact to the character of that area of land, such as –

ii. increased runoff, or

iii. impairment of water quality, or

iv. a decrease in existing tree cover, and

v. the developed area of the site is inadequate to accommodate these facilities.

2. Dry ponds with associated steep slopes, dams, mowed areas, fencing or unsightly overflow structures do not count toward the required conservation area.

3. Farm ponds, bioretention ponds, naturally contoured ponds and wet ponds with wetland edges and no visible structures may count as part of a conservation area.

4. Septic recovery areas may count as part of a conservation area if -

A. They are maintained by the homeowners' association, and

B. designed so that they are visually integrated with the existing landscape.

Examples:

Bioretention area included in common open space (counts toward conservation area)

Typical dry pond (does not count toward conservation area)

(3) Preservation of Conservation Areas. See § 89-40(e).

(4) Continuity of Conservation Areas.

a. Fragmentation of the conservation area into small, irregularly shaped conservation parcels and lots is prohibited.

b. Naturally contiguous conservation areas shall not be divided for the sole purposes of obtaining allowable density.

c. Conservation areas shall connect with existing and potential conservation areas on abutting sites to encourage corridors of compatible site characteristics, unless it is found to be impractical due to topography, spacing or existing natural barriers.

89-9 "RS" Residential Single-Family

Purpose: the "RS" districts implement the Residential future land use category of PlanLafayette by providing for predominantly detached, single family neighborhoods. The dimensional standards accommodate a variety of densities and lot sizes.

(a) Permitted Uses. See § 89-21.

(b) Dimensional Standards

	Lot Requirements	RS-1	RS-2
1	Lot size *(min)*	6,000 sf	4,000 sf
2	Open space *(min)*	20%	15%
	Setbacks *(principal buildings)*		
3	Front / corner street *(min)*	20'	5'
4	Side *(min)*	5'	3'
5	Rear *(min, common lot line)*	10'	10'
6	Rear-alley *(min)*	3'	3'
	Bulk Plane *(⇔ See 89-27)*		
7	From RS district boundary or another RS zoned lot or parcel	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.	

⇔*Refer to Article 3 for rules and measurement of building height, lots, and setbacks.*

(1) Required front, side, and rear setbacks must be planted in grass or other planting except for required ingress and egress.

(2) For buildings adjacent to substandard streets, an additional setback may apply (see Article 3, § 89-38).

(3) Non-residential uses in the RS district are subject to the same standards as residential uses, except as provided in Article 5.

(4) In developments larger than 40 acres, the open space required must be satisfied by civic space that, taking into account the appropriate multiplier in Article 3, 89-40, amounts to 5% credit towards the overall requirement.

(5) For any subdivision of 3 or more lots zoned RS-2, an alley will be required and access must be provided by that alley.

89-10 "RM" Residential Mixed

Purpose: the "RM" districts implement the Mixed Residential and Residential future land use categories of PlanLafayette by providing for a wide range of housing types, from single-family detached units to apartments. The dimensional standards accommodate a variety of densities and lot sizes.

(a) Permitted Uses. See § 89-21.

(b) Dimensional Standards

	Lot Requirements	RM-1	RM-2
1	Lot size *(min)*	n/a	n/a
2	Open space *(min)***Error! Reference source not found.**	20%	15%
	Setbacks *(principal buildings)*		
3	Front / corner street *(min)*	5'	5'
4	Side *(min)*	n/a	n/a
5	Rear *(min-common lot line)*	10'	10'
6	Rear-alley *(min)*	3'	3'
	Bulk Plane *(⇔ See 89-27)*		
7	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 for attached or zero lot line (dwelling units per gross acre) is as follows:

District	Density (max)
RM-1	17
RM-2	42

(2) 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.

(3) Building entrances shall face the street or an interior courtyard, except for interior units that are screened from the street by street facing buildings. The rear of buildings shall not face the street.

(4) In developments larger than 40 acres, the open space required must be satisfied by civic space that, taking into account the appropriate multiplier in Article 3, 89-40, amounts to 5% credit towards the overall requirement.

89-11 "MN" Mixed Use Neighborhood

Purpose: the "MN" district –

- *implements the Transitional Mixed-Use future land use category of PlanLafayette,*
- *provides an opportunity to establish neighborhood retail, convenience, service, office, and institutional uses in the Residential and Mixed Residential categories,*
- *provides a transition between residential areas and more intense commercial corridors, and*
- *provides opportunities for pedestrian access between residential and commercial areas.*

(a) Permitted Uses. See § 89-21.

(b) Dimensional Standards

	Lot Requirements	MN-1	MN-2
1	Lot size *(min)*	n/a	n/a
2	Open space *(min)*	15%	10%
	Setbacks *(principal buildings)*		
3	Front / corner street *(min)*	n/a	n/a
4	Side *(min)*	n/a	n/a
5	Rear-common property line or alley *(min)*	5'	5'

	Bulk Plane *(⇔ See 89-27)*	
6	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** (dwelling units per gross acre) is as follows. This applies only to mixed-use or to residential uses permitted in the district:

District	Density (max)
MN-1	15
MN-2	35

(2) For buildings adjacent to substandard streets, an additional setback may apply (see Article 3, § 89-38).

(3) In the MN district, no sound shall be amplified outside the confines of a building.

(4) Drive-in and drive-through establishments are subject to Article 5, § 89-79.

(5) In developments larger than 40 acres, the open space required must be satisfied by civic space that, taking into account the appropriate multiplier in Article 3, 89-40, amounts to 5% credit towards the overall requirement.

89-12 "MX" Mixed Use Center

Purpose: the "MX" districts implement the Mixed-Use Center future land use category of PlanLafayette for centers outside of Downtown. This includes a wide range of commercial, institutional and residential uses, and development design and intensity that supports walkable streets and transit. MX districts are part of approved mixed-use centers (MUCs) (see § 89-28). The MX district is divided into subdistricts based upon the development context, and the location of a lot on an "A" or "B" Street.

⇔ *See Article 3, § 89-28 (Mixed Use Center Design Standards) for processes and standards for designating mixed-use centers and master plan elements such as MX subdistricts and "A" and "B" streets.*

⇔ *See Article 3, § 89-29 (Mixed Use Building Standards) for building design standards that are referenced in this section. These include minimum buildout, entryways, façade design, and architectural features.*

(a) Permitted Uses. See § 89-21.

(b) Dimensional Standards

(1) Generally. This section establishes dimensional standards for each MX district. These standards are keyed to the standards defined in § 89 – 28 Article 3, § 89-29. For development that is subject to a Master Site Plan and a development agreement, the LCG may designate the applicable dimensional standards in the development agreement.

(2) MX-1. MX-1 provides a high level of density, intensity and design to reflect the more urban character of Mixed-Use Centers in the LCG's established neighborhoods.

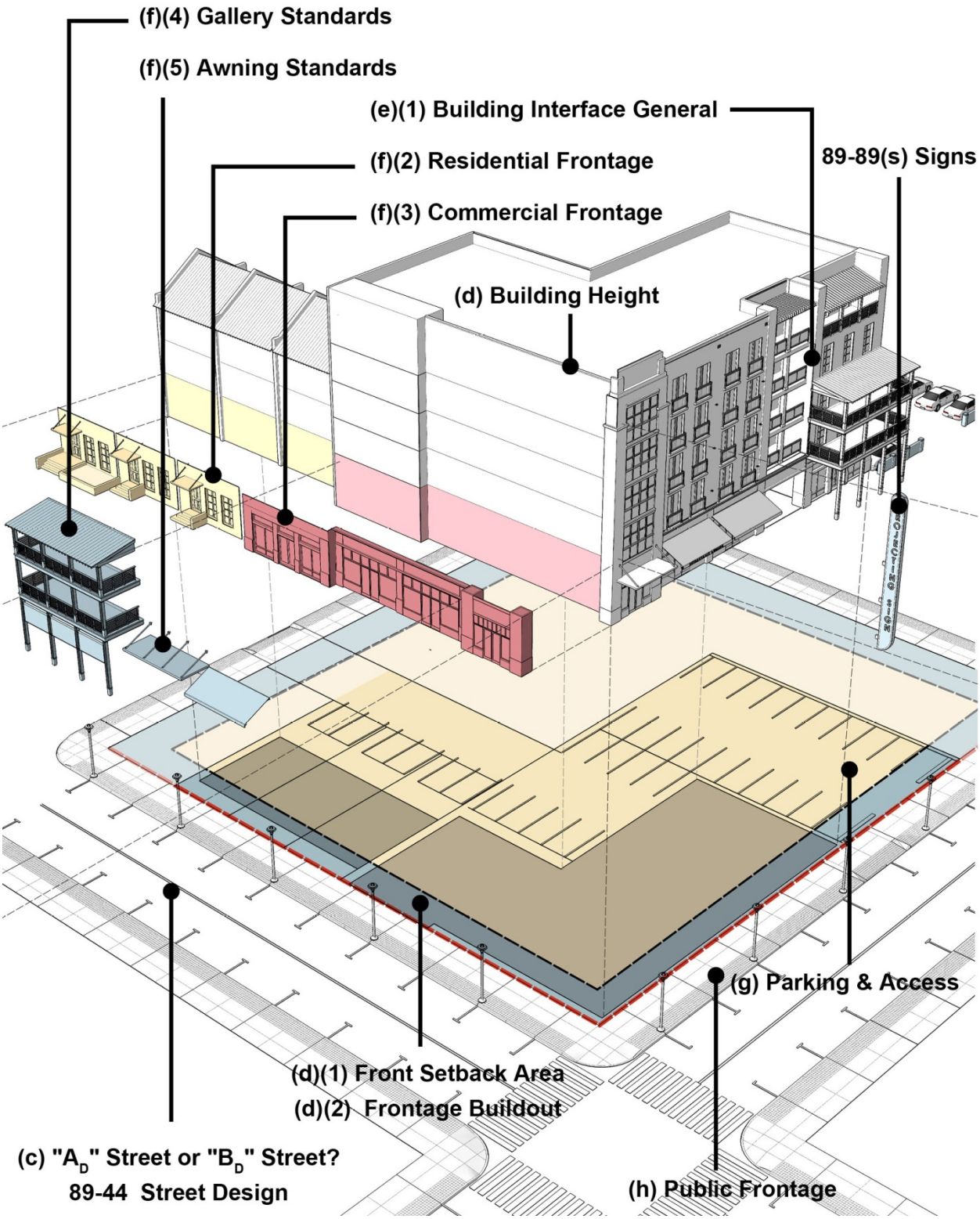
	Setbacks *(principal buildings)*	
1	Front / corner street *(min)*	n/a
2	Front / corner street *(max)*	15'
3	Frontage buildout *(min)*	90%
4	Side *(min)*	n/a
5	Rear-alley or common lot line *(min)*	n/a
	Bulk Plane *(⇔ See 89-27)*	
6	From RS district boundary	3 stories for the first12' from the front or rear setback line, then 1 additional story for each additional 12 feet from the setback line. This requirement does not apply beyond 60' from the setback line.

(3) MX-2. MX-2 provides an opportunity for mixed-use development in the edges of the City, or for projects that annex to the City, at a lower scale and intensity than MX-1.

	Setbacks *(principal buildings)*	
1	Front / corner street *(min)*	n/a
2	Front / corner street *(max)*	25'
3	Frontage buildout *(min)*	70%
4	Side *(min)*	n/a
5	Rear-alley or common lot line *(min)*	n/a
	Bulk Plane *(⇔ See 89-27)*	
6	From RS district boundary	3 stories for the first 20' from the front or rear setback line, then 1 additional story for each additional 20 feet from the setback line. This requirement does not apply beyond 100' from the setback line.

89-13 "D" Downtown

Purpose: the "D" district implements the Mixed-Use Center future land use category of PlanLafayette. This provides the highest density and intensity in the City and Parish, and preserves its unique character and function.



(a) Permitted Uses. See § 89-21.

(b) General Provisions

(1) Intent

a. To provide development standards that enhance and protect the core downtown amenities of vibrancy as characterized by human activity and interaction; convenience to one's daily needs; and public space as defined by high quality outdoor rooms.

b. To ensure the appropriate character and function for private property having the following characteristics:

1. Buildings are aligned parallel to the street, built close to the sidewalk, and configured to minimize gaps between buildings in order to physically shape the street as an outdoor room.

2. Sidewalks are shaded with awnings and galleries.

3. Shopfronts maximize transparency with clear windows.

4. Location of all off-street parking, both surface and structured, screened from street view.

5. Main building entries face the sidewalk to increase activity on the street.

6. Building Facade height must be a minimum to create a sense of enclosure and a maximum to avoid eliminating sunlight from the outdoor room.

7. A sufficient amount of openings facing the street, such as windows and doors, create interest and enhance security.

c. To ensure the appropriate character and function for the public realm having the following characteristics:

1. Thoroughfares designed for vehicle speeds not to exceed 25 mph for a sense of comfort and safety.

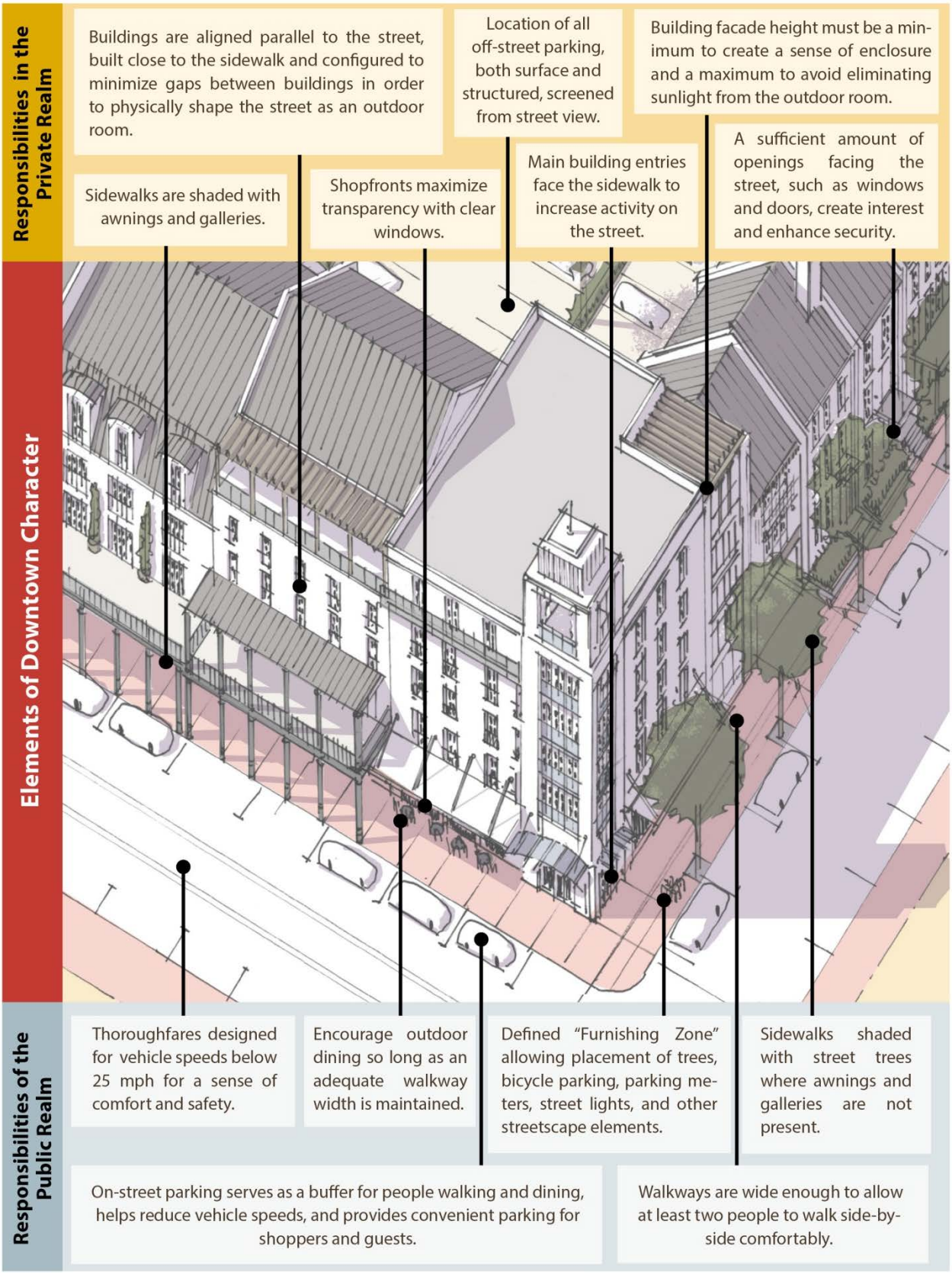
2. Encourage outdoor dining so long as an adequate walkway width is maintained.

3. Defined "Furnishing Zone" allowing placement of trees, bicycle parking, parking meters, street lights, and other streetscape elements.

4. Sidewalks shaded with street trees where awnings and galleries are not present.

5. On-street parking serves as a buffer for people walking and dining, helps reduce vehicle speeds, and provides convenient parking for shoppers and guests.

6. Walkways are wide enough to allow at least two people to walk side-by-side comfortably.



Intent as adapted from the Downtown Action Plan adopted June 10, 2014

(c) Establishment of Lot Lines and A_D & B_D Streets

(1) Definition of Front Lot Line(s): A Front Lot Line is the front or side (in the case of a corner lot) lot line along a public street or pedestrian right-of way. All lots shall have at least one front lot line.

(2) Definition of Side and Rear Lot Lines: Side and Rear Lot Lines are established as follows:

a. Side Lot Lines are established between adjoining lots.

b. Rear lot lines are those that do not intersect with a front lot line or that abut an alley.

c. Corner lots have two side lot lines, unless the second side lot line abuts an alley or a residential district in which case it is considered a rear lot line.

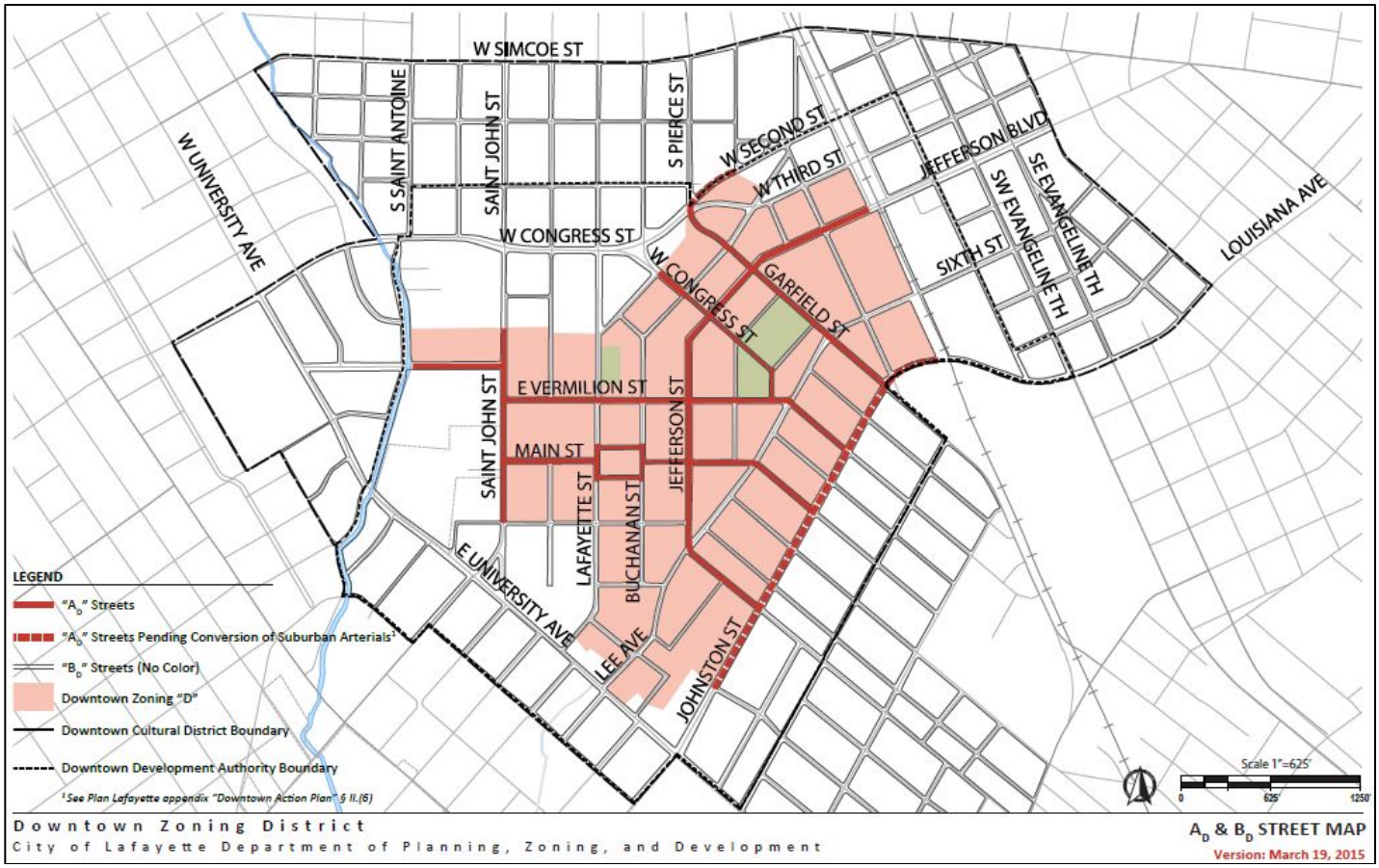
(3) Establishment of A_D & B_D Streets: All existing and future streets and pedestrian rights of way within and immediately adjacent to this zoning district shall be classified as either an "A_D" Street or "B_D" Street where:

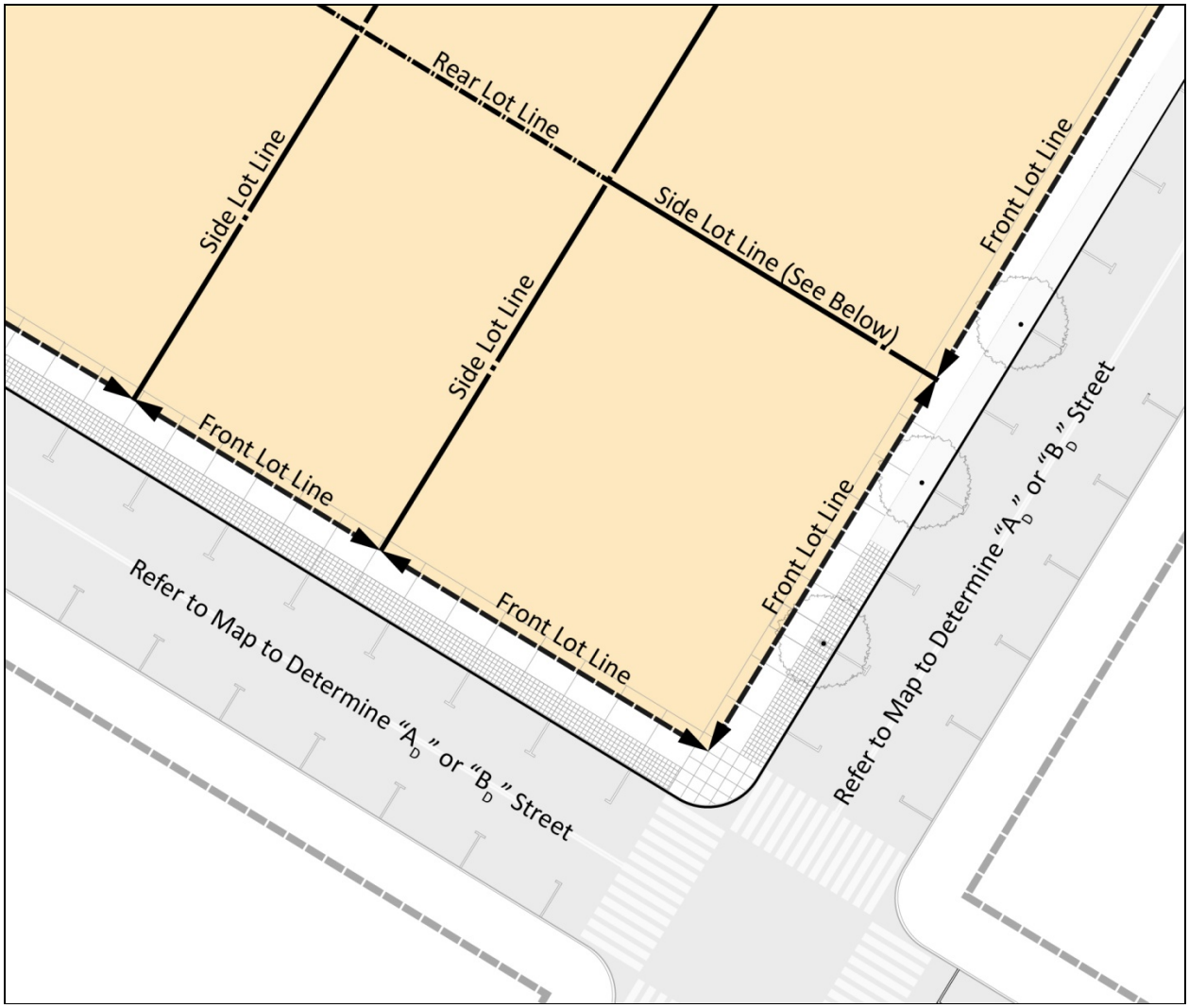
a. "A_D" Streets are designed at the highest standards for vibrancy as characterized by human activity and interaction, and public spaces defined by high quality outdoor rooms.

b. "B_D" Streets allow for reduced Frontage standards allowing for more flexibility and a limited vehicular interface.

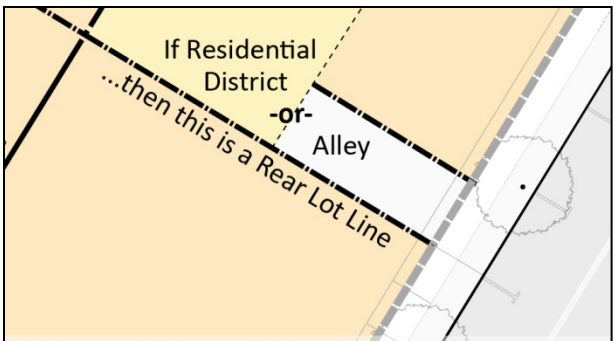
c. Corner lots have two Front Lot Lines. Where two "B_D" Streets meet, one frontage shall adhere to "A_D" Street Frontage standards.

(4) A_D & B_D Streets Map: An official A_D and B_D Street Map as adopted and amended from time to time by the provisions of this Ordinance is provided below:





Where two "B_D" Streets meet on a corner lot, one frontage shall adhere to "A_D" Street Frontage standards.



Corner lots have two Side Lot Lines, unless the second side property line abuts an alley or a residential district in which case it is considered a Rear Lot Line.

(d) Building Placement

(1) Setbacks

a. Front Setback: Maximum 10.0 feet.

1. Front Setback Area: The area within the front setback shall be the Front Setback Area and shall be used for:

A. placement and articulation of the building Facade;

B. establishing required minimum Public Walkways;

C. providing additional sidewalk space for outdoor dining and other commercial-related activities,

D. street furniture and non-permanent planters; and

E. in the case of a Residential Frontage, landscaped yards and building access such as porches and stoops.

2. Required Front Setback for Walkway: Where a minimum Public Walkway width requirement has not been met, a setback is required in accordance with Building Interface and Public Frontage Standards.

3. Required Front Setback at Corner: To ensure adequate pedestrian circulation and visibility at corners, corner lots shall maintain a minimum corner setback formed by the line joining two points measured 20.0 feet along the edge of pavement on each side to their intersecting point.

4. Corner Line of Sight: All Required Lines of Sight shall be calculated at no higher than a 25mph design speed as determined by Lafayette Consolidated Government Department of Public Works.

b. Side Setback: There shall be no required setback where a Party Wall is built at the lot line, otherwise a minimum 5.0 foot side setback is required where:

1. no party wall is to be built, or

2. the abutting lot is zoned Residential.

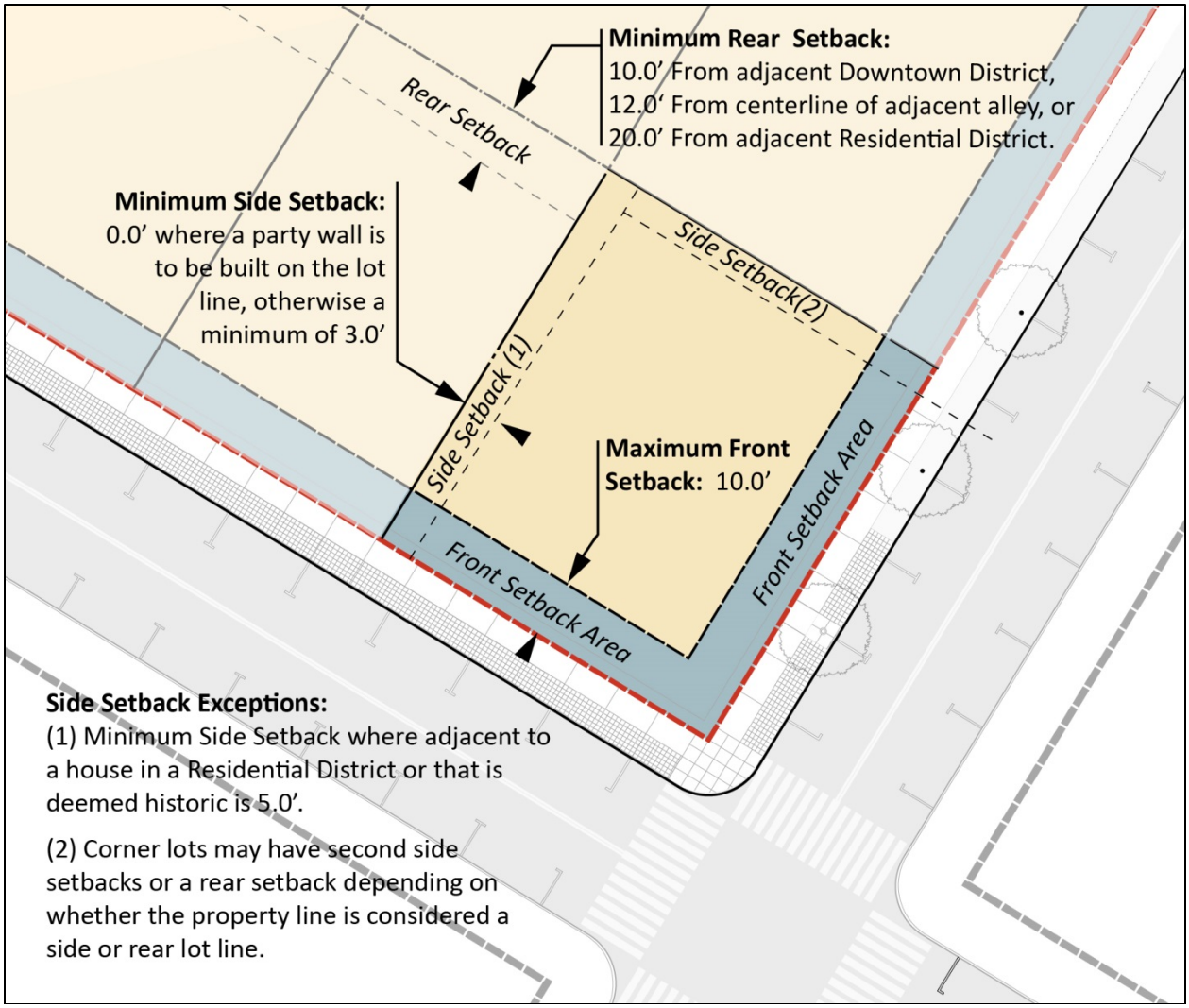
c. Rear Setback: Minimum setbacks from a rear lot line shall be as follows:

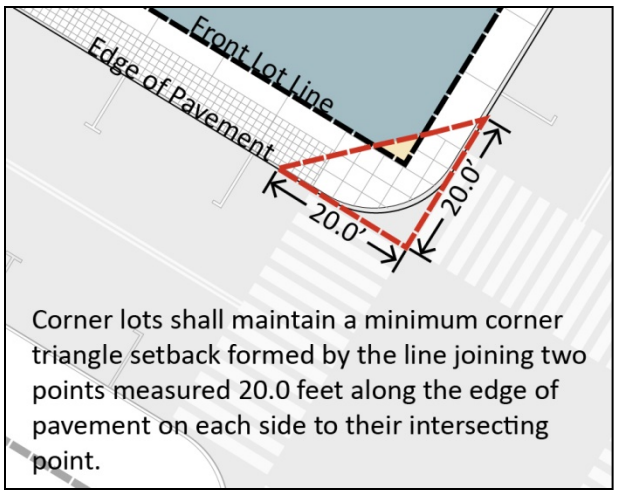
1. 12.0 feet from the center-line of an alley, or

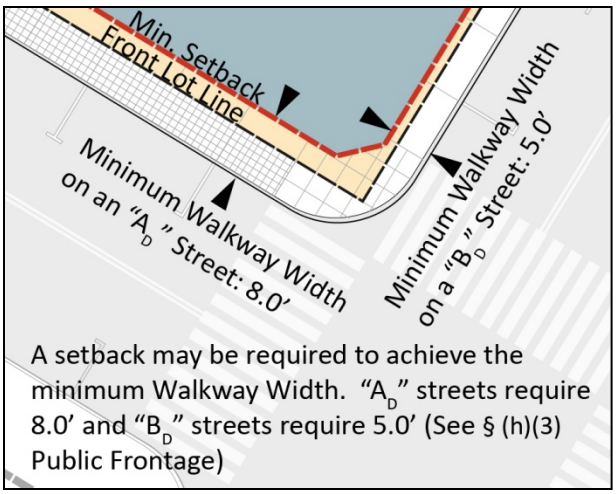
2. 10.0 feet from a rear lot line adjoining another Downtown parcel or Commercial district, or

3. 20.0 feet from a rear lot line adjoining a lot zoned Residential.

d. Secondary Building Setbacks: On lots with more than one building and where the Frontage Buildout requirements of this district have been met, additional buildings on a lot shall not be subject to the front setback and Frontage Buildout requirements.


Minimum Rear Setback:
10.0' From adjacent Downtown District,
12.0' From centerline of adjacent alley, or
20.0' From adjacent Residential District.
Rear Setback
Minimum Side Setback:
0.0' where a party wall is to be built on the lot line, otherwise a minimum of 3.0'
Side Setback(2)
Side Setback (1)
Maximum Front Setback: 10.0'
Front Setback Area
Front Setback Area
Side Setback Exceptions:
(1) Minimum Side Setback where adjacent to a house in a Residential District or that is deemed historic is 5.0'.
(2) Corner lots may have second side setbacks or a rear setback depending on whether the property line is considered a side or rear lot line.


Front Lot Line
Edge of Pavement
20.0'
20.0'
Corner lots shall maintain a minimum corner triangle setback formed by the line joining two points measured 20.0 feet along the edge of pavement on each side to their intersecting point.


Min. Setback
Front Lot Line
Minimum Walkway Width on an "A_D" Street: 8.0'
Minimum Walkway Width on a "B_D" Street: 5.0'
A setback may be required to achieve the minimum Walkway Width. "A_D" streets require 8.0' and "B_D" streets require 5.0' (See § (h)(3) Public Frontage)

(2) Frontage Buildout

a. Frontage Buildout: The Facade of a building shall be built to a minimum percentage of the Front lot Line width within the maximum allowed front setback as follows:

1. For Frontages on an "A_D" Street with a Front Lot Line width of 100.0 feet or less, a minimum of 80% of the Facade must be built within the Front Setback Area.

2. For Frontages on a "A_D" Street with a lot widths greater than 100.0 feet, a minimum of 90% of the Facade must be built within the Front Setback Area.

3. For Frontages on a "B_D" Street: a minimum of 40% of the Facade must be built within the Front Setback Area.

4. Pedestrian Passages and Vehicular Access through buildings having habitable space built above them to a minimum depth of 18.0 feet and within the Front Setback Area shall be counted toward minimum Frontage Buildout requirements.

b. Building Depth: The Frontage Buildout shall be built to the minimum building depth from the front Facade as follows:

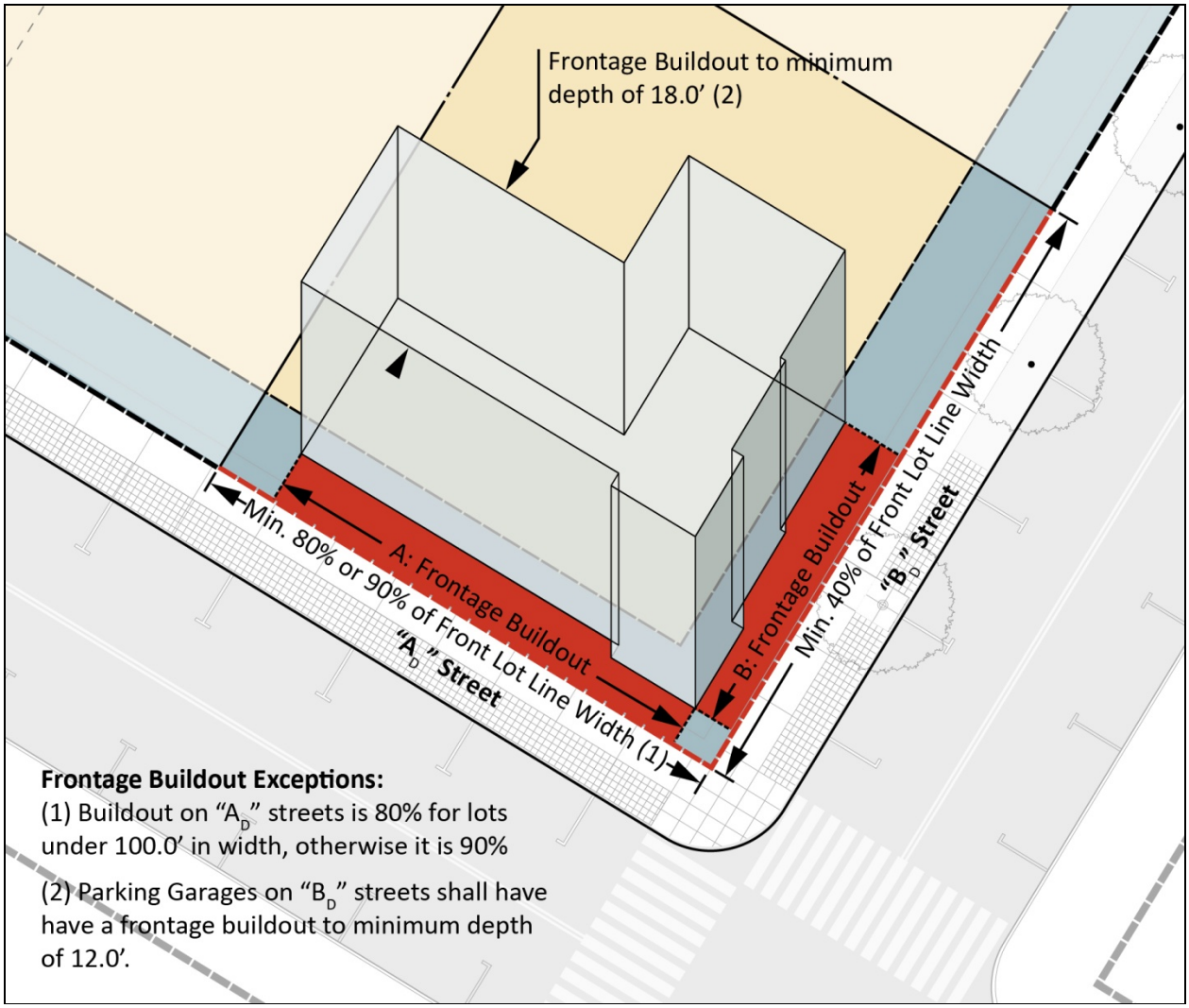
1. Parking garages along "B_D" Streets shall build out their required Frontage Buildout to a minimum Building depth of 12.0 feet.

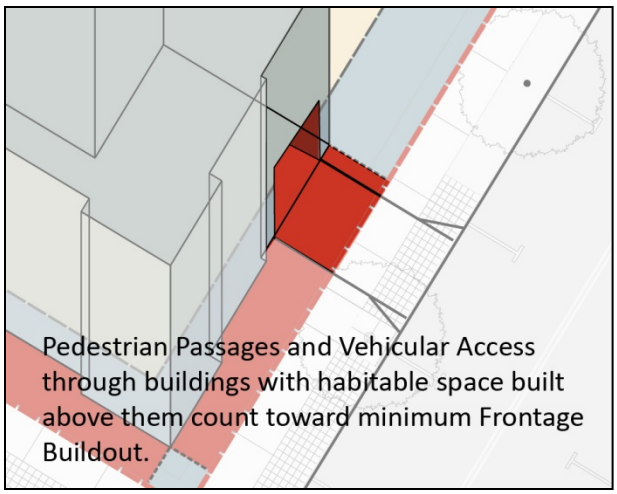
2. All other buildings shall be built to the minimum depth of 18.0 feet.

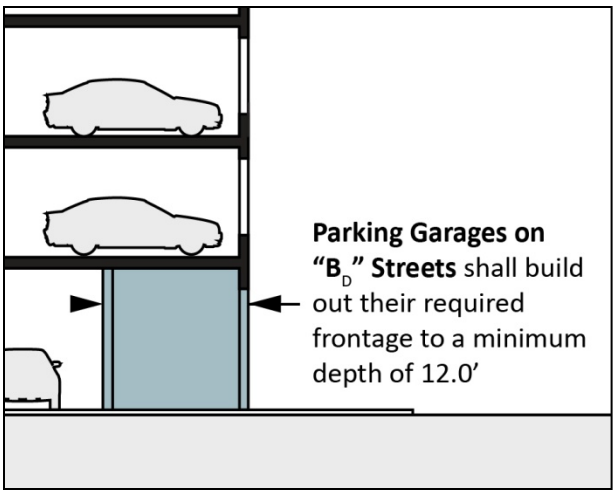
3. The Building Depth shall be Habitable Space as described in subsection (f)(1) Building Interface General.

c. Facade Alignment: Facades facing the Front Lot Line shall be built parallel to the Front Lot Line or to the tangent of a curved Front Lot Line.

d. Building Footprint: The maximum Building Footprint on a lot shall be 90% of the lot unless the lot is less than 10,000 square feet or has alley access, in which case it shall have no maximum.


Frontage Buildout to minimum depth of 18.0' (2)
Min. 80% or 90% of Front Lot Line Width (1)
"A_D" Street
A: Frontage Buildout
B: Frontage Buildout
Min. 40% of Front Lot Line Width
"B_D" Street
Frontage Buildout Exceptions:
(1) Buildout on "A_D" streets is 80% for lots under 100.0' in width, otherwise it is 90%
(2) Parking Garages on "B_D" streets shall have have a frontage buildout to minimum depth of 12.0'.


Pedestrian Passages and Vehicular Access through buildings with habitable space built above them count toward minimum Frontage Buildout.


Parking Garages on "B_D" Streets shall build out their required frontage to a minimum depth of 12.0'

(e) Building Height

(1) Building Height: There are no maximum building heights within the Downtown district except as they are limited by the following:

a. Parking for Buildings over 5 Stories: Buildings over five (5) stories shall be subject to additional Parking standards as set forth in subsection (g) Parking & Access; and

b. Stepbacks for Buildings over 5 Stories: Buildings over five (5) stories shall have a minimum building stepback of 10.0 feet starting at the sixth floor.

(2) Building Facade Height: All buildings shall have a minimum 20.0 foot building facade height as measured from the Walkway. Building facade height for single story buildings shall be measured from the Walkway to the top of a parapet or eaves line.

(3) Habitable Roofs: As described in § 89-27 Building Height, Habitable Space within enclosed attics, towers, and penthouses with an area equaling 50% or less of the building area of the story immediately below shall not be counted as a story. Non-conditioned rooftop space, covered or uncovered, such as rooftop terraces and patios are permitted, but are not included as Habitable Space.

(4) Building Height Exceptions: Elements that are exempt from building height regulations are as described in § 89-27 Building Height.

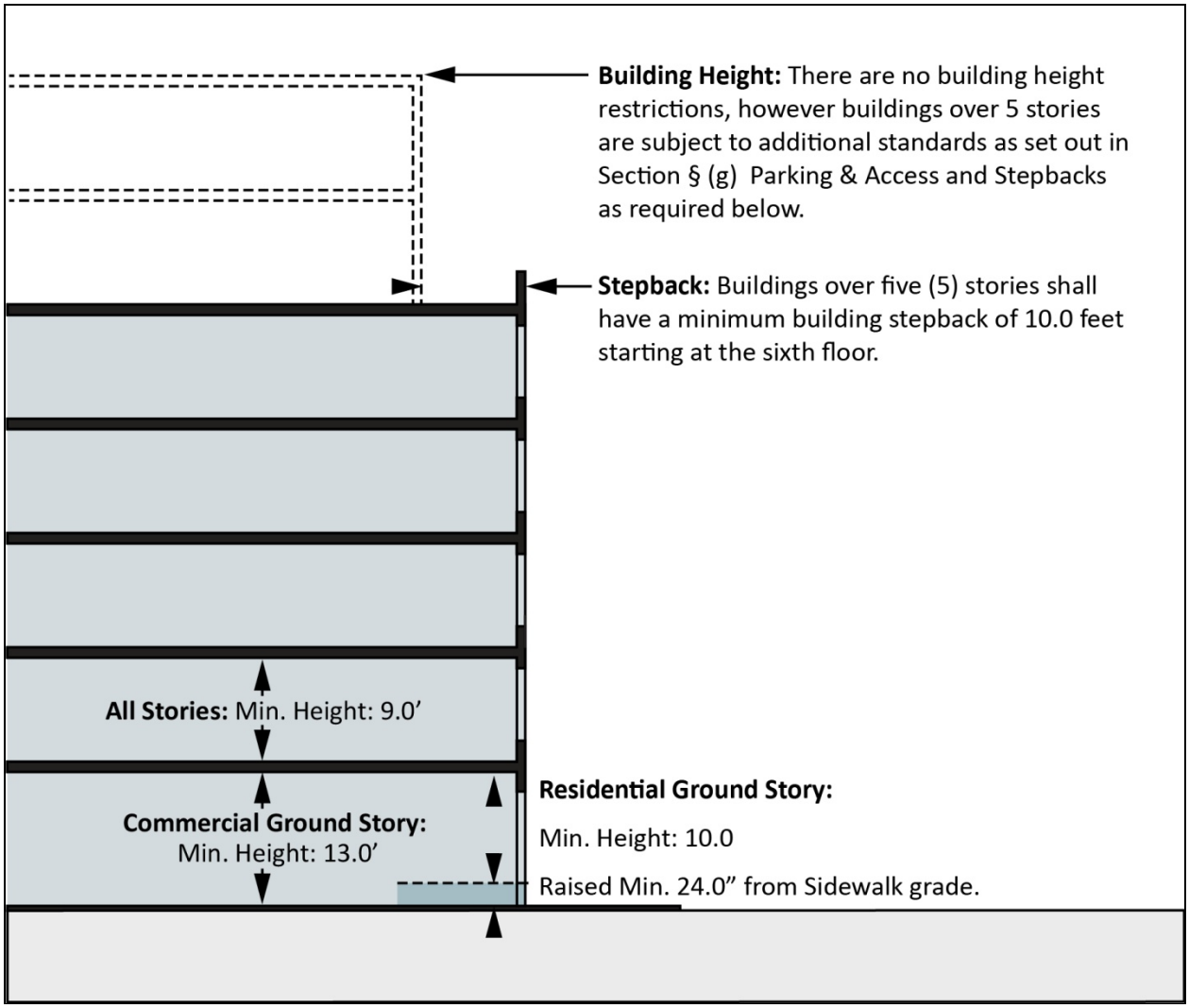
(5) Commercial Ground Story: Commercial ground stories shall have a minimum 13.0 foot floor to ceiling height.

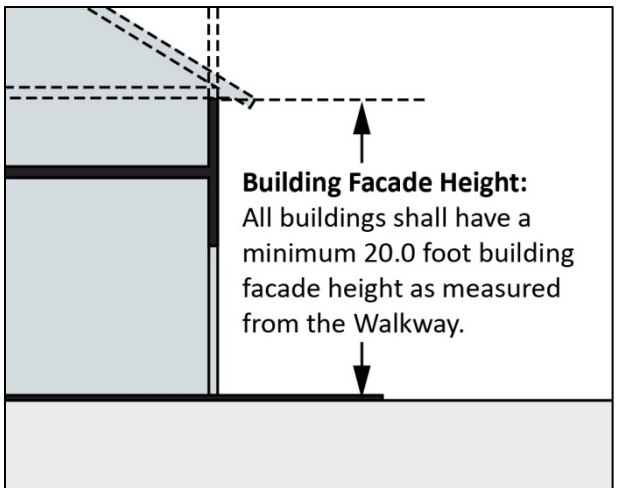
(6) Residential Ground Story: Residential ground stories shall:

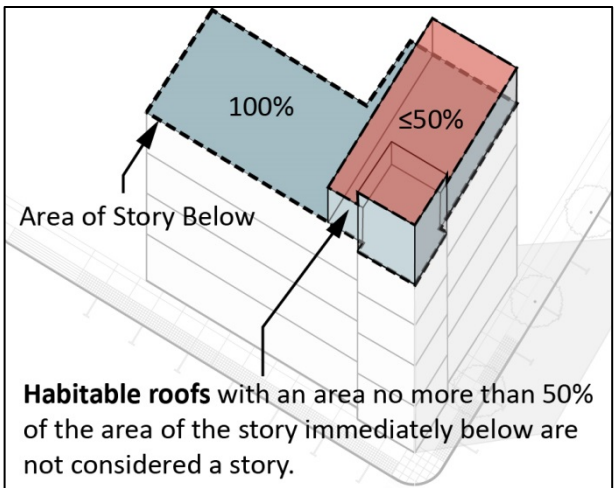
a. Be raised a minimum of 24.0 inches from sidewalk level; and

b. Have a minimum 10.0 foot floor to ceiling height.

(7) Minimum Story Height: All stories shall have a minimum floor to ceiling height of 9.0 feet.


Building Height: There are no building height restrictions, however buildings over 5 stories are subject to additional standards as set out in Section § (g) Parking & Access and Stepbacks as required below.
Stepback: Buildings over five (5) stories shall have a minimum building stepback of 10.0 feet starting at the sixth floor.
All Stories: Min. Height: 9.0'
Commercial Ground Story: Min. Height: 13.0'
Residential Ground Story:
Min. Height: 10.0
Raised Min. 24.0" from Sidewalk grade.


Building Facade Height: All buildings shall have a minimum 20.0 foot building facade height as measured from the Walkway.


100%
≤50%
Area of Story Below
Habitable roofs with an area no more than 50% of the area of the story immediately below are not considered a story.

(f) Building Interface

(1) General

a. Private Frontage Interface: The Private Frontage shall be established as the area within the Front Setback Area from the Front Lot Line up to and including the Facade and the required Habitable Space.

b. Habitable Space: Habitable Space is building area suitable for active human use such as residential, office, retail, and institutional uses. Parking and warehousing are examples of non-Habitable Space. The required Building Depth as described in § (d)(2) Frontage Buildout shall be Habitable Space.

c. Primary Building Entry: Habitable space at the Front Lot Line shall have its primary entry(s) within the Front Setback Area. Upper stories shall have direct access to the Front Setback Area.

d. Private Frontage Interfaces: There are two possible Private Frontage types. Private Frontages are limited to the following, and are to be designed in conformance to their applicable standards (as noted):

1. Commercial Frontage (f)(2)

2. Urban Residential Frontage (f)(3)

e. Frontage Attachments: Galleries and Awnings are not required. Galleries and Awnings shall not overlap the Walkway and/or encroach into the public right-of-way unless constructed in accordance with (f)(4) Building Interface: Gallery Standards and (f)(5) Building Interface: Awning Standards.

f. Upper Story Facade Requirements

1. Glazing above the first Story Façade shall be a minimum of 20% of the Façade wall area.

2. Low pitch or flat roofs on new buildings shall be enclosed by a parapet that is a minimum of 3.0 feet in height, or as necessary to screen the view of mechanical equipment from the Walkway. Existing buildings shall screen mechanical equipment through a parapet or by other means.

3. Upper story balconies can extend over public sidewalk to maximum depth of 4.0 feet.

g. Development over Accessways: To achieve a connected street wall and for more efficient use of land, buildings may extend over pedestrian and vehicular accessways to internal blocks as follows:

1. Required Pedestrian Passages shall form a continuous minimum at-grade opening of 12.0 feet sidewalk to ceiling height and a width of 8.0 feet.

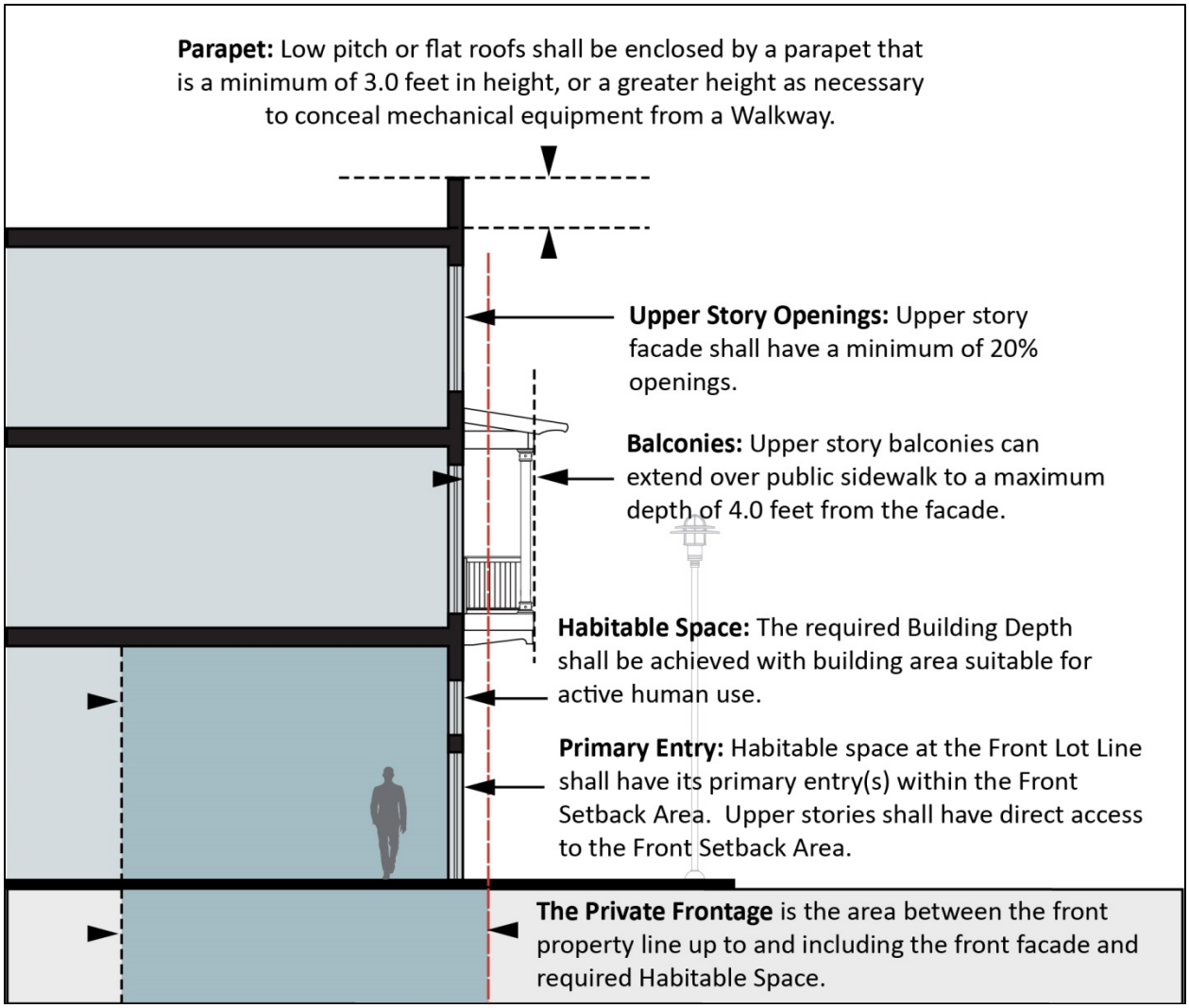
2. Vehicular access to structured and surface parking having the following unobstructed dimensions:

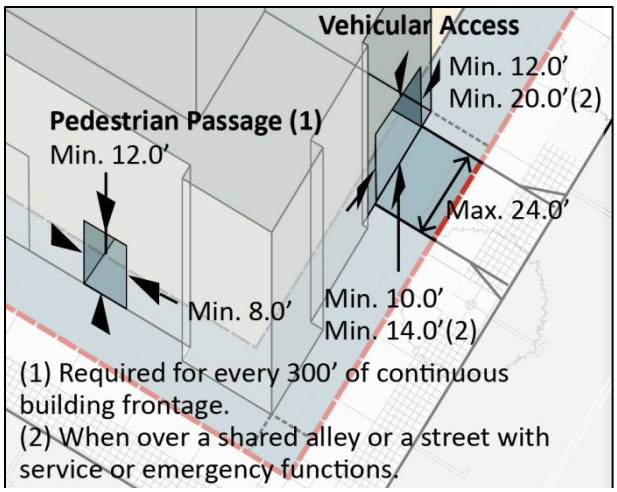
A. a minimum opening height of 10.0 feet in height, or 14.0 feet in height when over a shared alley or street with service or emergency functions; and

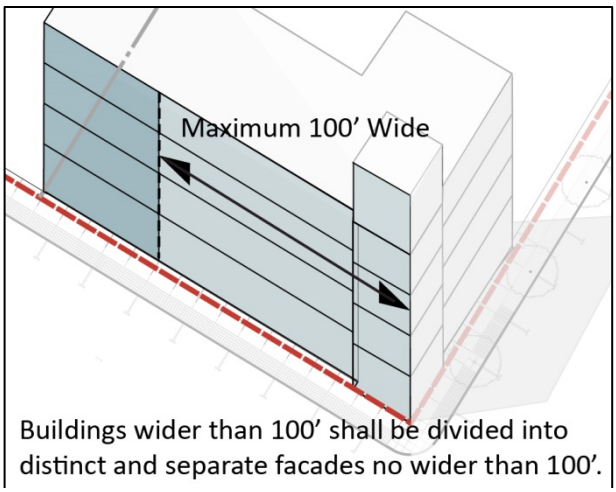
B. a minimum width of 12.0', or a minimum width of 20 feet (18 feet curb face to curb face minimum) when over a shared alley or street with service or emergency functions. The maximum width of the opening shall be 24 feet.

h. Required Pedestrian Passage: Any block length having 300.0 feet or more of continuous building Frontage shall be required to have an unobstructed pedestrian passageway for emergency service access.

i. Building Facades: Buildings wider than 100 feet shall be divided into distinct and separate Building Facades no wider than 100.0 feet.


Parapet: Low pitch or flat roofs shall be enclosed by a parapet that is a minimum of 3.0 feet in height, or a greater height as necessary to conceal mechanical equipment from a Walkway.
Upper Story Openings: Upper story facade shall have a minimum of 20% openings.
Balconies: Upper story balconies can extend over public sidewalk to a maximum depth of 4.0 feet from the facade.
Habitable Space: The required Building Depth shall be achieved with building area suitable for active human use.
Primary Entry: Habitable space at the Front Lot Line shall have its primary entry(s) within the Front Setback Area. Upper stories shall have direct access to the Front Setback Area.
The Private Frontage is the area between the front property line up to and including the front facade and required Habitable Space.


Vehicular Access
Min. 12.0'
Min. 20.0'(2)
Pedestrian Passage (1)
Min. 12.0'
Max. 24.0'
Min. 8.0'
Min. 10.0'
Min. 14.0'(2)
(1) Required for every 300' of continuous building frontage.
(2) When over a shared alley or a street with service or emergency functions.


Maximum 100' Wide
Buildings wider than 100' shall be divided into distinct and separate facades no wider than 100'.

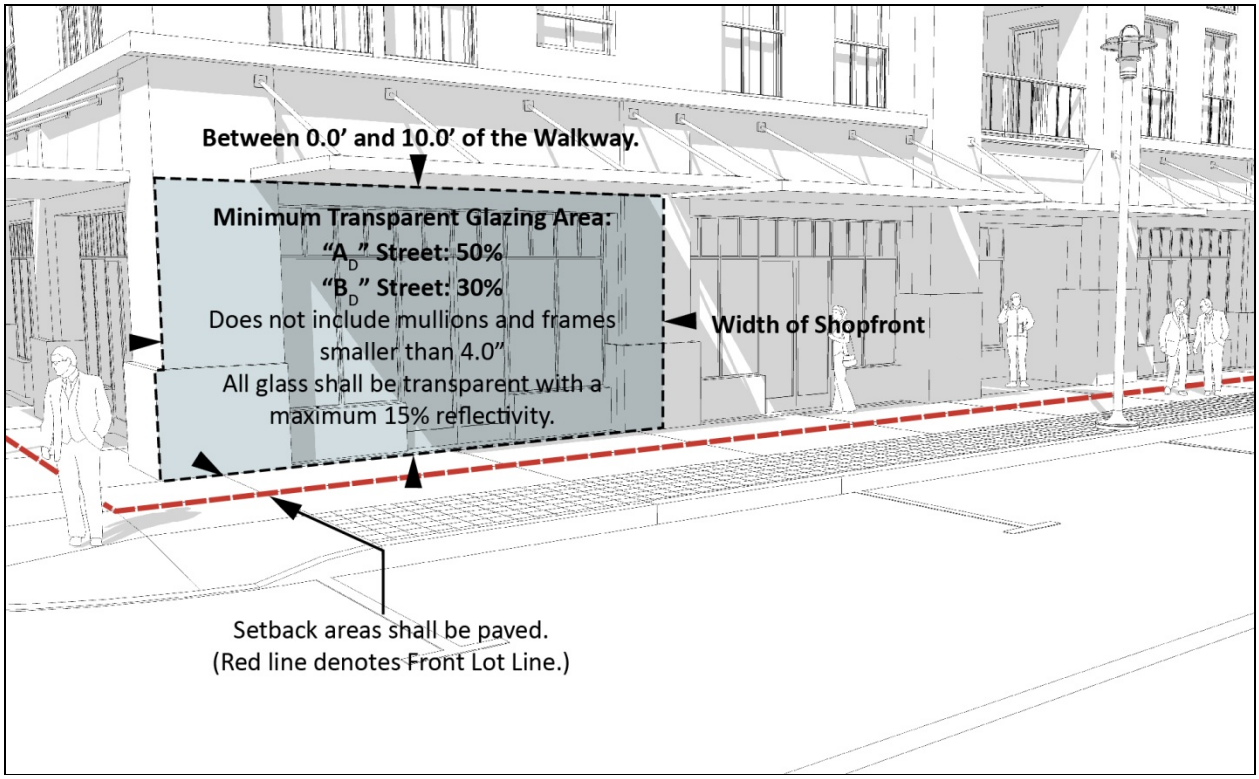
(2) Building Interface: Commercial Frontage

a. Minimum Glazing: Facades along "A_D" Streets shall be glazed with no less than 50% of the first story measured between the ground and 10.0 feet of the Walkway. Facades along "B_D" Streets shall be glazed with no less than 30% of the first story measured between the ground and 10.0 feet of the Walkway. Mullions, muntin and frames that are no wider than 4.0 inches shall be included as part of the Glazed area.

b. Glass Transparency: All glass shall be transparent with a maximum 15% reflectivity. Any window tinting, graphics, and interior affixed window shades that create a permanent opaque or translucent condition are prohibited, except for allowed signage.

c. Setback Landscaping: Setbacks shall be paved and shall be available for outdoor dining and furnishing where the minimum Walkway width is established as required in § (h)(3).

d. Shading of Private and Public Frontage: In addition to shade provided by street trees where they are provided, shading of the private and public frontage can be achieved through the combination of a Gallery and/or Awning Frontage.



(3) Building Interface: Urban Residential Frontage

a. Minimum Glazing: Facades shall be glazed with no less than 25% of the first story measured between 2.0 feet and 10.0 feet of the Walkway.

b. Glass Transparency: All glass shall be transparent with a maximum 15% reflectivity. Window tinting and interior affixed window shades that create a permanently opaque or translucent condition are prohibited. Window shading and privacy can be achieved through interior adjustable window treatments, and/or operable exterior shutters.

c. Raised Ground Story Access: Access to the required minimum 24.0 inch raised residential ground story can be achieved through exterior or interior steps and ramping.

d. Flex Frontage: The raised residential ground story requirement shall be waived where:

1. The ground story at the Frontage to a minimum depth of 18.0 feet is built to a commercial building standard;

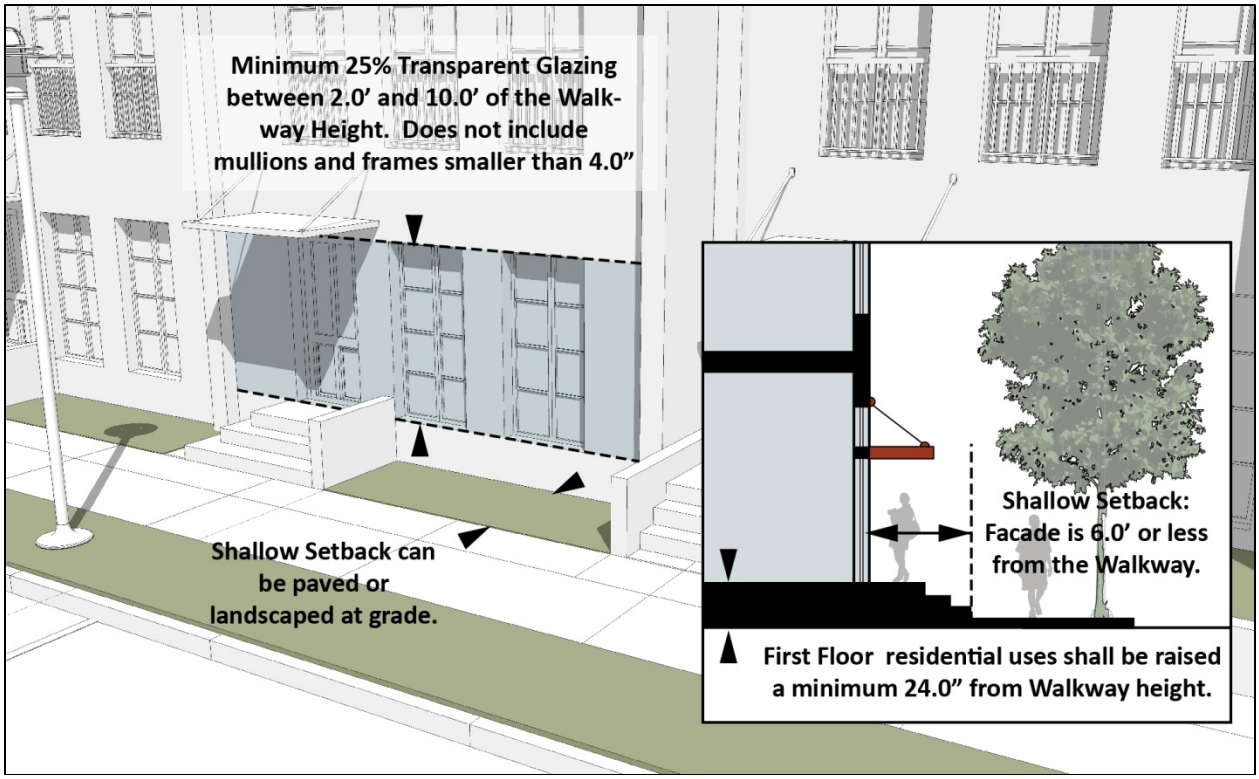
2. No other residential room is at the frontage;

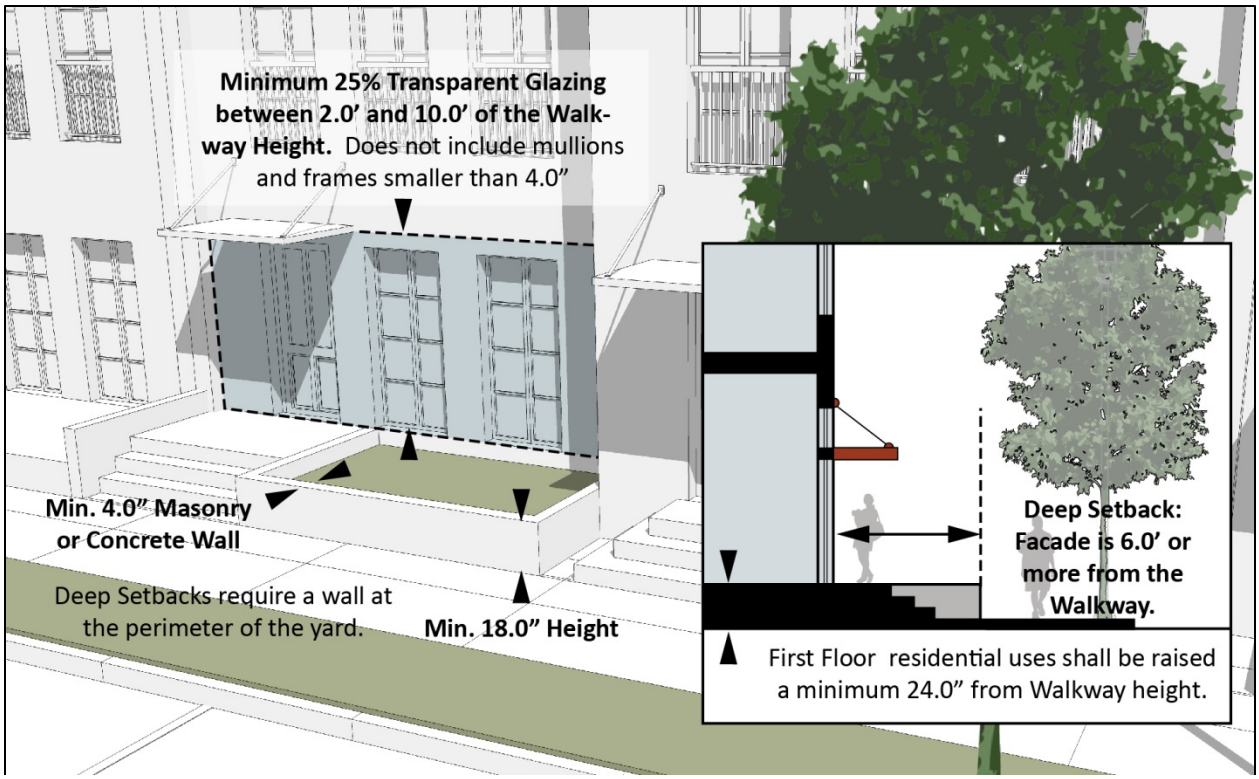
3. There is a separate entry for the Residential and Commercial areas of the building, and a lockable interior connection between the areas.

e. Shallow Setback Landscaping: After minimum walkway requirements are met, setbacks less than 6.0 feet may be landscaped or paved.

f. Deep Setback Landscaping: After minimum walkway requirements are met, setbacks over 6.0 feet of the walkway shall be landscaped.

g. Deep Setback Planter Wall: After minimum walkway requirements are met and where setbacks from the Walkway are greater than 6 feet, a required landscaping wall shall be built at the perimeter of the yard, measuring a minimum 18.0 inches in height and 4.0 inches in depth. A side wall is not required where the planter wall is continuous with an abutting yard.


Minimum 25% Transparent Glazing between 2.0' and 10.0' of the Walk-way Height. Does not include mullions and frames smaller than 4.0"
Shallow Setback can be paved or landscaped at grade.
Shallow Setback: Facade is 6.0' or less from the Walkway.
First Floor residential uses shall be raised a minimum 24.0" from Walkway height.


Minimum 25% Transparent Glazing between 2.0' and 10.0' of the Walk-way Height. Does not include mullions and frames smaller than 4.0"
Min. 4.0" Masonry or Concrete Wall
Deep Setbacks require a wall at the perimeter of the yard.
Min. 18.0" Height
Deep Setback: Facade is 6.0' or more from the Walkway.
First Floor residential uses shall be raised a minimum 24.0" from Walkway height.

(4) Building Interface: Gallery Standards

a. Gallery Standards: Galleries may not cover the public frontage unless the following standards are met:

1. Galleries shall have the following minimum dimensions:

A. depth: 8.0 feet

B. height to ceiling: 11.0 feet

C. clear height: 8.0 feet

2. Galleries are not permitted above the third story.

3. No element of a gallery shall encroach closer than 1.0 foot to the face of curb, or 2.0 feet when adjacent to overhead utilities or a Drive Lane (as opposed to a Parking Lane).

4. All gallery roof overhangs above 20.0 feet from the sidewalk can be built to the face of curb where overhead utilities are not present.

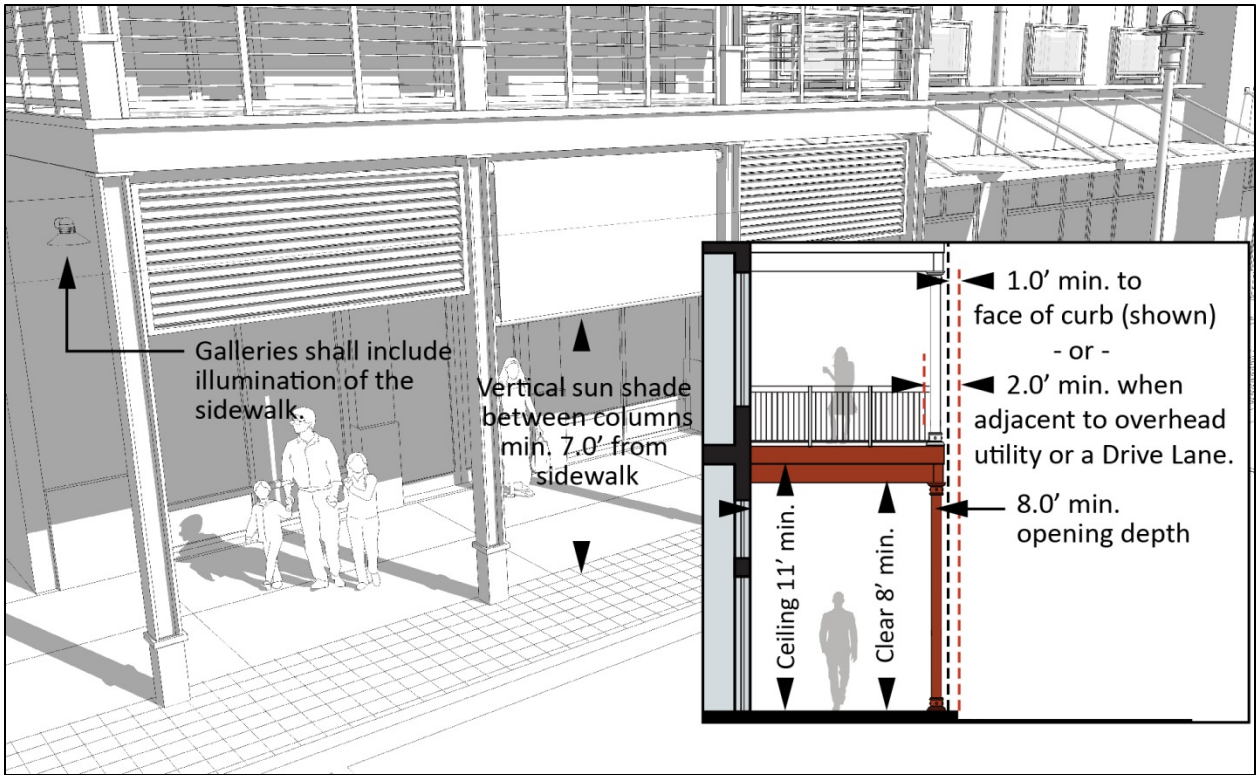
5. Galleries shall have a consistent depth.

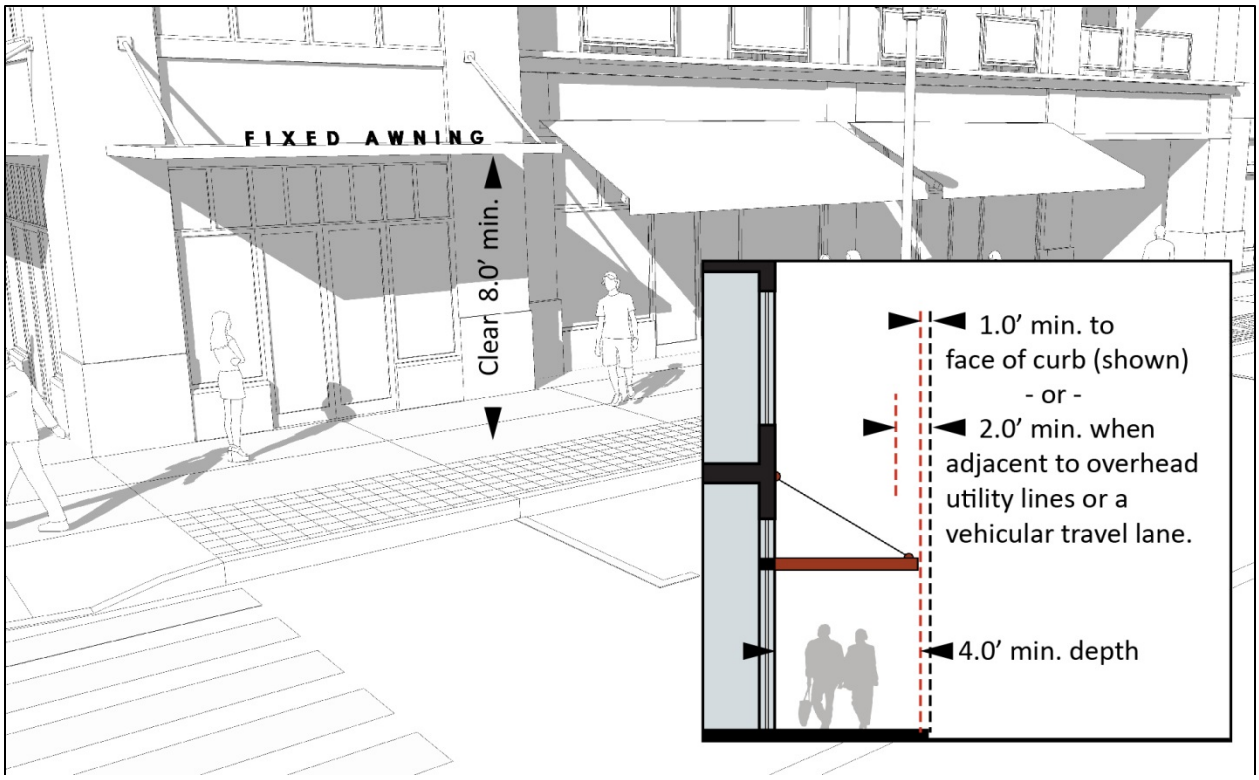
6. Galleries may include a vertical shade between columns to within 7.0 feet of the sidewalk.

7. Galleries shall include illumination of the sidewalk.

8. Galleries shall not be built over an electrical transformer.

9. When built within the public right-of-way, Galleries are subject to applicable agreements with LCG and utility providers.


Galleries shall include illumination of the sidewalk.
Vertical sun shade between columns min. 7.0' from sidewalk
1.0' min. to face of curb (shown)
- or -
2.0' min. when adjacent to overhead utility or a Drive Lane.
8.0' min. opening depth
Ceiling 11' min.
Clear 8' min.


FIXED AWNING
Clear 8.0' min.
1.0' min. to face of curb (shown)
- or -
2.0' min. when adjacent to overhead utility lines or a vehicular travel lane.
4.0' min. depth

(5) Building Interface: Awning Standards

a. Awning Standards: Awnings may not cover the public frontage unless the following standards are met:

1. Awnings shall have a minimum depth of 4.0 feet from the facade.

2. Retractable Awnings may cover sidewalks to the face of curb and to a minimum height of 7.0 feet from the sidewalk.

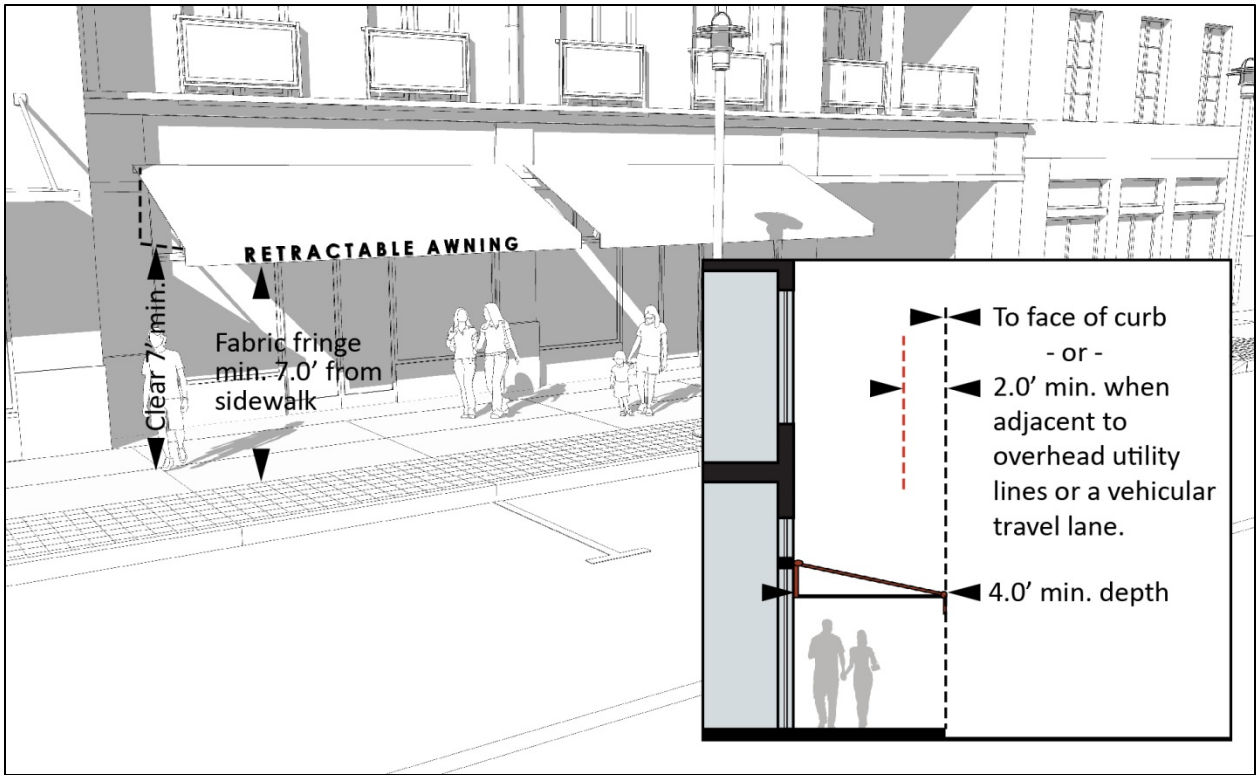
3. Fixed Awnings shall be built to a minimum height of 8' from the Sidewalk and to within 0.5 feet of the curb.

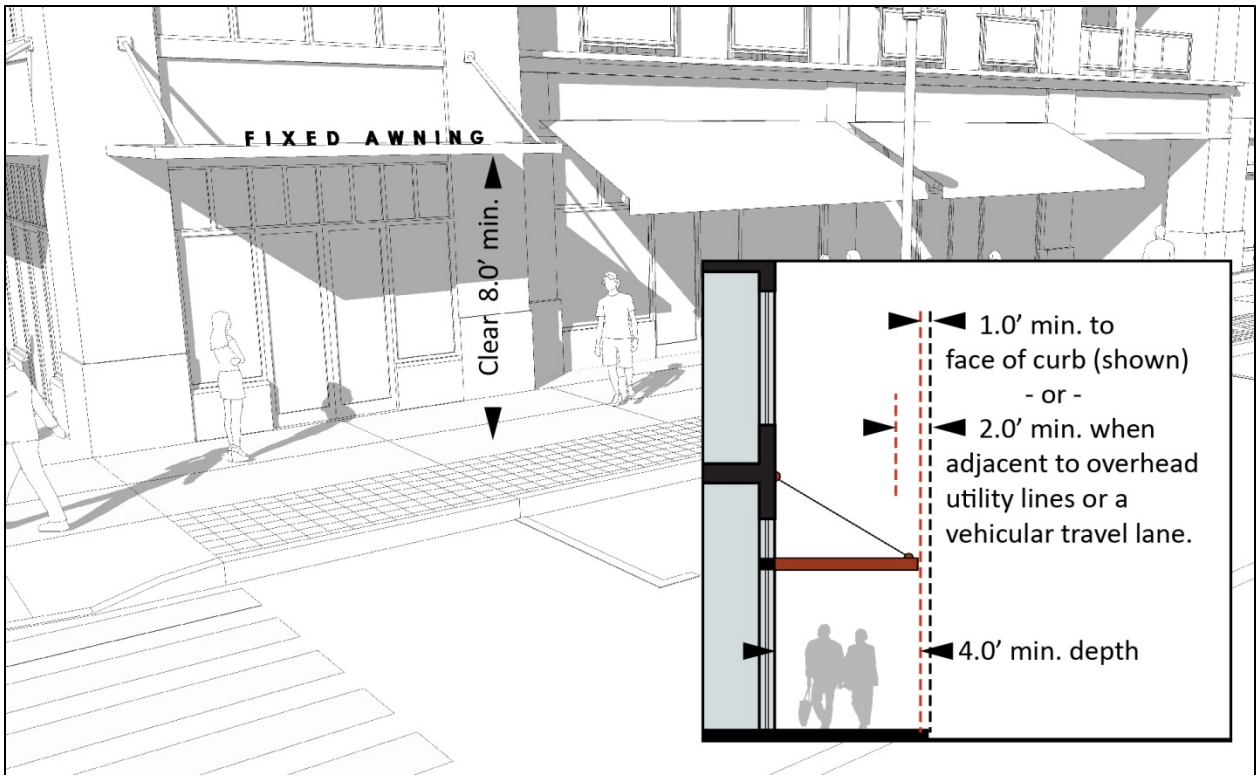
4. Awnings shall not extend closer than 2.0 feet from the face of curb when adjacent to overhead utility lines or a Drive Lane (as opposed to a Parking Lane).

5. The fabric fringe of an awning may extend as a vertical shade to within 7.0 feet of the sidewalk where it does not impede the walkway.

6. Fixed Awnings shall not be built over an electrical transformer.

7. When built within the public right-of-way, Awnings are subject to applicable agreements with LCG and utility providers.


RETRACTABLE AWNING
Clear 7' min.
Fabric fringe min. 7.0' from sidewalk
To face of curb
- or -
2.0' min. when adjacent to overhead utility lines or a vehicular travel lane.
4.0' min. depth


FIXED AWNING
Clear 8.0' min.
1.0' min. to face of curb (shown)
- or -
2.0' min. when adjacent to overhead utility lines or a vehicular travel lane.
4.0' min. depth

(g) Parking & Access

(1) Vehicle Parking Space Requirements:

a. There shall be no minimum parking space requirements for all buildings of five (5) stories or less.

b. For buildings over five (5) stories, parking shall be provided on the lot, screened from the Walkway as per the provisions of this code, and the minimum number of required parking spaces for the entire building shall be as follows:

1. Retail: 3 Spaces / 1000 sf

2. Office: 2 Spaces / 1000 sf

3. Residential: 1 Space / Unit

4. Accommodations: 1 Space / Room

(2) Location of Off-Street Parking: Off-Street Parking shall not be viewable from the Walkway unless the following conditions are met:

a. Parking Garage Standards § (g)(3), or

b. Parking Screen Standard § (g)(4).

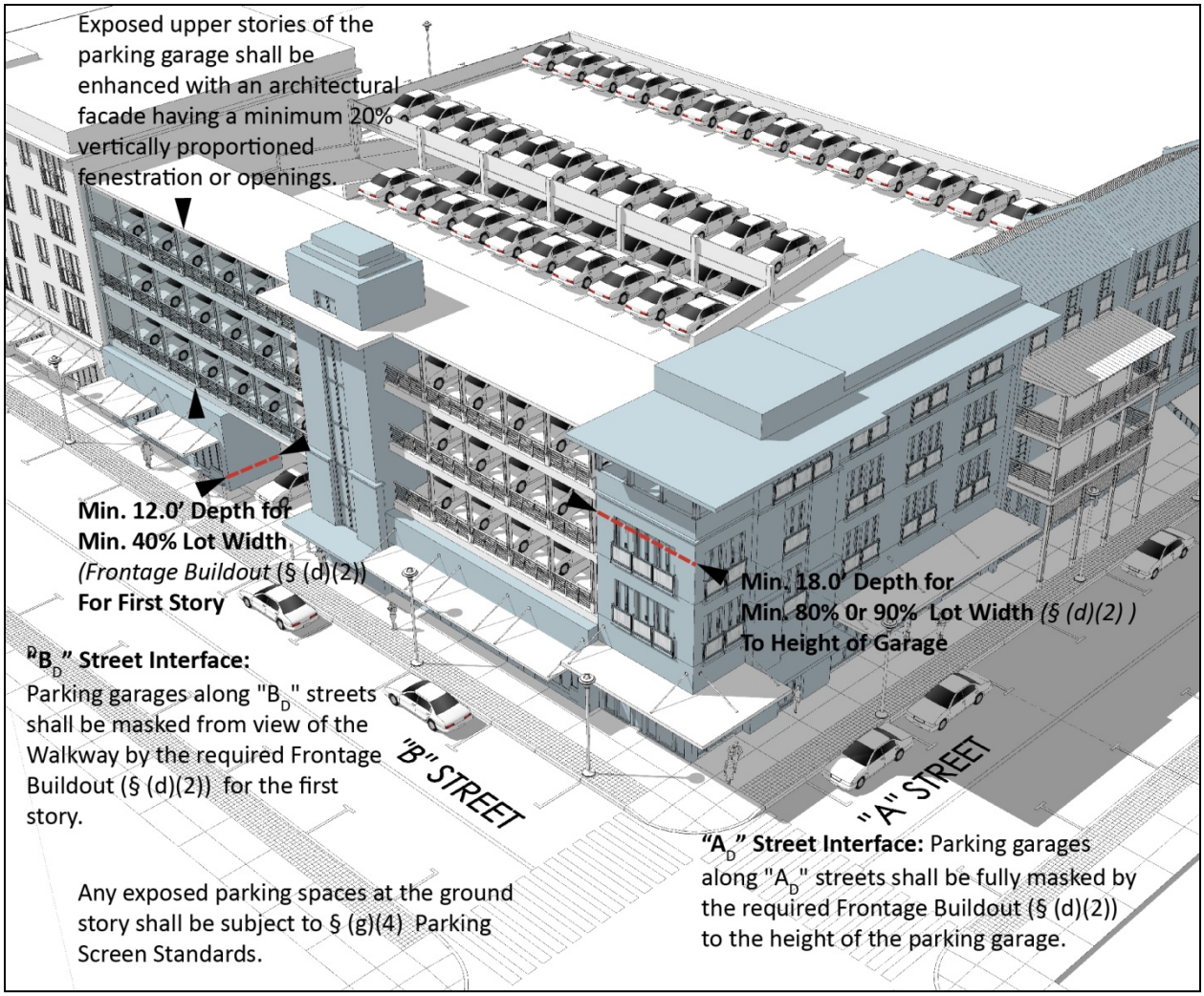
(3) Parking Garage Standards: The following applies to parking garages:

a. Parking garages along "B_D" streets shall be masked from view of the Walkway by the required Frontage Buildout § (d)(2) for the first story. The remainder of the garage may be unmasked provided the following standards are met:

1. Upper stories of the parking garage shall have a facade where all openings are vertically proportioned.

2. Any exposed parking spaces at the ground story shall be subject to § (g)(4) Parking Screen Standards.

b. Parking garages along "A" streets shall be fully masked by the required Frontage Buildout § (d)(2) to the height of the parking garage.


Exposed upper stories of the parking garage shall be enhanced with an architectural facade having a minimum 20% vertically proportioned fenestration or openings.
Min. 12.0' Depth for Min. 40% Lot Width (Frontage Buildout (§ (d)(2)) For First Story
Min. 18.0' Depth for Min. 80% 0r 90% Lot Width (§ (d)(2)) To Height of Garage
"B$_D$" Street Interface: Parking garages along "B$_D$" streets shall be masked from view of the Walkway by the required Frontage Buildout (§ (d)(2)) for the first story.
"B" STREET
"A" STREET
"A$_D$" Street Interface: Parking garages along "A$_D$" streets shall be fully masked by the required Frontage Buildout (§ (d)(2)) to the height of the parking garage.
Any exposed parking spaces at the ground story shall be subject to § (g)(4) Parking Screen Standards.

(4) Parking Screen Standards

a. Opaque Height: 40.0 inches minimum, 8.0 feet maximum vertical distance from the top of the Walkway.

b. Material: Rigid opaque materials to minimum depth of 4.0 inches, and to the minimum height after which other materials may be used to the maximum height. Decorative metal in combination with vegetative landscaping can be used in place of rigid materials. Chain-link and wood fences are not permitted. Vegetative landscaping shall achieve and maintain the required minimum Opaque Height within one year of installation.

c. Setback Landscaping: Parking Screens shall be set back a minimum of 2.0 feet from the Walkway and may be landscaped or paved. In no case shall a Parking Screen be set closer to the Walkway than the Building Facade.

d. Parking Screens shall allow openings no wider than 24.0 feet for vehicles, and provide openings as needed for pedestrian access along the rear of the building.

(5) Parking and Loading Access

a. Loading facilities and service areas shall not be visible along "A_D" Street Walkways.

b. Loading facilities and service areas are permitted within the Front Setback Area of a building on a "B_D" Street, but shall not count toward the required Frontage Buildout.

c. Garbage enclosures shall not be visible from view of a Walkway.

d. Where a lot abuts an alley, parking shall be accessed from the alley.

e. Drive Aisle Dimensions: Minimum 24.0 feet for two way traffic. One-Way drive aisles are allowed only for angled parking (both back-in/head-out and head-in/back-out) with dimensions as follows:

1. 45 degree parking stall: minimum 12.0 foot drive aisle

2. 60° degree parking stall: minimum 16.0' foot drive aisle

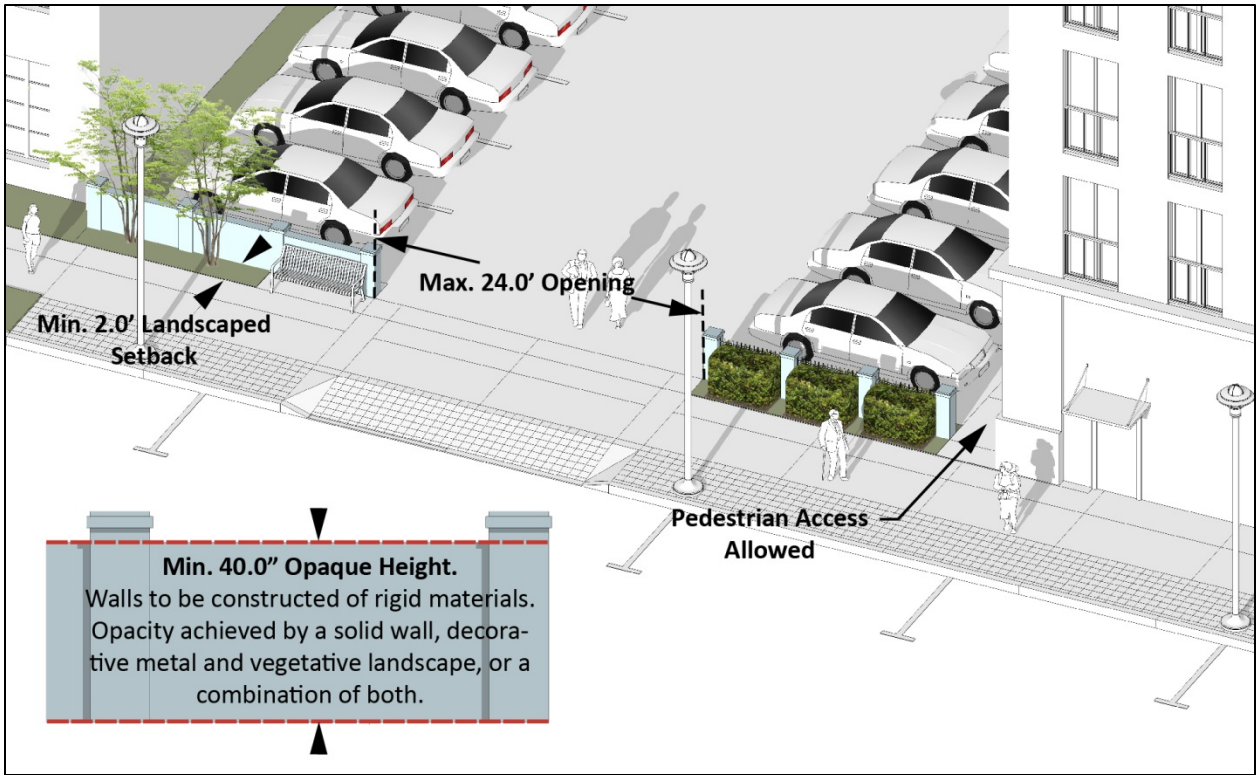
3. 75° degree parking stall: minimum 23.0' foot drive aisle

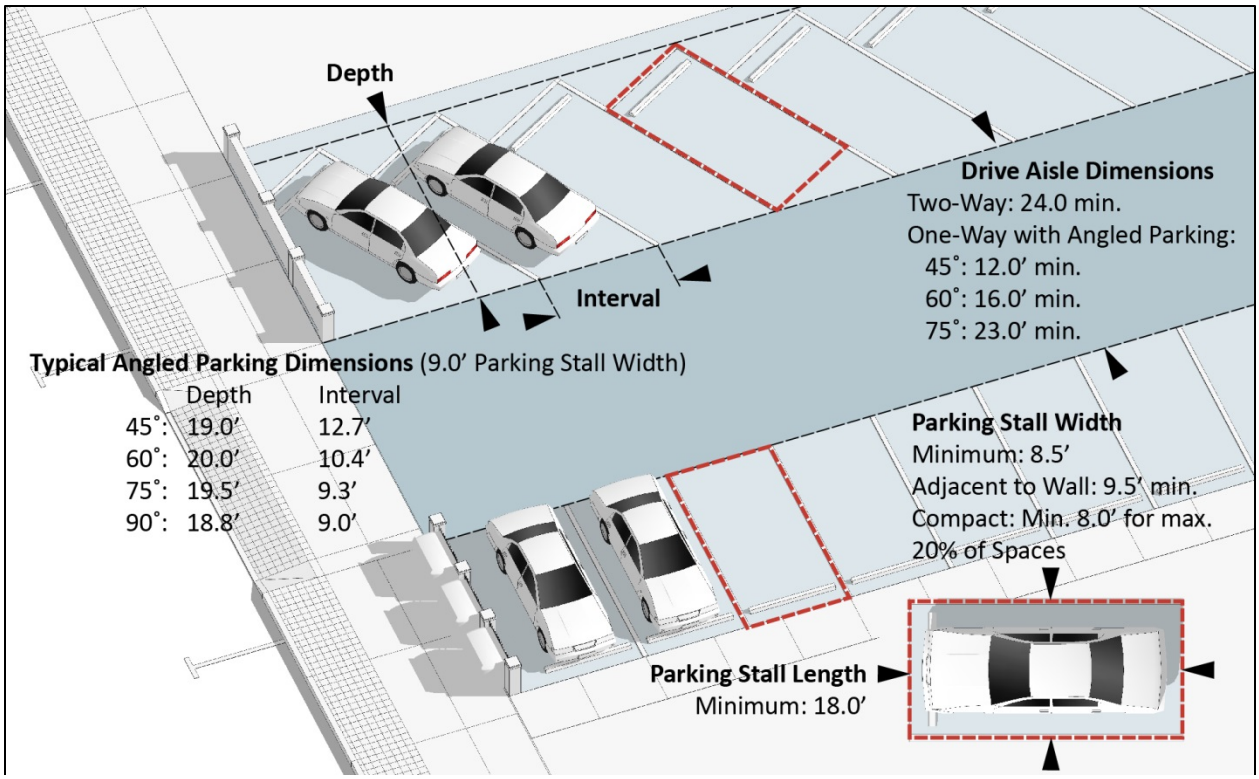
f. Parking Stall Dimensions:

1. Width as measured on-centre: Minimum 8.0 feet, typically 9.0 feet, or a minimum 9.5' to accommodate door openings where the side of a stall is directly adjacent to a wall or vertical element over 6.0 inches in height.

2. Length: Minimum 18.0 feet.

g. Vehicular entrances to off-street parking lots and parking garages shall be no wider than 24.0 feet at the Front Lot Line.


Max. 24.0' Opening
Min. 2.0' Landscaped Setback
Pedestrian Access Allowed
Min. 40.0" Opaque Height.
Walls to be constructed of rigid materials. Opacity achieved by a solid wall, decorative metal and vegetative landscape, or a combination of both.


Depth
Interval
Drive Aisle Dimensions
Two-Way: 24.0 min.
One-Way with Angled Parking:
45˚: 12.0' min.
60˚: 16.0' min.
75˚: 23.0' min.
Typical Angled Parking Dimensions (9.0' Parking Stall Width)
Depth Interval
45˚: 19.0' 12.7'
60˚: 20.0' 10.4'
75˚: 19.5' 9.3'
90˚: 18.8' 9.0'
Parking Stall Width
Minimum: 8.5'
Adjacent to Wall: 9.5' min.
Compact: Min. 8.0' for max. 20% of Spaces
Parking Stall Length
Minimum: 18.0'

(h) Public Frontage

(1) Public Frontage: The public frontage shall be established as the area between the Front Lot Line and the face of curb.

(2) Public Frontage Components: The public frontage has three primary components.

a. The Furnishing Zone: The area between the face of curb and the Walkway utilized for street light standards, utility poles, street furniture, outdoor dining, planting areas, and tree planting.

b. The Walkway: A continuous, unobstructed, accessible, paved area dedicated to pedestrian movement along the private frontage. Walkways are required on all public frontages.

c. The Interface Zone: The area between the Walkway and the Building Facade (not including residential yards) available for outdoor dining, sidewalk signs, street furniture, non-affixed planters, and outdoor merchandising.

(3) Minimum Walkway Widths: Minimum, unobstructed Walkway widths shall be established as follows:

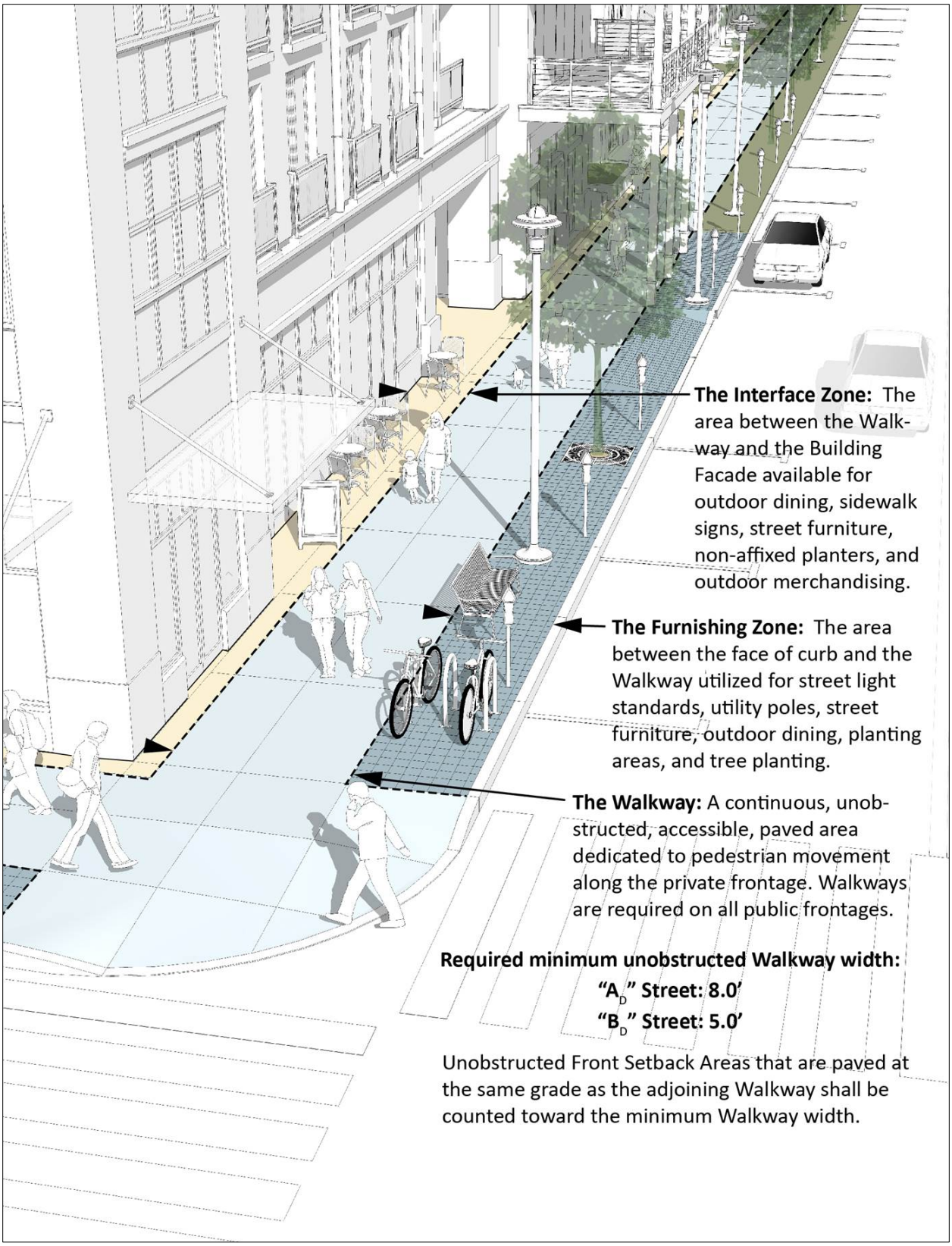
a. A minimum of 8.0 feet on "A_D" Streets.

b. A minimum of 5.0 feet on "B_D" Streets.

c. Unobstructed Front Setback Areas that are paved at the same grade as the adjoining Walkway shall be counted toward the minimum Walkway width.

d. Bollards installed for pedestrian safety shall not be considered an obstruction to a Walkway.

e. Non-permanent outdoor dining may encroach into an "A_D" Street Walkway provided that a minimum 5.0 feet clear is maintained.


The Interface Zone: The area between the Walkway and the Building Facade available for outdoor dining, sidewalk signs, street furniture, non-affixed planters, and outdoor merchandising.
The Furnishing Zone: The area between the face of curb and the Walkway utilized for street light standards, utility poles, street furniture, outdoor dining, planting areas, and tree planting.
The Walkway: A continuous, unobstructed, accessible, paved area dedicated to pedestrian movement along the private frontage. Walkways are required on all public frontages.
Required minimum unobstructed Walkway width:
"A_D" Street: 8.0'
"B_D" Street: 5.0'
Unobstructed Front Setback Areas that are paved at the same grade as the adjoining Walkway shall be counted toward the minimum Walkway width.

89-14 "CM" Commercial Mixed

Purpose: the "CM" district implements the Commercial/Office future land use category of PlanLafayette. This district provides for compact development patterns and pedestrian friendly design features.

(a) Permitted Uses. See § 89-21.

(b) Dimensional Standards

	Lot Requirements	
1	Lot size	n/a
2	Open space *(min)*	15%

	Setbacks *(principal buildings)*	
3	Front / corner street *(min)*	n/a
4	Front / corner street *(max)*	15'
5	Frontage buildout *(min)*	65%
6	Side *(min)*	n/a
7	Rear-common property line or alley *(min)*	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) Drive-in and drive-through establishments are subject to Article 5, § 89-80.

(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 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.

89-15 "CH" Commercial-Heavy

Purpose: the "CH" district implements the Commercial/Office future land use category of PlanLafayette. This district allows compact development patterns, but provides flexibility for front parking, loading, and building design features for heavy commercial or service-oriented uses (such as large format retailers, auto dealerships, and repair services). PlanLafayette provides that the Commercial/Office future land use category is principally a pedestrian oriented area, this district should be used only for locations where these uses currently exist, or where a rezoning applicant demonstrates that there is an unmet market demand for the use.

(a) Permitted Uses. See § 89-21.

(b) Dimensional Standards

	Lot Requirements	
1	Lot Size	n/a
2	Open space *(min)*	25%
	Setbacks *(principal buildings)*	
3	Front / corner street *(min)*	n/a
4	Side *(min)*	n/a
5	Rear-common property line or alley *(min)*	20'
	Bulk Plane *(⇔ See 89-27)*	
6	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) Front, side, and rear setbacks must be planted in grass or other plantings except for required ingress and egress.

(4) For buildings adjacent to substandard streets, an additional setback may apply (see Article 3, § 89-38).

89-16 "IL" Industrial-Light

Purpose: the "IL" district implements the Office/Industrial future land use category of PlanLafayette by accommodating existing light industrial uses, and encouraging new light industrial or office park employment uses in locations designated in the plan. Buffering is required in Article 3.

(a) Permitted Uses. See § 89-21.

(b) Dimensional Standards

	Lot Requirements	
1	Open space *(min)*	20%

	Setbacks *(principal buildings)*	
2	Front / corner street *(min)*	n/a
3	Side *(min)*	n/a
4	Rear-common property line or alley *(min)*	20'

	Bulk Plane *(⇔ See 89-27)*	
5	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) A buffer may be required (see Article 3, § 89-36).

(2) Front, side, and rear setbacks must be planted in grass or other planting except for required ingress and egress.

(3) For buildings adjacent to substandard streets, an additional setback may apply (see Article 3, § 89-38).

89-17 "IH" Industrial-Heavy

Purpose: the "IH" district implements the Office/Industrial future land use category of PlanLafayette by accommodating existing and future heavy industrial uses. Buffering is required in Article 3.

(a) Permitted Uses. See § 89-21.

(b) Dimensional Standards

	Lot Requirements	
1	Open space *(min)*	10%

	Setbacks *(principal buildings)*	
2	Front / corner street *(min)*	n/a
3	Side *(min)*	n/a
4	Rear-common property line or alley *(min)*	n/a

	Bulk Plane *(⇔ See 89-27)*	
5	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) A buffer may be required (see Article 3, § 89-36).

(2) Front, side, and rear setbacks must be planted in grass or other plantings except for required ingress and egress.

(3) For buildings adjacent to substandard streets, an additional setback may apply (see Article 3, § 89-38).

89-18 "PD" Planned Development

Purpose: the "PD" district gives the LCG, property owners, and developers the opportunity to proceed with development that –

- *cannot meet the standards in one of the base zoning districts, and*
- *is consistent with and accomplishes the policies of PlanLafayette, or a strong public need, and*
- *provides the LCG valid assurances that it will mitigate any anticipated impacts on the general public.*

A PD rezoning requires legislative approval, which involves a high degree of discretion by the Zoning Commission.

(a) Permitted Uses. Permitted uses for a PD are designated in the ordinance approving the PD rezoning.

(b) Dimensional Standards. Dimensional standards for a PD are designated in the ordinance approving the PD rezoning

(c) Minimum design requirements. The following are the minimum design requirements for a PD development. The applicant shall demonstrate how the development complies with these requirements in the concept plan.

(1) Site relationship to immediate surroundings

a. The planned development's relationship to its immediate surroundings shall avoid adverse effects to surrounding development from traffic circulation, building height or bulk, lack of screening, or intrusions on privacy.

b. Areas which cannot be feasibly serviced by necessary public services, including transportation, street maintenance, schools, police, fire, and utilities, shall not be approved for planned development.

c. Adequate landscaping must be provided to reduce the visual impact of off-street parking areas and provide a logical transition between the planned development and surrounding uses. Landscaped buffers shall be provided to screen commercial and industrial uses when those uses differ from surrounding uses. Screening shall buffer potential adverse effects of light, noise or other undesirable elements that could disturb surrounding development.

(2) Utilities

a. The developer shall provide water, sewage and electrical facilities for connection to a public utility which meets the standards established by LUS.

b. Wherever practical and feasible, all utilities shall be placed underground.

(3) Off-street parking.

a. Parking shall comply with Article 3 and this section.

b. Parking may be provided in grouped facilities to service several separate uses and consolidated facilities are encouraged.

c. The placement and design of parking facilities shall be consistent with PlanLafayette's policies for multi-modal accessibility by pedestrians, cyclists or transit.

(4) Circulation

a. Construction of the planned development shall include adequate, safe, and convenient arrangements for pedestrian circulation, streets, driveways, off-street parking and loading space.

b. Public streets must serve the entire planned development. However, the Zoning Code may approve private roads if they meet minimum construction standards and can be used by police and fire department vehicles for emergency purposes.

c. The geometric design of internal ways, streets and alleys shall be determined by sound planning and engineering standards. Consideration shall be given to special street widths, construction and

paving requirements resulting from multi-modal access requirements within the planned development.

(5) Common open space and civic space

a. Common open space and civic space shall meet or exceed the applicable requirements of Article 3.

b. The applicant shall designate the type, location, dimensions, and maintenance requirements for the common open space in the concept plan.

(6) Compliance with subdivision design standards. The planned development shall be subject to all appropriate design, flood, and drainage standards in these regulations.

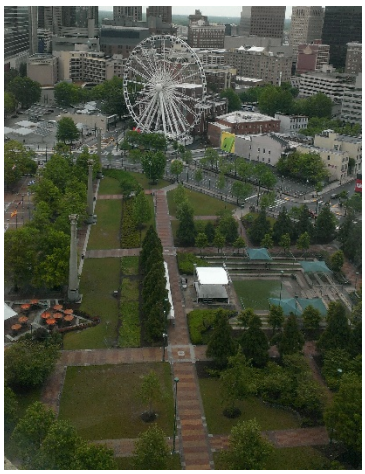
(d) Application requirements. The following procedures apply to an application for PD rezoning:

(1) Pre-application. Prior to submitting a formal application for planned development, a pre-application conference with the PZD is encouraged in order for the applicant to become acquainted with planned development procedures and related requirements.

(2) Concept Plan. The applicant shall include a Concept Plan with the rezoning application.

89-19 "PI" Public/Institutional

Purpose: the "PI" district is appropriate in any PlanLafayette land use category, and specifically implements the Public Park category. These standards provide flexibility for the wide range of potential public or institutional facilities.



(a) Permitted Uses. See § 89-21.

(b) Dimensional Standards

	Lot Requirements	
1	Open space *(min)*	20%

	Setbacks *(principal buildings)*	
2	Front / corner street *(min)*	20'
3	Side *(min)*	n/a
4	Rear-common property line or alley *(min)*	n/a

	Bulk Plane *(⇔ See 89-27)*	
5	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.

89-20 Annexed Territory

(a) Generally

(1) All territory that is annexed to the City of Lafayette is automatically assigned the "A" Agricultural classification until existing land uses are determined and a new zoning category is adopted.

(2) In lieu of the "A" district, the applicant for annexation may provide an application for rezoning concurrent with any petition for annexation. If the proper notice is given, the zoning classification may be approved concurrent with final approval of the annexation, or after the annexation is complete.

(3) **Time limitations**. Unless another district is applied at the time of annexation, the "A" district zoning classification will apply to that property until:

a. The LCG initiates and approves a rezoning to another zoning district as provided in Article 4.

b. The owner or owners of property automatically zoned "A" may file an application to rezone the property as provided in Article 4. The Zoning Commission will then proceed through normal zoning reclassification procedures.

c. Property automatically zoned "A" is considered on a priority basis and shall be scheduled at the earliest possible scheduled regular meeting of the Zoning Commission.

89-21 Use Table

(a) This section establishes the uses that are permitted in each zoning district. Each use is defined in subsection (d), below.

(b) The Use Table (Table 89-21-2) establishes the following categories of uses:

Table 89-21-1 Use Categories

Notation	Category	Description
P	**By right**	The use is permitted if it meets the standards established in the zoning district, and any other applicable standards of this Chapter.
C	**Conditional Use**	The use requires a conditional use permit approved by the Planning and Zoning Commission (see § 89-54).

A	**Accessory Use**	A use customarily incidental and subordinate to the principal use or building and located on the same lot with the principal use or building.
	Not permitted	A blank cell indicates that the use is not allowed in the district. A property owner who wants to establish the use may apply for a rezoning to a district that does allow the use.

(c) If a use is not defined in this Section or in Article 8, the Administrator may issue a building permit authorizing the use if –

(1) The use functionally the same is a listed use, or

(2) The use has similar visual, traffic, environmental and similar impacts as an expressly listed use. The Administrator may refer to empirical studies or generally accepted planning or engineering sources in making this determination. The burden is on the applicant to establish that the use is similar to the expressly listed use, or

(3) The use is within the same industry classification as another permitted use. In making this determination, the Administrator may refer to the most recent edition of the *North American Industry Classification Manual* (Executive Office of the President, Office of Management and Budget, 2012)("NAICS"). If the use is not defined in the NAICS, the Administrator may refer to the American Planning Association, *Land-Based Classification Standards LBCS Tables* (April 1, 2001).

Table 89-21-2 Use Table

Use Category	"A" Agricultural	"RS" Residential Single-Family	"RM" Residential Mixed	"MN" Mixed Use Neighborhood	"MX" Mixed-Use Center	"D" Downtown	"CM" Commercial Mixed	"CH" Commercial Heavy	"PI" Public/Institutional	"IL" Industrial Light	"IH" Industrial Heavy
Residential											
Residences:											
Dwelling, single-family detached	P	P	P	C							
Accessory apartment	P	P	P	P	P	P	C				
Cottage Courts		P	P	P			P				
Dwelling, two-family (duplex)			P	P			P				
Multi-family			P	P	P	P	P	P			
Live/Work Dwelling			P	P	P	P	P				
Manufactured home											
Manufactured Housing Land Lease Community	P	C	C								
Apartment House			P	P	P	P	P				
Apartment Hotel				P	P	P	P	P			
Townhouse / Row house		P	P	P	P	P	P				
Zero lot line home		P	P	P	P						
Group Living:											
Boarding House			P	P	P	P					

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Use Category	"A" Agricultural	"RS" Residential Single-Family	"RM" Residential Mixed	"MN" Mixed Use Neighborhood	"MX" Mixed-Use Center	"D" Downtown	"CM" Commercial Mixed	"CH" Commercial Heavy	"PI" Public/Institutional	"IL" Industrial Light	"IH" Industrial Heavy
Community living			P	P	P	P	P	P			
Community home	P	P	P	P	P	P	P			P	
Life care or continuing care services				P	P	P	P	P			
Lodging / Short-Term Rental											
Bed and breakfast		C	C	C	C	C	C				
Hotel (small)				P	P	P	P	P		P	P
Hotel / Motel					P	P	P	P		P	P
Recreational vehicle park	C										
Commercial / Mixed Use											
Animal Services:											
Animal hospital (indoor)				P	P	P	P	P		P	P
Animal services, generally						P	P	P		P	
Financial Services:											
Automated teller machine, stand alone					P	P	P	P	P	P	P
Financial institutions				P	P	P	P	P	A	P	P
Pawn shop						P	P	P		P	
Food & Beverage Sales / Service:											
Bar / Lounge				C	P		C	P		P	
Food market				P	P	P	P	P	A		
Food preparation				P	P	P	P	P	A		
Food service				C	P	P	P	P	A		
Mobile vendor				P	P	P	P	P	A	P	
Restaurant				C	P	P	P	P	A	P	
Snack or beverage bars				P	P	P	P	P	A	P	
Mixed Use:											
Mixed use building				P	P	P	P	P	P		
Office, Business & Professional:											
Office				P	P	P	P	P	A	P	
Personal / Business services:											
Bail bond services						P	P	P		P	
Business support services					P	P	P	P	A	P	
Courier, messenger and delivery services					P	P		P	A	P	P
Day Labor Service						P		P		P	P
Funeral & interment services						P	P	P		P	
Crematorium								P		P	P
Linen/Uniform Supply						P	P	P	A	P	P

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Use Category	"A" Agricultural	"RS" Residential Single-Family	"RM" Residential Mixed	"MN" Mixed Use Neighborhood	"MX" Mixed-Use Center	"D" Downtown	"CM" Commercial Mixed	"CH" Commercial Heavy	"PI" Public/Institutional	"IL" Industrial Light	"IH" Industrial Heavy
Maintenance & repair services						P	P	P		P	P
Personal services				P	P	P	P	P	A		
Pick-up station (laundry and/or dry cleaning)				P	P	P	P	P			
Retail sales:											
Convenience store				P	P	P	P	P	A	P	
Convenience store (with gasoline sales)						P	P	P		P	
Nonstore retailers					P	P	P	P		P	
Nursery/Horticulture/Farm Supply		C				P	P	P		P	
Retail, limited (A)				P	P	P	P	P	A	P	
Retail, limited (B)					P	P	P	P	A	P	
Retail, general					P	P		P	A	P	
Vehicles / Equipment:											
Auto and truck repair								P		P	P
Automobile or vehicle dealership					P	P		P			
Building material sales & services							C	P		P	
Car Wash								P		P	P
Commercial and Industrial Machinery and Equipment Rental and Leasing								P		P	P
Gasoline or diesel fuel sales							P	P		P	P
Manufactured Home Dealers								P		P	P
Truck stop										P	P
Public/Civic/Institutional											
Day Care:											
Adult day care				C	P	P	P	P			
Child care facility, commercial			C	P	P	P	P	P	A	P	
Child care facility, residential	P	P	P	P	P	P	P				
Assembly:											
Cemetery/mausoleum	P		P	P		P	P	P	P	P	P
Church or worship center	P	P	P	P	P	P	P	P	P		
Exhibition, convention, or conference facility					P	P	P	P	P	P	
Club or lodge (private)			C	P	P	P	P	P	P		
Government / Non-Profit:											
Armory									P	P	P
Detention or penal institution						P			P	P	P
Vehicle / equipment maintenance									P	P	P

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facility											
Public Safety Facility	P	P	P	P	P	P	P	P	P	P	P
Social assistance, welfare, and charitable services					P	P	P	P	P	P	
Postal services				P	P	P	P	P	P	P	P
Educational:											
College / technical school					P	P	P	P	P	P	
School (public or private)	P	P	P	P	P	P	P	P	P	P	P
Personal instructional services				P	P	P	P	P	P	P	
Medical:											
Hospital or sanitarium					P	P	P	P	P	P	
Medical office, clinic, or laboratory				P	P	P	P	P	P	P	P
Arts, Entertainment, & Recreation:											
Adult business										P	P
Civic Spaces		P	P	P	P	P	P	P	P	P	P
Cultural facility				P	P	P	P	P	P		
Entertainment facility / Theater				C	P	P	P	P	P		
Health/fitness club				P	P	P	P	P	P		
Recreational Facility, Indoor				P	P	P	P	P	P		
Recreational Facility, Outdoor or Major	C					P		P	P		
Industrial / Production											
Manufacturing & Employment:											
Contractor	C									P	P
Data Processing, Hosting, and Related Services (including data centers)				P	P	P	P	P	P	P	P
Dirt pit, sand pit or similar excavation	C										
Industrial Services										P	P
Media Production						P	P	P	P	P	P
Mining & quarrying											
Manufacturing, Light					P	P	P	P		P	P
Manufacturing, General										P	P
Manufacturing, Intensive										P	P
Oil and gas company (drilling and exploration)										P	P

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Use Category	"A" Agricultural	"RS" Residential Single-Family	"RM" Residential Mixed	"MN" Mixed Use Neighborhood	"MX" Mixed-Use Center	"D" Downtown	"CM" Commercial Mixed	"CH" Commercial Heavy	"PI" Public/Institutional	"IL" Industrial Light	"IH" Industrial Heavy
Research and development					P	P			P	P	P
Oil and mining support activities										P	P
Stone cutting										P	P
Warehousing, Storage & Distribution:											
Building and landscaping materials supplier								P		P	P
Building maintenance services						P		P		P	P
Freight depot (railway and truck)										P	P
Fuel Distribution or Recycling											P
Machinery and heavy equipment sales and service								P		P	P
Self-service storage facility				C		P	C	P		P	P
Oil & gas storage										P	P
Outdoor storage								P		P	P
Vehicle towing and storage facility											
Wholesale distribution, warehousing and storage						P		P		P	P
Infrastructure											
Transportation / Parking:											
Airport										P	P
Ground passenger transportation (e.g. taxi, charter bus)						P		P	P	P	P
Heliport / miscellaneous air transportation				A	A	A	A	A	A	A	A
Parking facility						P	P	P	P	P	P
Railroad facilities										P	P
Railroad right-of-way	P	P	P	P	P	P	P	P	P	P	P
Passenger depot						P				P	P
Transit shelter		P	P	P	P	P	P	P	P	P	P
Utilities:											
Utility, Major	C									P	P
Utility, Minor	P	P	P	P		P	P	P		P	P
Communications facilities:											
Communications facility	P				P	P	P	P	P	P	P
Wireless communication tower or antenna	P				C	P	C	P	P	P	P
Weather or environmental monitoring station	P				P	P	P	P	P	P	P

Table 89-21-2 Use Table

Use Category	"A" Agricultural	"RS" Residential Single-Family	"RM" Residential Mixed	"MN" Mixed Use Neighborhood	"MX" Mixed-Use Center	"D" Downtown	"CM" Commercial Mixed	"CH" Commercial Heavy	"PI" Public/Institutional	"IL" Industrial Light	"IH" Industrial Heavy
Waste-related:											
Hazardous waste disposal											
Hazardous waste transfer											
Junk yards											
Recycling plant											P
Remediation Services											P
Solid waste											
Agriculture											
Farming	P	P	P	P	P	P	P	P	P	P	P
Poultry and egg production	P									P	P
Community garden	P	P	P	P	P	P	P	P	P	P	P
Crop Agriculture	P	P	P	P	P	P	P	P	P	P	P
Community Supported Agriculture	P	P	P	P	P	P	P	P	P	P	P
Accessory											
Accessory use (generally)	A	A	A	A	A	A	A	A	A	A	A
Accessory commercial uses			C								
Accessory farm use	A	A	A	A	A	A	A	A	A	A	A
Accessory schools	A	A	A	A	A	A	A	A	A	A	A
Accessory retail and personal service, office, or recreational use	A	A	A	A	A	A	A	A	A	A	A
Caretaker or guard	A	A	A	A	A	A	A	A	A	A	A
Construction yard								A	A	A	A
Home occupation	A	A	A	A	A	A	A	A			
Model home complex / temporary real estate sales office	A	A	A	A	A	A	A	A			
Parking garage, private					A	A	A	A	A	A	A
Pharmacy, accessory			C	A	A	A	A	A	A	A	
Recreational facility, accessory		A	A	A	A	A	A	A	A	A	A
Sign	A	A	A	A	A	A	A	A	A	A	A
Storage	A		A	A	A	A	A	A	A	A	A
Miscellaneous											
Temporary Uses	A		A	A	A	A	A	A	A	A	A

(d) The uses listed in the Use Table (Table 89-21) above are defined as follows:

Residential	
Residences	
Dwelling, single-family detached	A detached building designed as a residence for one family.
Accessory apartment	A secondary, independent living facility located in, or on the same lot as, a single-family residence. An accessory apartment may be rented to a household separate from that occupying the principal building on the lot.
Cottage Courts	A single lot that includes detached single family dwellings or duplexes arranged around a courtyard or open space.
Dwelling, two-family (duplex)	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.
Multi-family	A building designed as a residence for more than two families living separately, sometimes called apartments or flats. It includes any form of family occupancy, including traditional or non-traditional households, elderly housing, or retirement housing. The units may be integrated horizontally and vertically, or with 2 units stacked vertically and separated from adjacent units by a party wall (sometimes called "stacked flats").
Live/Work Dwelling	A principally residential building that includes an office, studio, or other commercial use and a single dwelling unit occupied by the building owner. ó Compare: (1) Home Occupations (listed under "Accessory," below). A live-work unit allows a broader range of commercial and production-type uses and more non-residential floor area than a home occupation. In addition, a live-work unit may be designed as a townhouse or with a storefront or other commercial design configuration at the ground level, while a home occupation occurs in a building that is designed as a residence. (2) Mixed Use Building (listed under Commercial / Mixed Use - Mixed Use, below). A Mixed Use Building allows multiple buildings and residences in the same building, while a Live/Work Dwelling is generally limited to a single dwelling unit and a single business.
Manufactured home	A factory-built dwelling unit constructed to the standards and codes promulgated by the United States Department of Housing and Urban Development (HUD), under the National Manufactured Housing Construction and Safety Standards Act of 1974, 42 U.S.C. §5401 et seq., as amended ((See LRSA 51:911.22).
Manufactured Housing Land Lease Community	A parcel or tract of land where the principal use is the rental, leasing or occupancy of space by two or more manufactured homes on a permanent or semi-permanent basis, and customary accessory buildings or uses such as clubhouses, laundries, or management and sales units.
Apartment House	A building that - (1) is a converted single-family detached dwelling, or with architectural features and massing that are compatible with single-family dwellings, and (2) that consists of at least 3 separate dwelling units. This use type is different from a boarding house in that the units are intended for occupancy as permanent residences, and each unit may have separate kitchens and bathroom facilities. This use type is sometimes called a "big house."
Apartment Hotel	A hotel in which at least 90 percent of the hotel accommodations are available for occupancy by permanent guests.
Townhouse / Row house	A single-family dwelling forming one of a group or series of two or more attached single-family dwellings, separated from one another by party walls without doors, windows, or other provisions for human passage or visibility through the walls from basement or cellar to roof, and having roofs which may extend from one of the dwelling units to another.
Zero lot line home	A single-family detached dwelling that is sited with no setback along one side property line.
Group Living:	
Boarding House	A building other than a hotel where meals or lodging, or both, are provided for compensation by pre-arrangement for a definite period. Examples include dormitories, fraternities, sororities, or dorms. This use type does not include a hotel, motel, or multi-family building. A multifamily building or apartment house includes separate dwelling units occupied by a single household, while a boarding house includes separate households sharing kitchen facilities.
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.
Community living	Establishments primarily engaged in providing one or more of the following housing services: (1) short term emergency shelter for victims of domestic violence, sexual assault, or child abuse; (2) temporary residential shelter for the homeless, runaway youths, and patients and families caught in medical crises; or (3) transitional housing for low-income individuals and families. *Note: while the industry (NAICS) category includes construction of low cost housing and housing repair activities, those features are not regulated by zoning, and the housing types would fall within another listed category.*
Community home	A facility certified, licensed, or monitored by the Department of Health and Hospitals to provide resident services and supervision to six or fewer handicapped persons. Such facility shall provide supervisory personnel in order to function as a single family unit but not to exceed two live-in persons. (Source: LRSA § 28:477) This use does not include persons handicapped by reason of current drug abuse or alcohol abuse, nor shall it apply to handicapped persons currently under sentence or on parole from any criminal violation or who have been found not guilty of a criminal charge by reason of insanity.
Life care or continuing care services	An institution, residence or facility that provides accommodation and personal assistance to residents who depend on the services of others by reason of age and physical or mental impairment, and that is licensed to provide skilled nursing care. This category includes nursing or convalescent homes, hospices, or assisted living facilities. A "nursing or convalescent home" is any part of a building where shelter, board, and nursing care for 3 or more persons of all ages not related to the operator, requiring that care because of infirmities of old age, illness, and/or disability of a physical or mental nature. "Assisted living" is a residence that primarily serves the elderly and provides rooms and meals, and may provide personal care and supervision of self-administered medication. They may provide other services, such as recreational activities, financial services and transportation. This use does not include an establishment which provides care only during the day, or a halfway house for recovering alcohol and drug abusers.
Lodging / Short-Term Rental	

Bed and breakfast	An owner-occupied house, or part of a house, where no more than four rooms (for a total of 8 guests) are provided for short-term (1 night to 2 weeks) lodging, and where breakfast-only meals are provided for compensation.
Hotel (small)	A Hotel that does not contain more than 50 guest rooms and does not exceed three stories in height.
Hotel / Motel	A building containing rooms intended or designed to be used or which are used, rented, or hired out to be occupied, or which are occupied for sleeping purposes by guests and transients and where only a general kitchen and dining room are provided within the building or in an accessory building.
Recreational vehicle park	Any area that is occupied or intended or designed or improved for occupancy by transients using recreational vehicles, motor homes, or mobile trailers for dwelling, lodging, or sleeping purposes and is held out as such to the public. Examples include campgrounds and recreational vehicle/travel trailer parks. This use does not include a Manufactured Housing Land Lease Community.
Commercial / Mixed Use	
Animal Services:	
Animal hospital (indoor)	Any part of a building designed or used to care for or observe animals under medical treatment, supervised by a licensed veterinarian. The treatment of animals occurs entirely inside the principal building and not in ancillary or accessory buildings. This use does not include outside kennels.
Animal services, generally	Any part of a building designed or used to care for, board, groom, observe, or treat animals, supervised by a licensed veterinarian. This use may include overnight boarding or outdoor confinement or exercise areas. Includes a dog pound.
Financial Services:	
Automated teller machine, stand alone	An automated teller machine that is at a location separate from the controlling financial institution.
Financial institutions	A business where the primary occupation is financial services such as banking, savings and loans, loan offices, and check cashing and currency exchange outlets. It does not include financial services that typically occur in an office or storefront, such as investment companies, loan companies, credit and mortgage, insurance services, or brokerage firms), which are classified under "Office," below.
Pawn shop	A business that loans money on the security of pledges, deposits or other secured transactions in personal property (other than vehicles or other transportation devices).
Food & Beverage Sales / Service:	
Bar / Lounge	An establishment where the main source of revenue is the sale of alcoholic beverages which are customarily consumed on the premises. This includes taverns, brewpubs, microbreweries, hookah lounges, neighborhood taverns/bars/pubs, or distilleries where food and drink are served on the premises.
Food market	A structure or place where agricultural produce is brought for the purpose of retail sales from vehicles, temporary stands, or stalls. These include more than one seller per parcel of land. Examples include farmers markets, seafood markets, and mobile markets.
Food preparation	A business that prepares food and beverages for off-site consumption, including delivery services. Examples include catering shops, bakeries with on-site retail sales, and the small-scale production of specialty foods (such as sweets). This classification excludes food production of an industrial character.
Food service	An establishment for retail sales of food and beverages for off-site preparation and consumption. Examples include grocers/supermarkets, specialty food stores, fruit and/or vegetable stands, butcher shops, delicatessens, dairy product sales, food cooperatives, or convenience markets. This category also includes large-scale stores that sell food items and beverages in bulk.
Mobile vendor	Any person, including any employee or agent of another, who sells or offers to sell, barter or trade from a vending vehicle, trailer or cart.
Restaurant	A structure where food and drink are prepared, served, and consumed. Examples include sit-down restaurants, cafes, delis, ice cream parlors, specialty food and/or outside dining patios and sitting areas. May include take-out, drive-in, sit-down service, or the sale and consumption of alcohol. The zoning district regulations indicate whether a drive-thru facility for food service is allowed.
Snack or beverage bars	Establishments primarily engaged in (1) preparing and/or serving a specialty snack, such as ice cream, coffee and/or pastries, frozen yogurt, cookies, or popcorn, or (2) serving nonalcoholic beverages, such as coffee, juices, or sodas for consumption on or near the premises.
Mixed Use:	
Mixed use building	A building with any of the following floor space configurations: (1) an office, as defined below, located above the ground floor, where the ground floor is occupied by any use listed in the "convenience store," "restaurant," "retail," or "theater" categories, or (2) "office," "convenience store," "restaurant," "retail," or "theater" categories on the ground floor, and residential dwelling units above the ground floor or behind the non-residential floor area. The floor space above the ground floor may be occupied by non-residential floor area in addition to dwelling units.
Office, Business & Professional:	
Office	A building principally occupied by professional, semi-professional, business, government/municipal, philanthropic institutions, or client-oriented services. Offices do not include retail or wholesale activities which require the receiving, stocking, storing, displaying, manufacturing, selling, or renting of merchandise or equipment, except where specifically permitted as an accessory use. Offices include the administrative, clerical or public contact offices of a government agency. All services are rendered within the principal building, and no outside areas are used to perform services. Examples of businesses include law firms, publishers, business services, sales, marketing, interior decorators, and studios for professional work or teaching.
Personal / Business	

services:	
Bail bond services	An office that engages in the sale or issuance of bail bonds or other financial transfers for the purpose of securing the release from jail of an accused defendant pending trial.
Business support services	Includes blueprinting, printing, graphics, photostatting, copying, packaging, labelling, and similar services. "Printing" and "graphics" mean business engaged in the custom design and/or reproduction of written or graphic materials. Typical processes include computerized design and printing, photocopying, and facsimile sending and receiving.
Courier, messenger and delivery services	Establishments primarily engaged in providing air, surface, or combined mode courier services, express delivery services of parcels, or local messenger and delivery services of small items, with local pick-up and delivery. Examples include air courier services, express delivery services; local delivery services for letters, documents, or small parcels; grocery delivery services (i.e., independent service from grocery store), or restaurant meals delivery services.
Day Labor Service	Any building or premises that serves as a staging point or gathering place for persons who are seeking immediate employment in daily labor activities and who accept or are assigned employment in accordance with whatever employment is available on that particular day. For purposes of this definition, "day labor" means manual labor, such as construction cleanup, garbage pickup and removal, demolition, convention setup and takedown, landscaping, planting, and digging.
Funeral & interment services	Any place or premises devoted to or used in the care and preparation for burial of the body of a deceased person or maintained or held out to the public by advertising or otherwise as the office or place for the practice of funeral directing (source: RS 37:831). Examples include funeral homes, mortuaries or columbaria. (Note: cemeteries are classified under Public/Civic/Institutional - Assembly, below).
Crematorium	The building or portion of a building that houses the chamber for cremation and the holding facility.
Linen/Uniform Supply	Establishments that supply laundered items, such as table and bed linens; towels; diapers; and uniforms, gowns, or coats of the type used by doctors, nurses, barbers, beauticians, and waitresses.
Maintenance & repair services	An establishment providing repair services for personal and household goods, such as household appliances, computers, radio, television, audio or video equipment, office machines, furniture and leather goods, and metal sharpening. This classification excludes building maintenance services and maintenance and repair of automobiles and other vehicles and equipment.
Personal services	A business which provides a service to the general public. This includes, but is not limited to, barber shops, beauty shops/salons, laundries (including self-service), dry cleaners, tailors, seamstresses or dressmakers, taxidermist, pet groomers, photographers, wedding planning, wedding chapels, dating services, nail salons, massage establishments, tattoo parlors, and shoe shining or repair. This does not include social escort, bail bond, or other services listed separately.
Pick-up station (laundry and/or dry cleaning)	Establishments that accept from the public clothes or other materials to be laundered or dry-cleaned, and for which a charge is made. The laundering or dry-cleaning work is done by a laundry or dry cleaning establishment that is not on the premises of the pickup station.
Retail sales:	
Convenience store	Establishments that retail a limited line of goods that generally includes milk, bread, soda, alcohol and package liquor, and snacks, but not fuel sales for vehicles.
Convenience store (with gasoline sales)	Establishments that retail a limited line of goods that generally includes milk, bread, soda, alcohol and package liquor, snacks, and fuel sales for vehicles.
Nonstore retailers	Establishments that retail merchandise through online, mass media, telephone, mail, or similar methods (infomercials, direct-response advertising, paper and electronic catalogs, door-to-door solicitation, in-home demonstration, selling from portable stalls, vending machines, and similar methods). Examples include mail-order houses, vending machine operators, home delivery sales, door-to-door sales, party plan sales, electronic shopping, and sales through portable stalls (e.g., street vendors).
Nursery/Horticulture/ Farm Supply	A place for the propagation or sale of small trees, shrubs, garden supplies, and plants. This classification includes the sale of seed and feed, landscape materials, soils, and rental of landscaping equipment.
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 Retail, Limited (A) shall be limited to six thousand (6,000) gross square feet per lot.
Retail, limited (B)	An establishment engaged in the sale and/or rental of all goods permitted in Retail, limited (A) with not 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.
Retail, general	An establishment engaged in 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 and flea markets, auctions, and consumer goods rental/general rental centers.
Vehicles / Equipment:	
Auto and truck repair	An area used for major mechanical and body work, straightening of body parts, body repairs, battery rebuilding, painting, welding, short term (less than 72 hours) storage of automobiles not in operating condition, outdoor work on vehicles, or other work involving noise, glare, fumes, smoke, or other characteristics to an extent greater than normally found in auto service stations. Includes general maintenance activities including but not limited to replacement of filters, fluids, light bulbs, belts, fuses, and tire; emissions testing; and similar activities. Includes emissions testing services that test the emissions of automobiles or other vehicles to determine compliance with state or federal emissions requirements.
Automobile or vehicle dealership	A facility for the sale or rental of automobiles, motorcycles, trucks, tractors, construction or agricultural equipment, motor homes and RV
Building material sales &	Retailing, wholesaling or rental of building supplies or construction equipment. Examples include lumberyards, hardware

services	/ home improvement sales and services, paint, tool and equipment sales or rental establishments.
Car Wash	A building or part of a building with facilities for the simultaneous washing of automobiles. It does not include the additional activities permitted in "auto and truck repair".
Commercial and Industrial Machinery and Equipment Rental and Leasing	Establishments primarily engaged in renting or leasing machinery and equipment for use in business or industrial operations. These establishments typically cater to a business clientele and do not generally operate a retail-like or store-front facility. Examples include the sale or leasing of farm equipment and supplies, heavy equipment, office furniture or equipment, machinery tools (construction equipment sales and service), or off-highway transportation equipment.
Gasoline or diesel fuel sales	An area used exclusively for retail sales of fuels or oils. This use may have storage tanks and pumps, vehicle service and repair facilities conducted inside the building, or an accessory car wash.
Manufactured Home Dealers	Establishments primarily engaged in retailing new and/or used manufactured homes (i.e., mobile homes), parts, and equipment.
Truck stop	A structure or land intended to be used primarily for the sale of fuel for trucks and usually incidental service or repair of trucks. This includes a group of facilities consisting of those uses and attendant eating, sleeping, or truck parking facilities. As used in this definition, the term "truck" does includes any vehicle whose maximum gross weight is more than 10,000 pounds.
Public/Civic/Institutional	
Day Care:	
Adult day care	A licensed establishment operated and maintained to provide care or supervision during the day, such as social activities, minor health care assessments, meals, and recreation, for five or more persons 18 years of age or older. The facility is not used as a residence. The definition does not include halfway houses for recovering alcohol and drug abusers.
Child care facility, 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.
Child care facility, residential	A facility that is licensed as such by the State of Louisiana and provides for non-medical care to children, normally for periods less than 24 hours. It serves six children or less, and the operator is a resident of the site.
Assembly:	
Cemetery/mausoleum	A burial ground for the interment of the human dead or pets.
Church or worship center	A place of religious worship and instruction. Accessory uses requiring independent approval include (1) an associated private school, and (2) child care.
Exhibition, convention, or conference facility	A facility used for assemblies or meetings of the members or representatives of a group, such as convention centers and banquet halls. This does not include clubs, lodges, community meeting facilities, or other meeting facilities of private or non-profit groups that are primarily used by group members.
Club or lodge (private)	A non-profit association of persons which owns, rents, or leases a building, or portion thereof; the use of such premises being restricted to members and guests. This includes a fraternal organization.
Government / Non-Profit:	
Armory	A building or group of buildings used primarily for housing and training troops or for storing military property, supplies, or records.
Detention or penal institution	A facility where persons are detained pending adjudication or confined under criminal sentences. Examples include community correctional facilities, correctional facilities or juvenile detention facilities.
Vehicle / equipment maintenance facility	A facility providing maintenance and repair services for vehicles and equipment and areas for storage of equipment and supplies. This classification includes construction yards, equipment service centers, transit vehicle storage and servicing, and similar facilities.
Public Safety Facility	A facility for public safety and emergency services, such as police, fire protection, police and fire training facilities, and ambulance and emergency services, administrative facilities for emergency medical care, and blood and organ banks. This includes accessory transportation services and vehicle maintenance.
Social assistance, welfare, and charitable services	Establishments that provide social assistance services directly to clients such as children, elderly persons, disabled persons, homeless persons, or veterans. Social assistance may include food, medical relief, counseling or training. Examples include adoption agencies, youth centers (except recreational only), child guidance organizations, youth self-help organizations, foster care placement services, community action services agencies, marriage counseling services (except by offices of mental health practitioners), crisis intervention centers, multipurpose social services centers, family social services agencies, self-help organizations (except for disabled persons, the elderly, persons diagnosed with intellectual and/or, developmental disabilities), family welfare services, suicide crisis centers, hotline centers, telephone counseling services, community food services (includes collection, preparation, and delivery of food, clothing and blankets for needy persons).
Postal services	Establishments that provide mail services, including delivering items (such as letters and small parcels that can be handled by one person without using special equipment. Sorting and transportation activities, where necessary, are generally mechanized.
Educational:	
College / technical school	A "college" is a post-secondary educational institution authorized to award associate, baccalaureate, or higher degrees, or a seminary. A "technical school" is a specialized institution of learning which offers secondary or post-secondary instruction in business, trade, vocational, or other technical subject matter.
School (public or private)	An institution of learning which offers instruction in the several branches of learning required to be taught in the public schools of the state.
Personal instructional services	The provision of instructional services such as tutoring and exam preparation, language, photography, fine arts, crafts, dance or music studios, exercise studios, art studios, driving schools, employment training, diet centers, and beauty

	schools. This includes incidental retail sales, or light assembly and offices relating to training or instruction.
Medical:	
Hospital or sanitarium	A "hospital" is a place devoted primarily to the maintenance and operation of facilities for the diagnosis, treatment, or care for at least 24 hours in any week of 3 or more non-related individuals suffering from illness, disease, injury, or deformity, except homes for the aged or nursing or convalescent homes. A "sanitarium" is an institution for the recuperation and treatment of victims of physical or mental disorders.
Medical office, clinic, or laboratory	Examples include medical offices, laboratories, or facilities for medical, optical, orthotic, prosthetic, psychiatric, physiotherapy, surgical, or dental laboratory services, photographic, analytical, or testing services. A clinic is a building designed for or used by any combination of physicians, surgeons, dentists, psychiatrists, physiotherapists, or practitioners in related specialties, and who do not offer in-patient care.
Arts, Entertainment, & Recreation:	
Adult business	See Section 18-3 of the Code of Ordinances.
Civic Spaces	A park, playground, natural area, or open space that is open to the general public or on a non-profit basis. Examples include tennis clubs, central squares, neighborhood parks, recreational facilities, picnic facilities, public recreation areas, and accessory food concessions.
Cultural facility	An institution engaged primarily in the performing arts or in the display or preservation of objects of interest in the arts or sciences that are open to the public on a regular basis. Examples include performing arts centers for theater, dance and events, museums, historical sites, art galleries, artist/artisan studio or shop, libraries/reading rooms, zoos, aquariums and observatories.
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.
Health/fitness club	An establishment that offers exercise or weight control programs whether or not the business provides any other service. Examples include gymnasiums, martial arts schools, gymnastics schools, weight control establishments/reducing salons, health clubs, health spas, swimming pools, handball facilities, racquetball or tennis club facilities, tanning facilities, fitness facilities, and yoga or workout studios.
Recreational Facility, Indoor	Buildings or structures principally devoted to recreational activities or nongambling games, leisure and recreation services to the public or to members. Examples include the following uses when they are conducted indoor: ice or roller skating rinks, bingo parlors, billiard parlors, bowling centers, pool rooms, miniature golf courses, amusement arcades, tennis clubs, swimming pools, non-commercial community centers, play courts, shooting facilities, batting cages, go-cart or dirt-bike courses, skateboard areas, and water slides or water parks.
Recreational Facility, Outdoor or Major	Large, generally outdoor facilities, such as: outdoor roller or ice-skating rinks, sports stadiums and arenas; amusement and theme parks; racetracks; swimming or wave pools; entertainment complexes; amphitheaters; drive-in theaters; archery or shooting ranges; riding academies; miniature golf; golf courses, driving ranges, and country clubs; marinas; and similar facilities.
Theater	A facility with fixed seats for the viewing of movies or live presentations of musicians or other performing artists.
Industrial / Production	
Manufacturing & Employment:	
Contractor	The offices and/or storage 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.
Data Processing, Hosting, and Related Services (including data centers)	Establishments that provide infrastructure for hosting or data processing services. These establishments may provide specialized hosting activities, such as web hosting, streaming services or application hosting; provide application service provisioning; or may provide general timeshare mainframe facilities to clients. Data processing establishments provide complete processing and specialized reports from data supplied by clients or provide automated data processing and data entry services.
Dirt pit, sand pit or similar excavation	An excavation from which extracted dirt, clay, sand or gravel is or may be used at the same location or may be transported for use at a different location and which has one or more of the following characteristics: (1) Exceeds a total surface area of ten acres; or (2) The excavated area exceeds an average depth of 25 feet at any time after the commencement of excavation; or (3) The time needed for completion will exceed 180 days.
Industrial Services	A business that provides cleaning, washing, or similar services to industrial, manufacturing, medical or business establishments. An example includes commercial launderer that launders and dry cleans clothing and other fabric articles in bulk quantities, such as cleaning services for hospitals, restaurants, hotels, and similar clients, or rug and dry-cleaning plants.
Media Production	Establishments that produce, manufacture, arrange for the manufacture, or distribute motion pictures, videos, television programs, television commercials, and music and sound recordings. This includes specialized motion picture or video postproduction services, such as editing, film/tape transfers, titling, subtitling, credits, closed captioning, and computer-produced graphics, animation and special effects, and developing and processing motion picture film. Examples include motion picture film laboratories, stock footage film libraries, postproduction facilities, teleproduction services, and sound recording studios. It does not include graphics, editing, or similar work that occurs in an office (see Commercial / Mixed Use - Office category, above).
Mining & quarrying	The extraction of metallic and nonmetallic minerals, including sand and gravel pit operations.
Manufacturing, Light	The manufacturing or processing of materials employing electrical or other unobjectionable motive power, utilizing hand labor, or other unobjectionable machinery or processes, and free from any objectionable odors, fumes, lint, vibration, or noise. An example is jewelry manufacturing.
Manufacturing, General	Manufacturing of products, from extracted or raw materials, or recycled or secondary materials, or bulk storage and handling of those products and materials. These include apparel (including clothing, shoes, dress making), brooms,

	caskets, food/baking (including coffee roasting, creameries, ice cream, ice, frozen food, confectionery, and beverage), tobacco products, fasteners and buttons, gaskets, leather and allied products, medical equipment and supplies, mill work and similar woodwork, mattresses, musical instruments, novelties, office supplies, printing and print supplies, signs, sporting goods, textiles (including dyeing, laundry bags, canvas products, dry goods, hosiery, millinery), and toys. This includes similar establishments, and businesses of a similar and no more objectionable character. It also includes incidental finishing and storage. Goods or products manufactured or processed on site may be sold at retail or wholesale on or off the premises. This does not include any activity listed under Intensive Manufacturing.
Manufacturing, Intensive	Manufacturing of paper, chemicals, plastics, rubber, cosmetics, drugs, nonmetallic mineral products (such as concrete and concrete products, glass), fabricated metal products (including electroplating, hardware), primary metals, acetylene, cement, lime, gypsum or plaster-of-Paris, chlorine, corrosive acid or fertilizer, insecticides, disinfectants, poisons, explosives, paint, lacquer, varnish, petroleum products, coal products, plastic and synthetic resins, electrical equipment, appliances, batteries, machinery, and transportation equipment. This group also includes smelting, animal slaughtering and oil refining.
Oil and gas company (drilling and exploration)	Establishments that operate and/or develop oil and gas field properties. Activities may include exploration for crude petroleum and natural gas; drilling, completing, and equipping wells; operating separators, emulsion breakers, desilting equipment, and field gathering lines for crude petroleum and natural gas; and all other activities in the preparation of oil and gas up to the point of shipment from the producing property.
Research and development	The investigation into the natural, physical, or social sciences, and that includes product development or testing. This does not include research, engineering or similar activities that occur indoors in an office environment, which is classified separately under Commercial / Mixed Use - Office, above.
Oil and mining support activities	Establishments that support oil extraction or minerals mining, including exploration, sampling, excavating, drilling, surveying, and similar activities. This includes oil field service companies and oil field supplies and machinery.
Stone cutting	Establishments that cut, shape, and finish marble, granite, slate, and other stone for building and miscellaneous uses, or that buy or sell partly finished monuments and tombstones.
Warehousing, Storage & Distribution:	
Building and landscaping materials supplier	A business that sells building materials or landscaping where the majority of sales are wholesale transactions to other firms, not retail sales.
Building maintenance services	An establishment providing carpet cleaning, carpentry, roofing, exterminator, glazing, janitorial services, electrical repair, plumbing, heating and air conditioning (sales and service), upholstery, painting and paper hanging, sign painting, or rug cleaning.
Freight depot (railway and truck)	Distribution facilities upon which storage and warehousing of cargo is incidental to the primary function of freight shipment, and not to include any display of goods for either retail sale or wholesale. Includes both railway and truck freight transfers.
Fuel Distribution or Recycling	A facility dedicated to: (1) wholesale or commercial fuel storage and distribution, including petroleum, biodiesel, propane, butane, natural gas, or other similar fuels, to vehicles, machinery, or heavy equipment, or (2) the collection, storage, and processing of waste oil product for conversion into useable fuel products such as biodiesel, and may include storage and sales of resulting useable fuels. This does not include auto service stations.
Machinery and heavy equipment sales and service	The retail sales and accessory repair of construction, agriculture, excavation, and similar machinery and equipment, including tractor-trailers.
Self-service storage facility	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.
Oil & gas storage	A tank farm or outdoor facility to store oil and gas. Includes bulk plant (petroleum).
Outdoor storage	Materials, goods, vehicles, or equipment kept or placed outside an enclosed structure for twenty-four (24) hours or more. Includes pipe storage and sand and gravel storage yards.
Vehicle towing and storage facility	Establishments primarily engaged in towing light or heavy motor vehicles, along with incidental services such as storage and emergency road repair services.
Wholesale distribution, warehousing and storage	The storage of goods, and the sale of goods to other firms for resale, including activities involving significant storage and movement of products or equipment. Examples include warehouse or produce/fruit/food storage and wholesale structures, carting, express crating, hauling, cold storage, feed locker plants, dry goods wholesale, hardware storage, and wholesale, paper supplies, shoes, sporting goods, professional and commercial equipment and supplies merchant wholesalers (such as restaurant supply sales), and otherwise preparing goods for transportation. This may include fulfillment centers that combine storage with call centers.
Infrastructure	
Transportation / Parking:	
Airport	Any area of land or water which is used or intended for the landing and taking off of aircraft, and any appurtenant areas which are used or intended for use for airport buildings or other airport facilities or rights-of-way, including all necessary runways, taxiways, aircraft storage and tie-down areas, hangers, public terminal buildings and parking, helicopter pads, support activities such as airport operations and air traffic control, and other necessary buildings and open spaces. Includes dusting services.
Ground passenger transportation (e.g. taxi, charter bus)	Establishments that provide passenger transportation by bus, charter bus, automobile, limousine, van, or shuttle. Some services (such as taxi) are not operated over regular routes and on regular schedules. Examples include charter bus, special needs transportation, taxicab owner/operators, taxicab fleet operators, or taxicab organizations. This does not apply to publicly operated bus or mass transit systems. Includes fleet services that store, maintain, repair, fuel, and service two or more vehicles owned by a single commercial or public entity.
Heliport / miscellaneous	Facilities intended solely for takeoff and landing of helicopters, or for miscellaneous transportation vehicles for scenic

air transportation	purposes such as balloons.
Parking facility	A parking lot or a parking garage offering parking to the public and is the principal use of the premises. "Parking lot" is an off-street, ground-level, and open area for the temporary placement of operable motor vehicles. A "parking garage" is a multi-level structure for the temporary placement of operable motor vehicles. Automobile fuels and oils are not sold and motor vehicles are not equipped, repaired, hired, or sold in a parking facility
Railroad facilities	A facility for freight pick-up or distribution by rail. This may include specialized services for railroad transportation including servicing, routine repairing (except factory conversion, overhaul or rebuilding of rolling stock), and maintaining rail cars; loading and unloading rail cars; and independent terminals.
Railroad right-of-way	A strip of land with tracks and auxiliary facilities for track operation, but not including freight depots or stations, loading platforms, train shed, warehouses, car or locomotive shops, or car yards.
Passenger depot	Facilities for passenger transportation operations, and holding facilities, which includes rail stations, bus terminals, urban and regional transit stations and scenic and sightseeing facilities, but does not include airports and heliports. This includes accessory parking facilities. This does not include transit shelters, which are permitted in all districts.
Transit shelter	A roofed structure with at least three (3) walls located on or adjacent to the right-of-way of a street, and which is designed and used primarily for the protection and convenience of bus passengers.
Utilities:	
Utility, Major	A building or other structure for water supply (including water distillation) or wastewater treatment or the production of electricity, steam, air conditioning, hot water or chilled water for consumption by the general public.
Utility, Minor	All lines and facilities related to the provision, distribution, collection, transmission, or disposal of water, storm water, communications, electricity, transportation, gas, steam, and similar public services, and may include storage for vehicles and equipment necessary to provide those services. This includes facilities that are necessary to support legally established uses and involve only minor structures such as electrical distribution lines, water or sewer pumping stations, water storage facilities, telephone exchanges, switch boxes, transformer boxes, cap banks, and underground water and sewer lines. This does not include "communications facility" or "wireless communication tower" as defined below, which refer to the point of transmission rather than distribution systems such as cable networks.
Communications facilities:	
Communications facility	Broadcasting and other communication services accomplished through electronic mechanisms. Examples include radio, television or recording studios, switching centers and cable transmitting stations.
Wireless communication tower or antenna	Antenna support structures for mobile and land based telecommunication facilities, such as whip antennas, panel antennas, microwave dishes and receive-only satellite dishes, cell enhancers and related equipment for wireless transmission from a sender to one or more receivers, such as for mobile cellular telephones, mobile radio systems facilities and commercial radio service. This facility includes a monopole tower, a steel lattice tower and any self-supporting communication tower. This use may include an unmanned equipment shelter.
Weather or environmental monitoring station	A facility with instruments and equipment that measures atmospheric conditions (typically to provide current weather information or a basis for weather forecasts), air or water quality, soil conditions, or similar variables.
Waste-related:	
Hazardous waste disposal	A facility where hazardous or infectious waste material is incinerated, landfilled or put to other final disposition.
Hazardous waste transfer	A facility where hazardous or infectious waste is received and processed for transportation to another place for recycling, re-use, incineration or final disposal.
Junk yards	A facility or area for storing, keeping, abandoning, selling, dismantling, shredding, compressing, demolishing, or salvaging scrap, discarded material or equipment. This includes metal, paper, rags, tires, bottles, motor vehicles or motor vehicle parts, machinery, structural steel, equipment and appliances. Examples of "junkyard" include: (1) Facilities or sites for separating trash and debris from recoverable or recyclable resources, such as paper products, glass, metal cans and other products; and (2) Facilities or sites where damaged and/or wrecked and/or dismantled and/or partially dismantled motor vehicles are stored for periods of longer than 90 days; and (3) Facilities and sites where motor vehicle parts may be removed and stored, sold or salvaged.
Recycling plant	A facility in which recyclable material only is collected, processed, separated, and/or baled in preparation for shipment to others who will use those materials to manufacture new products. Recyclable material includes metals, glass, plastics, wood, paper, and other similar materials that may be used in the manufacture of new products. Recycling plants shall not collect vehicles for salvage, hazardous materials, compost, or rubbish.
Remediation Services	Establishments primarily engaged in one or more of the following: (1) remediation and cleanup of contaminated buildings, mine sites, soil, or ground water; (2) integrated mine reclamation activities, including demolition, soil remediation, waste water treatment, hazardous material removal, contouring land, and revegetation; and (3) asbestos, lead paint, and other toxic material abatement.
Solid waste	A fixed facility where non-hazardous wastes are taken from collection vehicles, temporarily stored, and ultimately relocated to a permanent disposal site. It does not include an incineration facility. Examples include transfer stations, disposal areas, and waste management services such as pumping (i.e., cleaning) cesspools, portable toilets, or septic tanks; cesspool cleaning services; sewer cleaning and rodding services; portable toilet renting and/or servicing; and sewer or storm basin cleanout services.
Agriculture	
Farming	Any parcel of land which is used for gain in the raising of agricultural products, livestock, poultry, or dairy products. It includes necessary farm structures within the prescribed limits and the storage of equipment used.
Poultry and egg production	Establishments engaged in breeding, hatching, and raising poultry for meat or egg production. Examples include hatcheries and poultry storage and dressing.
Community garden	A site operated and maintained by an individual or group to cultivate trees, herbs, fruits, vegetables, flowers, or other ornamental foliage for the following uses: personal use, consumption, donation or off site sale of items grown on the site.

Crop Agriculture	An area of land managed and maintained by an individual or group of individuals to grow and harvest food crops and horticultural products (including flowers, trees, and bees and apiary products) for off-site sale in locations where retail sales are an allowed use. Crop agriculture may be a principal or accessory use.
Community Supported Agriculture	An area of land managed and maintained by an individual or group of individuals to grow and harvest food and/or horticultural products for shareholder consumption or for sale or donation.
Accessory	
Accessory use (generally)	A use customarily incidental and subordinate to the principal use or building and located on the same lot with the principal use or building.
Accessory commercial uses	Commercial uses that are accessory to multi-family residential buildings.
Accessory farm use	Buildings, corrals, coops, stables or structures used in conjunction with farming or ranching.
Accessory schools	An educational use, such as a kindergarten, that is accessory to a multi-family residential building.
Accessory retail and personal service, office, or recreational use	A retail, office, or recreational use that is subordinate to and incidental to the primary use, that primarily serves the employees of the primary use.
Caretaker or guard	A home, apartment, manufactured home, or other unit built to residential occupancy standards for use as the residence of the caretaker or guard.
Construction yard	A temporary area used for the storage of construction materials, supplies, equipment, tools, stock piling and recycling of useable construction materials and other items as permitted including temporary storage containers, construction trailers and temporary office trailers.
Home occupation	A commercial use conducted within a dwelling unit by its resident(s), which is clearly secondary to the use of the dwelling for living purposes, and which does not change the residential character of the dwelling unit or its surroundings.
Model home complex / temporary real estate sales office	A "model home complex" is a group of at least two (2) dwelling units that are temporarily used for display purposes as an example of dwelling units available or to be available for sale or rental in a particular subdivision or other residential development approved by the City. Model homes may also incorporate sales or rental offices for dwellings within the development. A "temporary real estate sales office" is an office or a model home used to sell homes or buildings while the property is under development. The sales may occur in a permanent building, or in a trailer or manufactured home.
Parking garage, private	A space intended for or used by the private automobiles of households, businesses, government or non-business entities resident on the lot.
Pharmacy, accessory	A pharmacy or pharmacy supply facility accessory to a medical office, clinic, or laboratory that sells medical items where the total square footage does not exceed 10% of the building square footage. The accessory pharmacy is contained within the principal medical building.
Recreational facility, accessory	A recreational facility for the exclusive use of members and their guests, or solely for the use of employees of a permitted business use. This may include swimming pools, tennis courts, exercise facilities, and similar indoor activities. It does not include golf courses, which are classified separately.
Sign	See Supplemental Use Regulations.
Storage	Containers or bins that are used for on site temporary storage generally for the purposes of moving.
Miscellaneous	
Temporary Uses	See Supplemental Use Regulations.

89-22 Overlay Districts

The Louisiana Avenue Zoning and Development Overlay District and the Louisiana Avenue Interstate 10 Zoning and Development Overlay District, established pursuant to Ordinance 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.

89-23 89-24 Reserved

Amended March 2016

Lafayette Consolidated Government

Unified

Development Code

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Article 3. Development Standards

Purpose: this Article establishes general standards for all development in the Parish, including both unincorporated areas and the City. Specifically, this Article:

- *Implements the Comprehensive Plan (PlanLafayette),*
- *Ensures that new development and redevelopment mitigates impacts on the neighborhood and community, and*
- *Ensures that development is consistent with best practices for public safety, community design, and PlanLafayette.*

89-25 General

(a) Applicability

(1) This Article applies to the City of Lafayette and the unincorporated areas of the Parish, except where otherwise indicated. This includes applications for subdivision plat, rezoning, zoning application, conditional use, driveways, building, and work within the right-of-way permits.

(2) This Article applies to all developments, and to all rezoning, conditional use permits, subdivision plats, building permits, or certificates of occupancy, except where otherwise indicated.

(3) No permits as described herein are required for LCG sponsored work with the exception of building permits for building work, but the standards herein do apply to all LCG sponsored work

(b) Standards

(1) Public Facilities and Improvements. The proposed development or use must be served by public utilities, fire protection, police protection or other public services.

(2) LCG shall control the space allocation in street right-of-way and public servitudes.

(3) LCG shall control the space allocation in utilities servitudes as recommended by LUS.

(4) **Suitability of Land.** A proposed subdivision plat, conditional use permit, or rezoning request that increases allowable density or floor area must be located outside of areas subject to flooding, or that are topographically unsuitable for development; or that for any other reason are being unwisely or prematurely subdivided or developed.

(5) The developer and contractor responsible for the development shall acquire a free development permit from Public Works and LUS, if applicable, detailing the proposed improvements and adherence to these standards.

(6) All public infrastructure shall be designed and constructed in accordance with the applicable technical references including but not limited to LCG's Public Infrastructure Design Standards, Construction Specifications and LUS's Electrical Service Specifications.

(c) Variances or Modifications

(1) A variance or modification to a standard in this Article may be granted by the agencies listed in Table 89-25-1 below –

Table 89-25-1 Variances

Standard		Agency with Variance Authority	Process *(UDC reference)*
Access Management & Driveways	89-26	Planning and Zoning Commission For Driveways - PW	89-69
Building Height & Design	89-27	For Unincorporated Lafayette Parish – Planning and Zoning Commission For City of Lafayette – Board of Zoning Adjustment	89-69 89-68
Mixed Use Center Design Standards	89-28	Board of Zoning Adjustment	89-68
Mixed Use Building Standards	89-29	Board of Zoning Adjustment	89-68
Easements (Servitudes)	89-30	Planning and Zoning Commission	89-69
Fences	89-32	For Unincorporated Lafayette Parish – Planning and Zoning Commission For City of Lafayette – Board of Zoning Adjustment	89-69 89-68
Flood Damage Protection	89-33	Planning and Zoning Commission	89-69
Historic Preservation	89-34	Lafayette Preservation Commission	89-34
Improvement Guarantees	89-35	Planning and Zoning Commission	89-69
Landscaping, Buffers & Screening	89-36	For Unincorporated Lafayette Parish – Planning and Zoning Commission For City of Lafayette – Board of Zoning Adjustment	89-69 89-68
Commercial Lighting	89-37	For Unincorporated Lafayette Parish – Planning and Zoning Commission For City of Lafayette – Board of Zoning Adjustment	89-69 89-68
Lots & Blocks	89-38	Planning and Zoning Commission	89-69
Setbacks	89-38	For Unincorporated Lafayette Parish and complete subdivisions – Planning and Zoning Commission For City of Lafayette – Board of Zoning Adjustment	89-69 89-68
Parking & Loading	89-39	For Unincorporated Lafayette Parish – Planning and Zoning Commission For City of Lafayette – Board of Zoning Adjustment	89-69 89-68

Open Space	89-40	For Subdivisions or Unincorporated Lafayette Parish – Planning and Zoning Commission For Individual lots in the City of Lafayette– Board of Zoning Adjustment	89-69 89-68
Stormwater Improvements	89-42	Planning and Zoning Commission	89-69
Street Design	89-44	Planning and Zoning Commission	89-69
Street Names	89-45	Planning and Zoning Commission	89-69
Utilities	89-46	Planning and Zoning Commission	89-69

a. The agency approving the permit where the standard is applied as noted within the subsection, or

b. Any other agency or official designated in the section that establishes the standard, in which case subsection "a." above does not apply.

(2) A variance may be granted only if the applicant demonstrates that –

a. The variance, or an alternative standard proffered by the applicant, is consistent with *PlanLafayette*, and

b. Practical difficulties in the development and adequate use of land would result from the literal enforcement of the standard, and

c. The variance is in harmony with the general intent of the standard, and

d. The variance is consistent with public interest, safety and the general welfare.

(3) Any variance shall be in writing and specifically set forth in the permit issued.

(d) Name of Subdivision, Development, and Streets

(1) No subdivision shall bear the same name as another subdivision in the city or parish unless located on adjoining property.

(2) LCG policy is to preserve and promote the French language in Acadiana. Residential, commercial, and industrial developments are encouraged to include French names and terms wherever possible, particularly in reference to street names.

89-26 Access Management & Driveways

Purpose: this section establishes standards for public roads and streets which ensure that they work efficiently and safely accommodate all modes of travel (including pedestrian, bicycles, transit, and cars). Action Item (1.3.2)

(a) Applicability

(1) This section applies to the City and the unincorporated areas of the Parish.

(2) For developments along state routes, all requirements within this document apply as approved by the State.

(b) Definitions

In addition to Article 8, the terms and phrases used in this Section are defined below:

Commercial driveway Any passageway designed or intended for vehicular travel for a commercial or non-residential site between the street and any public or private area outside the street that is designed or intended to park –

- any commercial vehicle, or
- more than 3 passenger vehicles, or
- other than a single-family dwelling.

Lastly, all driveways to gasoline service stations are considered commercial driveways.

Residential driveway Any passageway designed or intended for vehicular travel for a detached single-family dwelling between the street and any point outside the street right-of-way that leads to any public or private area designed or intended to park no more than 3 passenger vehicles.

(c) Driveway Permit

(1) Applicability

Before constructing, relocating or altering structurally any driveway on a public road, a permit shall be obtained from PW if the work is not associated with a commercial building permit or with a residential building permit within a development with subsurface drainage. However, no permit is required for the construction of any driveways installed as part of the paving or widening of any street in accordance with plans approved by PW.

(2) Requirements

a. The grantee of any driveway permit shall furnish all materials, labor and equipment necessary for the construction of the driveways authorized in the permit. LCG shall not, as a policy, participate in the construction of any driveway, except when the driveway is part of an LCG sponsored project as set forth in subsection 1 above.

b. The permit is subject to approval as to location, design and driveway materials, as well as pipe size and grade, by PW.

c. All materials shall meet the specifications of LCG and shall be subject to approval of PW.

(3) Indemnification

The grantee of any driveway permit shall hold harmless LCG, its agents and employees against any action for personal injury or property damage sustained by reasons of the exercise of the permit.

(d) Design and Construction Standards

The following design and construction standards are subject to modification for compatibility with urban development, such as that located in a Mixed-Use Center, or an MX, D, or MN district.

(1) Number of driveways

a. Unless approved otherwise by PW, driveways must be spaced as indicated in the table below unless the speed limit on the adjacent roadway(s) is 30 mph or less and the lots are in a residential subdivision. Residential drives are permitted one per lot. Full access driveways may require modification (not allowing all movements) based on, but not limited to, sight distance, crash history, and the need for sufficient gaps.

	Posted speed limit (miles per hour)							
	25	30	35	40	45	50	55	60
Minimum distance between existing and/or proposed driveways (feet)	165	220	275	340	410	485	565	655

b. Joint access and cross access servitudes are required to maintain the driveway spacing in (a) above.

c. A Traffic Impact Analysis may be required by PW and/or the Planning Commission to determine information such as, but not limited to:

The expected volume and direction of traffic from the project and from surrounding development, existing street capacity, the street capacity resulting from funded improvements at the time of development, offsetting mitigation resulting from internal capture of trips, pedestrian and bicycle improvements, and public transit, and

Necessary improvements to existing and proposed roadway/driveway/parking lot infrastructure to accommodate trips generated by the proposed development in a safe, convenient and efficient manner.

(2) Residential Driveways

a. Residential driveways and/or parking pads shall be located no closer than 3 feet to any adjacent property lines and shall not conflict with line of sight regulations § 89-44(f) and shall not conflict with utilities servitudes. If the driveway or parking pad is designed and constructed to slope away from the adjoining side and/or rear property line, it may be constructed adjacent to the side and/or rear property line.

b. Circular driveways or parking pads with both access points on the same street are permitted according to the following conditions:

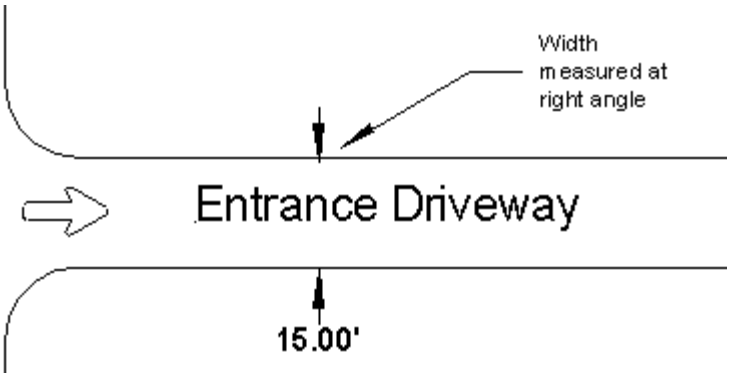
1. Existing or required sidewalk must be continued and maintained through the area according to applicable standards.

2. The sidewalk must remain parallel to the street.

3. If a green space is provided, it must be four-feet deep in relation to the street and at least ten-feet in length as measured by its point nearest the street.

(3) Width

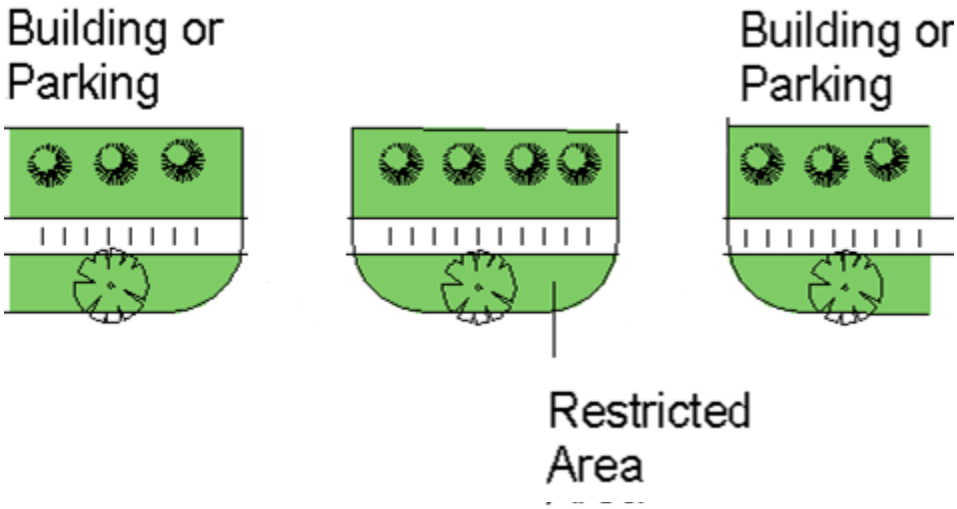
a. The width of entrance and/or exit driveways is measured at right angles to the driveway.



b. Minimum and maximum driveway width is as follows:

	Minimum Width *(feet)*	**Maximum Width** *(feet)*
Residential Driveways	12	24
Commercial Driveways	15	35

c. The area between driveways and on either side of the driveway shall remain unimproved for vehicular travel or parking. This area shall be considered restricted and may be filled only with sidewalks, landscaping, or stormwater facilities (as provided in subsection d, below). If a curb exists on the roadway, a permanent separation (i.e. 6" curb) from the roadway shall be present.



Note: for driveway construction detail see LCG Public Works Public Infrastructure Design Standards standard details

Image not to scale

d. The area between and on the side of entrances and exits, defined in subsection (c) as restricted areas, may be filled in or paved only when surface drainage is provided so that all surface water of the filled-in areas are carried away from the street roadbed in a suitable manner and the area does not interfere with any required landscaping or open space. The drainage opening beneath the filled-in area shall be adequate to carry the storm water, and the size of the opening and other design features shall be approved by PW.

(4) Separation from Street Intersections

a. When measured along the curbline or edge of the roadway, no driveway shall be located nearer than 30 feet to the projection of any intersecting street right-of-way line.

b. Commercial driveways must be at least 150' from a public street intersection.

c. Commercial driveways must be right-in, right-out when intersecting a dedicated public street turn lane.

(5) Angle of Intersection with Street. The angle formed by the intersection of the centerline of a two-way roadway and the centerline of a driveway shall be at least 60 degrees, except for an access driveway on frontage abutting a one-way street; then, the intersection of the centerlines shall be at least 45 degrees.
(City Code 1965, § 19-53(d))

(6) Sight Distance along Street. Refer to the street design standards (§89-44(f)). All entrance and exit driveways shall be so located that vehicles approaching or using them will be able to obtain adequate sight distance in both directions along the street in order to maneuver safely and without interfering with traffic.

(7) Parking pads adjacent to street right-of-way shall have a minimum length of 20' such that no part of the pad shall protrude into the street right-of-way.

(8) Encroachment on adjoining property or facilities. No driveway shall encroach upon any adjoining property or city-parish facility. The relocation of city-parish facilities may be authorized, however, if the construction of a driveway, as authorized in this section, will encroach on the facility. In that case, the relocation shall be completed by and at the expense of the owner or lessee of the property. Any work done in the relocation shall comply with the specifications of LCG or the public utility having control of the facility to be relocated.

(9) Separation of Motor Vehicle Service Structures from Right-of-Way. No service pump island, vendor stand or other structure designed or intended to be used to service motor vehicles shall be constructed closer than 20 feet to the street right-of-way.

(10) Drainage. Drainage in gutters and side ditches shall not be altered or impeded, and the applicant for a permit under this division must provide, at his expense, suitable structures approved by PW.

(11) Curbing, Grades, Sidewalk and Driveway Materials

a. The grades of the driveway and sidewalk shall be mutually compatible to provide an uninterrupted sidewalk grade for safe pedestrian movement and be in accordance with the Americans with Disabilities Act (ADA) and other applicable federal regulations.

b. Maximum slope of a driveway within the right-of-way is 1:10.

c. The driveway within the right-of-way shall be constructed of the same or more durable material as the adjoining street.

(12) Driveways Requiring Motorists to Back Out 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 streets designated collector or higher.

(e) Administration

(1) Inspections

PW may inspect driveways at or after the time of construction and require any changes needed to make the construction conform to applicable requirements. This subsection shall apply even if the driveway was constructed prior to its incorporation into the City of Lafayette or before the establishment of this section.

(2) Correction of violations and Assessment of Costs

a. After proper notification to the owner, LCG may enter those areas declared to be in violation of this Section and effect repairs of the area as needed to protect the public.

b. The Administrator shall not undertake any work until the owner or occupant of the lot, business or use has had the opportunity to do the work within 30 days after proper notice is given. Notice must be given to the owner or occupant, or to the agent of the leased or occupied premises. Proper notice shall consist of notification by certified mail to the last known address of the owner as reflected by the assessor's tax rolls in and for the parish. If the property is not leased or occupied, the Administrator must provide notice by advertisement in the City-Parish official journal for 2 consecutive days.

c. The actual cost to LCG in having the work performed, and any necessary, reasonable and required administrative charges, is declared to be a charge, cost or expense of the property, lot, place, structure, house, business or area where any repairs or maintenances are performed. Expenses shall be collected in the manner fixed by law for the collection of taxes and are subject to the same penalties for delinquencies. The Administrator shall demand of the owner of the property the payment of such charges, costs or expenses, by written notice to the owner of the property. If the costs or expenses are not paid within 30 days after demand, the Administrator shall, after due notice as stated in this section, send an attached bill of the costs and expenses to the Support Service Manager for the Lafayette Utilities System, who shall add the amount of the bill to the next tax bill of the owner. The Administrator shall have recorded, in the mortgage office of the parish, an attached bill showing the cost and expense of the work and the place or property on which the work was done, so as to establish for LCG a lien and privilege securing the payment by the property owner of the charges, costs and expenses.

(3) Removal of Noncomplying Culverts or Drainage Grates

After giving a property owner 30 days written notice of the noncompliance, LCG may remove any culvert or drainage grate, with its accompanying drop inlet or curb inlet, for noncompliance with standards set by LCG. The cost and charges for these repairs are assessed in the same manner as outlined in subsection 2 above.

(f) Maintenance

(1) Maintenance of sidewalks and bikeways passing through driveways

Where a sidewalk or bikeway passes through, traverses or intersects a driveway, commercial or residential, and becomes a part of the driveway, the maintenance and repair of that portion of the sidewalk or bikeway is the property owner's responsibility.

(2) Responsibility for maintenance

The entire maintenance of any driveway, whether it is located on private or public property, or both, is the property owner's responsibility. This does not apply where damages are caused by failure of subsurface structures or utility connections owned by LCG or other utility. The maintenance

responsibility includes the driving surface, the parking area and anything located within these areas, such as drainage grates, curb or drop inlets and sidewalks.

(g) Abandoned Driveways

(1) A driveway is "abandoned" if:

a. The parking or land use is situated so that the driveway is not useable or not needed; or

b. The buildings or other structures are remodeled or situated on the property so as to prevent a vehicle from parking completely on the property.

(2) When a driveway is abandoned, PW may order the replacement of the curbing and/or sidewalk so as to effectively close the driveway.

(3) When any abandoned driveway is closed for the reasons set forth in subsection (1) above, PW shall notify the property owner in writing of the work to be done. Upon notification thereof, the property owner shall proceed to perform such work at his/her own cost.

(4) If, within 30 days after notification, work is not started on the installation of the curb and/or sidewalk as set forth in the notification, the work may be done by LCG and all costs thereof assessed to the property owner. The cost and charges for these repairs are assessed in the same manner as outlined in subsection (e)(2) above.

89-27 Building Height & Design

Purpose: This section establishes design guidelines that reinforce existing and/or desirable characteristics and ensure compatibility with surrounding properties. Action Items (1.2.1, 2.4.1, 3.13.1)

(a) Height Measurement

(1) Structure height is measured in number of stories.

(2) A "story" is defined by LCG's adopted Building Code.

☝ *Note: the International Building Code defines a "story" as "that portion of a building included between the upper surface of a floor and the upper surface of the floor or roof next above (also see "Basement" and "Mezzanine"). It is measured as the vertical distance from top to top of two successive tiers of beams or finished floor surfaces and, for the topmost story, from the top of the floor finish to the top of the ceiling joists or, where there is not a ceiling, to the top of the roof rafters.*

(3) An attic is not a story if at least 50% of the attic floor area has a clear height of less than 7½ feet; measured from the finished floor to the finished ceiling.

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

(b) Bulk Plane

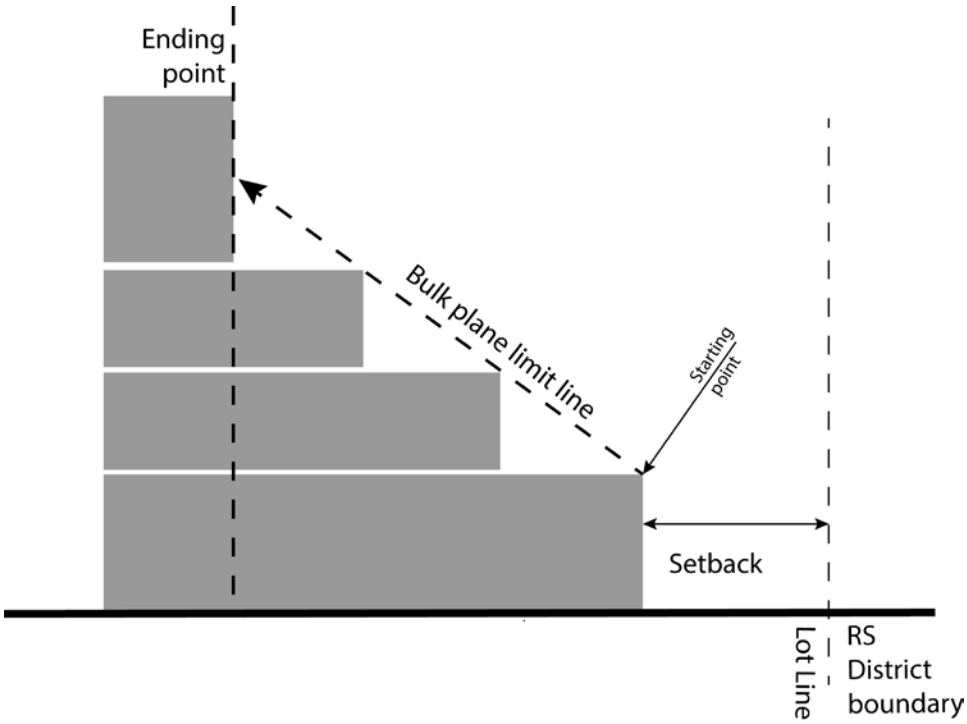
(1) The zoning district regulations (Article 2) establish bulk plane requirements for each zoning district. The bulk plane establishes a setback line for buildings and structures based on their height and distance from the side or rear setback line.

(2) The bulk plane requirements have 3 elements:

a. **Starting point**. This is the point from which the bulk plane is measured. It is measured in stories above the setback line. For purposes of this subsection, a story is considered 12 feet in height measured from average grade if a building is below the maximum height at the starting point. *For example, the bulk plane requirement may specify 3 stories for the first 20 feet from the setback. The starting requirement in that instance is 3 stories above average grade at the setback line. If a building is only one or 2 stories at the setback line, the starting point is 36 feet (3×12).*

b. **Bulk plane limit line**. This is an imaginary line measured from the starting point to the ending point, which establishes the maximum building height based on the building's distance from the starting point.

c. **Ending point**. The zoning district regulations may establish a point beyond which the bulk plane requirements do not apply. There is no limit on building height beyond that point.



(3) For purposes of measuring the bulk plane, the side or rear setback line refers to a minimum setback line, and not a maximum setback line.

(c) Height Exceptions

The following accessory structures are not subject to the height limits in the bulk plane (subsection (b) above):

- Amateur communications tower;
- Cooling tower;
- Clerestory;
- Chimney and vent stack;
- Elevator penthouse or bulkhead;
- Flagpole;
- Mechanical equipment room;
- Ornamental cupola or dome;
- Skylights;
- Solar panels;
- Spire, belfry;
- Stairway access to roof;
- Tank designed to hold liquids (may be a primary use of the lot);
- Visual screens surrounding roof mounted mechanical equipment; and

- Parapet wall, limited to a height of four feet;
- Roof top deck;
- Wind turbines and other integrated renewable energy systems.

89-28 Mixed Use Center Design Standards

Purpose: this section establishes guidelines and provides standards for Mixed Use Centers

(a) Application

(1) The MUC is subject to a Master Site Plan. The Master Site Plan shall demonstrate compliance with the standards listed in this Chapter and may include an illustrative plan to demonstrate feasibility and ability to meet minimum intensity thresholds.

(2) A Mixed Use Center (MUC) may be applied for through an owner-initiated rezoning, or initiated by LCG.

(3) An applicant for an owner-initiated rezoning may combine the Master Site Plan with a preliminary plat and a development agreement. LCG will not approve a property owner-initiated rezoning until a development agreement is approved or concurrent with the development agreement.

(b) Mixed Use Center Development Area

(1) The MUC shall not exceed 150 acres.

(2) If the proposed development would exceed the maximum size, the development shall be split into multiple MUC's to provide adequate mixing of civic and commercial opportunities.

(c) Land Use Allocation

(1) An MX district is a portion of a Mixed Use Center that includes a Center and Common Open Space, and may be eligible for Supporting Uses on "B" Streets that are designated on the Master Site Plan.

District or Area	Description
Center	A Center is the focal point of a mixed-use development or Master Site Plan, and contains a mix of retail, commercial, civic, and/or public services, and residential uses. A neighborhood center area is pedestrian-oriented. These areas are integrated with surrounding areas zoned MX, MN, or RM through a continuous network of streets, sidewalks, trails, and civic spaces. MX includes several different categories of building and site design standards to reflect anticipated buildout, phasing, transitions in scale, and market conditions. Several categories of MX are provided to reflect differences in building scale, market demand and commuting patterns throughout the community.
Civic and Open Spaces	Common and open space spaces serve as areas for community gathering, landmarks, and as organizing elements for the neighborhood. These include squares, plazas, greens, preserves, parks, and greenbelts. These are permitted in either the MX or MN areas, and standards are provided below.
Supportive Uses	A property owner-initiated MUC that includes at least 50 acres, or an LCG-initiated zoning designation or rezoning, may include Supportive Uses. These are commercial, light industrial, large office and low-impact manufacturing uses that have flexible site and building design standards. This gives applicants the flexibility to incorporate these uses as anchors that support the balance of the development, and provide access to services or shopping that would not otherwise become available to nearby residents or employees. These areas are limited to designated **"B" streets** in order to maintain the function and appearance of a compact neighborhood.

(d) Zoning Districts

(1) The MUC shall include a variety of zoning districts, including MX, RS (1&2), RM (1&2), MN, and CM.

(2) The MX zoning district is only available within an MUC as shown on a Master Site Plan.

(3) 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	●	●

CM	●	●

● = MN and CM may not exceed the area of the MX district.
MX + (MN + CM) may not exceed 50% of MUC.

(e) Intensity Threshold

The following density requirements supersede the minimum lot sizes established in Article 2 for the supportive zoning districts.

Use or Zone	Minimum
Residential	10 units per gross developable acre
Commercial	10,000 sf per 10 acres of MUC
MX	15 units per gross developable acre, unless otherwise provided in a development agreement

(f) Open and Civic Spaces

(1) If the MUC is 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.

(2) Required open and civic spaces for Site Category 1, shall total 10% of the overall site area. Required open and civic spaces for Site Category 2, shall total 15% of the overall site area. See Section § 89-40 for definitions.

(3) If the MUC meets the required percentage of open space as shown on a Master Site Plan, then individual lots within the MUC do not need to provide additional open space. If the Master Site Plan does not meet the required open space, the applicant shall indicate the lots or parcels that will provide the open space or provide an allocation system in the development agreement to meet the open space obligations.

(4) An MUC shall reserve at least **5% of the open space** as **civic space**.

a. Civic spaces include greens, plazas, squares, courtyards, boulevard pathways, or historic/cultural sites (see § 89-40).

b. The MUC shall establish **at least one square, plaza,** or **green**.

c. All areas within the MUC shall be located **within 1,000 feet** of a civic space.

(5) All streets must connect to another street to form blocks, or shall provide a connectivity ratio of at least 1.6 (see § 89-44).

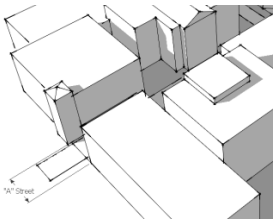
(6) No block shall have a perimeter greater than 2,000 feet as measured along the adjoining property line or lines.

(g) Streets

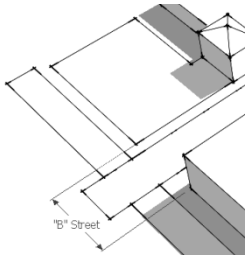
Purpose: street types within the MX district encourage pedestrian activity and accommodate multimodal activity.

(1) To implement LCG's design objectives while providing market flexibility, an MX district is divided into "A" Streets and "B" Streets, as follows:

An "A" Street is a street with frontage that is restricted to building types and uses that promote pedestrian activity, and which benefit from pedestrian and/or transit access. A street is classified an "A" Street unless otherwise designated on the Zoning Map or a Master Site Plan.



A "B" Street is a street that permits front-loaded surface parking, retail and service uses, and single-story buildings. A "B" designation may be considered an interim designation as part of a phased development plan. The total length of all "B" type streets shall not exceed 35% of total streets within the MUC.



(2) If a property owner initiates an MUC, the Master Site Plan shall designate "A" and "B" streets. After the MUC is approved, "A" and B" streets will be designated on the zoning map.

(3) If LCG initiates an MUC, "A" and B" streets will be designated on the zoning map.

(4) The compact street type cross section will be made available by PW.

(h) Site Design

Purpose: This section establishes standards for site design that are divided into Category 1 and Category 2, described generally as follows:

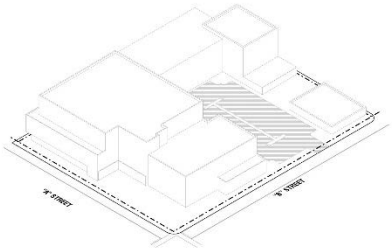
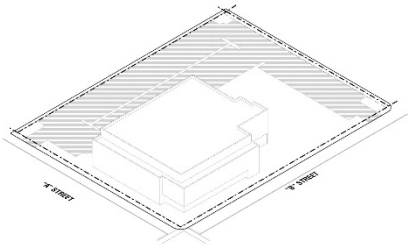
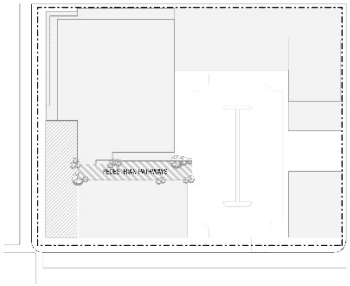
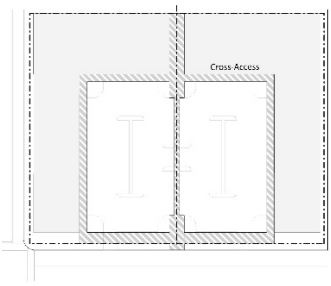
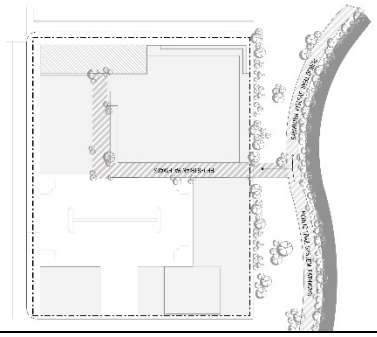
Element	*Site Category 1*	*Site Category 2*
Building Placement	*Buildings located at or near the sidewalk edge*	*Buildings may be set back to accommodate parking and landscaping*
Parking	*Parking is located to the rear or side of buildings in small modules, and is limited in quantity.*	*Parking set back from the sidewalk edge in landscaped lots, and is sufficient to accommodate current demand.*
Pedestrian Circulation	*Buildings line the street or are connected by entries or civic spaces. Sidewalks and paths connect to neighborhoods and civic spaces.*	*Buildings may connect to the street through parking areas and landscaped paths. Sidewalks and paths connect to "A" Streets, civic spaces, or neighborhoods.*
Vehicular Circulation	*Streets are highly connected, with narrow drive lanes, limited curb cuts, and off-street connections between parcels*	*Moderate drive lanes, limited curb cuts, and off-street connections between parcels.*
Open / Civic Space	*Open space is urban in character, and may be planted (such as plazas) or hardscaped (such as courtyards), vegetated (such as parks), or a combination (such as parklets).*	*Open space is urban or suburban in character, and ranges from buffered walkways to playgrounds in shopping areas.*
Landscaping / Buffers	*Limited urban landscaping to promote pedestrian orientation and reduce visual impacts of parking.*	*Landscape buffer adjacent to single-family*

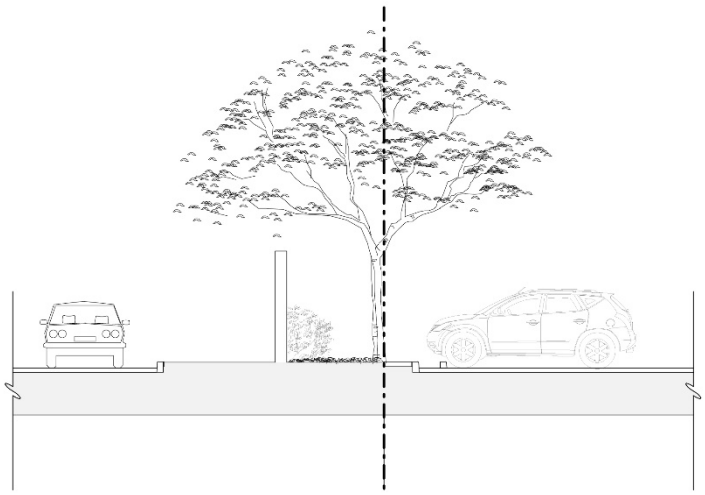
Under PlanLafayette, Site Category 1 is the preferred outcome. Site Category 2 is allowed in an MUC, but are limited as provided for "B" streets above, and as provided in the site design standards below.

(1) Site Categories. Standards for Site Category 1 apply to all development with frontage on an "A" Street. Standards for Site Category 2 apply to development with frontage only on a "B" Street.

Site Elements. The required and permitted elements for Site Categories 1 and 2 are as follows:

Site Element	Definition & General Requirements	Site Category 1	Site Category 2
Parking	• This establishes the location and size of parking areas. • The reduced parking ratios established	• Required parking spaces are reduced to 50% of those otherwise required, and are limited to 120% of the required spaces (see	• Required parking spaces are reduced to 50% of those otherwise required (see § 89-39). No maximum applies.

Site Element	Definition & General Requirements	Site Category 1	Site Category 2
	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.	§ 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.	• Parking may be located between the street and the principal building, except where, pursuant to § 89-39(d), parking is required to be located at the rear or side of a building . Front and interior landscaping requirements apply.
			
Pedestrian Circulation	Pedestrian connections include: *(see § 89-39 for definitions)*		
	• Pedestrian pathway	Front-loaded spaces only	Required
	• Cross-access connections	Required	Required
	• Connections to public trail systems	Required	Required
			
Land-scaping	• Standards and definitions are provided in § 89-36.	Not required except for parking frontages. Rear, interior or alley-facing parking areas are exempt.	Required as provided in § 89-36.



89-29 Mixed Use Building Standards

(a) Applicability

This section applies to all buildings within the MN, CM, and MX districts of an MUC except as noted.

(b) Building Interface

(1) General: The building interface applies to all districts except the CM.

(2) Primary Building Entry: Habitable space at the Front Lot Line shall have its primary entry(s) within the Front Setback Area.

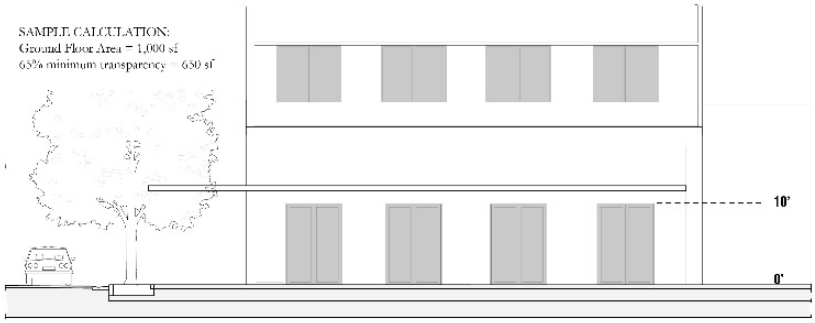
(3) Commercial Buildings

a. Minimum Glazing: Facades facing "A" Streets shall be glazed with at least 50% of the first story measured between 0 feet and 10 feet of the sidewalk. Facades facing "B" Streets shall be glazed with at least 30% of the first story measured between 0 feet and 10 feet of the sidewalk. Mullions, muntin, and frames that are no wider than 4 inches are considered part of the glazed area.

b. Glass Transparency: All glass shall be transparent with a maximum 15% reflectivity. Any window tinting, graphics, and interior affixed window shades that create a permanent opaque or translucent condition are prohibited, except for allowed signs.

c. Setback Landscaping: Setbacks shall be paved and shall be available for outdoor dining and furnishing where the minimum sidewalk width is established (see § 89-44).

d. Shading of Private and Public Frontage: In addition to shade provided by street trees where they are provided, shading of the private and public frontage can be achieved through galleries or awnings.



(4) Residential buildings

a. Minimum Glazing: Facades shall be glazed with at least 25% of the first story measured between 2 feet and 10 feet of the sidewalk.

b. Glass Transparency: All glass shall be transparent with a maximum 15% reflectivity. Window tinting and interior affixed window shades that create a permanently opaque or translucent condition are prohibited. Window shading and privacy can be achieved through interior adjustable window treatments, and/or operable exterior shutters.

c. **Raised Ground Story Access:** Access to the required minimum 24 inch raised residential ground story can be achieved through exterior or interior steps and ramping.

d. **Flex buildings:** The raised residential ground story requirement does not apply where:

The ground story at the front elevation to a minimum depth of 18 feet is built to a commercial building standard;

No other residential room is in the ground floor;

There is a separate entry for the Residential and Commercial areas of the building, and a lockable interior connection between the areas.

e. **Shallow Setback Landscaping:** After minimum sidewalk requirements are met, setbacks less than 6 feet may be landscaped or paved.

f. **Deep Setback Landscaping:** After minimum sidewalk requirements are met, setbacks over 6 feet of the sidewalk shall be landscaped.

g. **Deep Setback Planter Wall:** After minimum sidewalk requirements are met and where setbacks from the sidewalk are greater than 6 feet, a landscaping wall shall be built at the perimeter of the yard. The landscaping wall shall measure at least 18 inches in height and 4 inches in depth. A side wall is not required where the planter wall is continuous to an abutting yard.

(5) Building Attachments: Galleries and Awnings are not required. Galleries and Awnings shall not overlap the sidewalk and/or encroach into the public right-of-way unless permitted by PW and LUS.

(6) Upper Story Facade Requirements: Glazing above the first Story Façade shall be at least 20% of the Façade wall area.

a. Low pitch or flat roofs on new buildings shall be enclosed by a parapet that is at least 3 feet in height, or as necessary to screen the view of mechanical equipment from the sidewalk. Existing buildings shall screen mechanical equipment through a parapet or by other means.

b. Upper story balconies can extend over public sidewalk to maximum depth of 4 feet.

(7) Development over Accessways: To achieve a connected street wall and for more efficient use of land, buildings may extend over pedestrian and vehicular Accessways to internal blocks as follows:

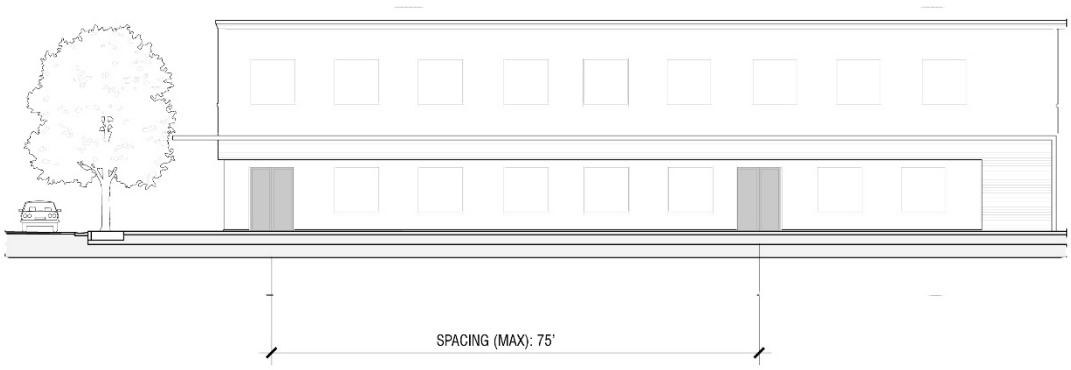
a. Required Pedestrian Passages shall form a continuous minimum at-grade opening of 12 feet from sidewalk to ceiling height and a width of 8 feet.

b. Vehicular access to structured and surface parking having the following unobstructed dimensions:

a minimum opening height of 10 feet in height, or 14 feet in height when over a shared alley or street with service or emergency functions; and

a minimum width of 12 feet, or a minimum width of 20 feet (18 feet curb face to curb face minimum) when over a shared alley or street with service or emergency functions. The maximum width of the opening shall be 24 feet.

(8) Entrance Spacing: Buildings along a class A Street shall have a maximum spacing between entrances of 75 feet. This distance is calculated from midpoint of the entrance to midpoint of the following entrance.



(9) Building Facades:

a. Buildings located in the MN district shall be no wider than 100 feet. If the building is greater than 100 feet then it shall have separate Building Facades treatments no wider than 100 feet.

b. Buildings located in the MX and CM districts shall be no wider than 200 feet. If the building is greater than 200 feet then it shall have separate Building Facades treatments no wider than 200 feet.

(c) Architectural Features

a. Buildings shall include the following number of architectural features (A color rendering will be required at permitting to satisfy this requirement):

Building Size	Number of architectural features
Up to 50,000 square feet	1
50,000 square feet	4
100,000 square feet or 200 feet of continuous building plane	5

b. The following are examples of the required types of design features:

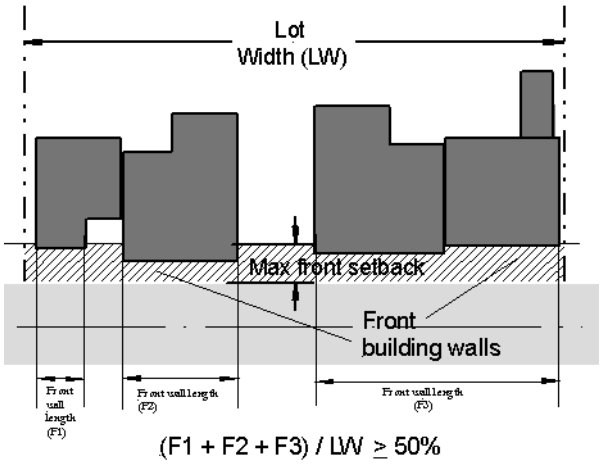
- horizontal recesses, projections, or off-sets
- vertical reveals, projections, or off-sets at least 1' wide and an average of every 30' of horizontal elevation
- porches
- breezeways
- courtyards
- awnings or canopies
- alcoves
- peaked roof forms
- arches
- outdoor patios
- architectural details such as tile work or moldings integrated into the façade
- integrated planters or wing walls
- accent materials
- varied roof heights
- premium roofing materials such as tile or standing seam metal

- recessed entries
- ornamental cornices
- display or other ornamental windows
- tower features
- similar design features approved as a condition of rezoning, conditional use permit approval, or certified by a registered architect

(d) Frontage Buildout

Frontage buildout refers to the area between the minimum and maximum front setback that is occupied by building elevations. Building elevations are counted towards frontage's buildout requirements only if they meet the building interface standards in subsection (b) above.

Unless the zoning district regulations establish a different requirement, building walls shall occupy at least 50% of the lot width at the maximum front setback lines.



89-30 Servitudes (Easements)

Purpose: this section provides standards for the location, width, and maintenance of servitudes/easements to ensure that public infrastructure is adequately maintained. Action Item (3.15.5)

(a) Applicability

(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, 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.

(3) The term "servitude" may be used interchangeably with the term "easement" as found throughout this Chapter.

(b) Generally

(1) Public Servitudes across lots or centered on rear or side lot lines shall be provided as necessary.

(2) The location and width of private servitudes must be coordinated with any individual private utility companies involved.

(3) Public servitudes located along the outer boundaries of a plat must contain the full width required for the servitude unless the adjacent property is within a portion of a previously approved plat and under the same ownership as the property being platted or where additional servitude is dedicated by separate instrument by the owner of the adjacent tract. In those cases, one-half (½) of the required

servitude width may be dedicated within the plat boundary by separate instrument or through notation on the plat certifying the ownership and dedication of the servitude.

(4) All existing servitudes which traverse or border any property planned for development under these regulations must be indicated on the subdivision plat and site plans submitted to the Planning and Zoning Commission for approval.

(5) LCG shall control the space allocation in utilities servitudes.

(6) No permanent buildings, overhangs, or obstructions shall be placed in the public servitudes. For quasi-permanent structures, fences, plantings, and temporary obstructions see below.

(7) Quasi-permanent structures may be constructed in the required servitude, only if:

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.

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.

(c) Utilities Servitudes

(1) Public utility servitudes may be used for, but not limited to, facilities necessary to provide water, electrical power, natural gas, fiber, telephone, telegraph and sanitary sewer services.

(2) Public utility servitudes shall have a total width of at least 10 feet. A ten-foot by ten-foot (10'x10') niche is required at all property corners fronting streets. The niche may be centered on the property line such that five feet of the width is on each side of the property line. Deviations from this general requirement shall be subject to approval by LUS for city property and LCG for unincorporated property.

(3) Storm sewers or open drainage ways must not be constructed within public utility servitudes unless specifically approved by LCG and where additional servitude width is provided to conform to the standards established above for utility servitudes.

(d) Drainage Servitudes

(1) Where a subdivision is traversed by a water course, drainage way, channel, or stream, the applicant shall provide a drainage and access servitude at least 20 feet in width on each side of the water course and conforming substantially with the water course's lines and a drainage servitude for the location of the water course, the same being necessary to ensure proper drainage, minimize flooding, and accommodate the movement of equipment, manpower and materials along such water course for

maintenance. If the water course, drainage way, channel, or stream is identified on the Official Drainage Map, there shall be provided a drainage and access servitude of at least 30 feet in width on each side and conforming substantially with the water course's lines and a drainage easement for the location of the water course, the same being necessary to ensure proper drainage, minimize flooding, and accommodate the movement of equipment, manpower and materials along such major water course for maintenance. The easement shall include further width and/or construction where needed to accommodate drainage flows. Notwithstanding the foregoing, if the Director of PW or his designee should determine that the public interest in effective drainage and flood prevention can be served by a servitude of narrower width than prescribed above, then the Director may require a servitude of reduced width, provided that the same is sufficient to ensure proper drainage, minimize flooding and allow the movement of equipment, manpower and materials along the channel for maintenance.

(2) Storm sewers or open drainage ways must not be constructed within public utility servitudes unless specifically approved by PW and where additional easement width is provided to conform to the standards established above for drainage servitudes.

a. The drainage servitude, for sub-surface drainage not adjacent to a public roadway, shall be a minimum of 20' and meet the requirements of PW.

(3) The property owner shall not permit drainage across the servitude into the water course except by natural means. If drainage across the servitude is requested, any drainage structure must be approved by PW or other authorized public drainage or flood control official.

(e) Private Servitudes

(1) This subsection applies only to the unincorporated areas of the Parish and City of Lafayette.

(2) All private servitudes created prior to the subdivision of any tract of land must be shown on any subdivision plat as provided in Article 10.

(3) If the holder of an undefined servitude does not define the servitude involved, the subdivision plat must –

a. Provide accurate information as to the center line location of all existing pipelines, pole lines, or other utility facilities that conform with the servitude holders rights, and

b. Establish building setback lines 15 feet from and parallel with both sides of the center line of all utility facilities identified in subsection "a" above.

(4) Special Use Servitudes

a. The establishment of special use utility servitudes may be provided on a subdivision plat when –

The servitude accommodates a utility facility owned, operated and maintained by a unit of government and is restricted to either water mains, sanitary sewers, storm sewers or for drainage purposes; and

PW determines that these facilities cannot or should not be accommodated within a general purpose public utility servitude or public street right-of-way.

b. Servitudes proposed to be established for any private utility company or private organization providing utility services and restricted for their exclusive use may be shown on a subdivision plat.

c. The private utility facilities can be accommodated and placed within the general purpose public utility servitudes, public streets and alleys established within the plat boundary.

d. This subsection does not prevent the private utility companies or the subdivider from granting and establishing special or exclusive use servitudes by separate instruments if those arrangements are deemed necessary to properly serve the properties within the plat boundaries.

(f) Cross Access Easement / Servitude

(1) A "cross access easement or servitude" includes –

a. Public access easement / servitude (joint use) for vehicle / pedestrian access from the public roadway to two or more properties, or

b. Public access easement / servitude (cross access) for vehicle / pedestrian access across multiple properties generally parallel to a public roadway.

(2) If the Administrator or approving agency finds that internal circulation between adjoining properties will avoid a reduction in the level of service (LOS) of adjacent streets, the applicant shall provide a cross access easement or servitude between the properties.

89-31 Covenants & Restrictions

(a) Applicability

This section applies to any subdivision plat.

(b) Requirements

(1) LCG does not enforce the private provisions within covenants or deed restrictions.

(2) If required, deed restrictions, covenants, or maintenance agreements shall be submitted to provide for public protection and maintenance of the development. Those deed restrictions or covenants, however, shall not contain reversionary clauses where any lot shall return to the subdivider because of a violation of the terms of the restrictions or covenants.

(3) All covenants and/or restrictions for a development's public infrastructure/maintenance agreement shall be referenced on the Final Plat or provided to LCG prior to final plat approval.

89-32 Fences

Purpose: this section is in accordance with Action Item 1.1.4 of PlanLafayette.

(a) Applicability

This section applies only to the City of Lafayette and unincorporated Lafayette Parish.

(b) Location

(1) Fences may be erected along the boundaries of a lot or required setback, unless a specific restriction is provided in another part of this Chapter (see Sections 89-30(b) and 89-38 (e)). Additional fences may be erected within required setbacks.

(2) No fence foundation may conflict with public servitudes or public infrastructure – i.e. water, electrical power, natural gas, drainage, storm sewer, or other utilities as defined by Article 8. Any damage to the public infrastructure shall be repaired and paid for by the fence owner. If, within 30

days after notification of damage, work is not started on the repairs as set forth in the notification, the work may be done by LCG and all costs thereof assessed to the property owner. The cost and charges for these repairs are assessed in the same manner as outlined in section 89-26 (e)(2).

(3) Fences may not block the function and flow of the public storm water system and shall not block the function and access to utilities facilities, unless approved by LUS

(c) Advertising

In the unincorporated Parish, fences shall not contain any poster, graphics or advertising of any kind, except for one sign of the owner, lessee, operator or licensee of the premises, on each street frontage. The sign shall not exceed 100 square feet in area.[i]

(d) Screening and Privacy Barriers

See § 89-36.

89-33 Flood Damage Protection

Purpose and intent: It is the purpose of this Section to promote the public health, safety and general welfare and to minimize public and private losses due to flood conditions in specific areas by provisions designed to:

- *Protect human life and health and property; and*
- *Minimize expenditures of public money for costly flood control projects; and*
- *Minimize the need for rescuer and relief efforts associated with flooding and generally undertaken at the expense of the general public; and*
- *Minimize prolonged business interruptions; and*
- *Minimize damage to public facilities and utilities such as water and gas mains, electric, telephone and sewer lines, streets and bridges located in floodplains; and*
- *Help maintain a stable tax base by providing for the sound use and development of flood prone areas in such a manner as to minimize future flood blight areas; and*
- *Ensure the potential buyers are notified that property is in a flood area.*

⇔ *Refer to § 26-681 to 26-800 for additional information.*

Action Item (10.4.1)

(a) Plat and Elevation Requirements: The following requirements shall apply to all residential, commercial, industrial and other nonresidential developments**:**

(1) Residential and Non-Residential Floor Elevations: Lots within developments proposed for residential, commercial, industrial or other nonresidential developments shall be designated as being in or out of the one hundred (100) year Flood Zone including Floodway as per the effective FEMA F.I.R.M and any subsequent updates. The plat shall state the following:

a. "Any structure, enclosed on three or more sides, built or placed on property in the one hundred (100) year Flood Zone as depicted on this plat shall be elevated so as to ensure the lowest floor of such structure is located at a minimum of one foot (1') above the base flood elevation height for the area at that time."

b. In the event the property is in a Floodway: "No development shall take place in the mapped floodway without an engineer's certificate of no-rise including the supporting technical data which is to be approved by LCG PW engineering department."

c. "Any utility and sanitary facilities shall be installed so as to minimize the effect on same by Flood Waters."

89-34 Historic Preservation

Action Items (2.1.1, 4.1.3, 4.2.4, 4.3.2)

(a) Creation of Lafayette Preservation Commission

(1) The Lafayette Preservation Commission is hereby created for the following purposes:

a. To provide for designation of Historic Properties: Historic Cultural Resources, Historic Landmarks, and Historic Neighborhoods;

b. To provide for an Appeals Procedure, as defined herein;

c. To stimulate revitalization of business districts and historic neighborhoods and to protect and enhance local historical and aesthetic attractions to tourists and thereby promote business; and

d. To establish uniform procedures for the protection, enhancement and perpetuation of places, districts, sites, buildings, structures, and works of public art having a special historical, cultural or aesthetic significance, interest or value.

(2) Membership: The Commission shall consist of seven (7) members, one (1) of which will be a licensed architect. Any member to be appointed must be a registered voter and domiciled in Lafayette Parish, Louisiana at the time of his/her appointment and he/she must remain a registered voter and domiciled in Lafayette Parish, Louisiana during his/her term of office. All members shall serve at the pleasure of the appointing authority.

(3) Appointment and Terms

a. The City-Parish President shall appoint one (1) member as his direct appointment.

b. Six (6) members shall be the direct appointments of the Lafayette City-Parish Council as a whole.

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

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

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

c. In making appointments, preference shall be given to individuals with demonstrated interest or expertise in historic preservation, including representatives from historical, cultural, business, educational, archeological, architectural, developmental, artistic, commercial, and preservation organizations.

d. Subsequent to all original appointments, all members shall be appointed for terms of four (4) years.

e. The limitations of service shall be three (3) consecutive terms but in no case to exceed twelve (12) consecutive years. In the case of the initial appointments, prior service on the Commission shall be counted toward this term limitation.

f. Service of one-half (1/2) or more of an unexpired term shall be considered a term within the meaning of this limitation.

g. In order for an individual to be considered for reappointment to this Commission, on which that person served the maximum length of time allowed, a period of four (4) years must elapse since the last day of service.

h. Vacancies shall be filled by appointment in the same manner as the original appointments and members may be re-appointed for another term if eligible.

i. The appointing authority for any appointment shall communicate, in writing, to the Clerk of the City-Parish Council the name of the appointee, the name of the Board, Commission, and/or Local Agency for which the appointment has been made and the date of the appointment. All appointments to any Board, Commission and/or Local Agency shall be memorialized by adoption of an ordinance or resolution of the Lafayette City-Parish Council.

(4) Officers/Quorum: The Commission shall elect, as its first meeting and annually thereafter, a Chairman, Vice-Chairman, and a Secretary from its membership. The term of each officer shall be for one (1) year, with eligibility for reelection. Three (3) members of the Commission shall constitute a quorum for all purposes.

a. Meetings of the Commission shall be held at the call of the Chairman and at such other time as the Commission may determine.

b. The Commission may establish any policy, procedure, rule and/or regulation concerning the conduct of its affairs, including but not limited to, the conduct of its meetings as the Commission in its sole discretion shall deem necessary for the conduct of its business.

c. The staff of the Lafayette Preservation Commission, to the extent funds are available, may provide public information and technical assistance to owners of historic assets, including, but not limited to:

Lafayette Preservation Commission brochures;

Periodic newsletters and mailings;

Neighborhood workshops;

Annual reports;

Glossary of terms; and

List of architects, contractors, subcontractors, and crafts people working on older structures in the area for possible aid and guidance.

d. For exercising and coordinating its functions as specified, the Lafayette Preservation Commission shall be provided with a staff person, to the extent that funds are available, from LCG.

(5) Powers and Authorities: The basic functions of the Commission shall be as follows:

a. To provide for designation of Historic Resources;

b. To establish the criteria for designation of Historic Resources, the procedures for nomination, designation and rescission of Historic Properties, Historic Landmarks, Historic Cultural Resources, and Historic Neighborhoods and to make an annual review of Historic Resources;

c. To designate or recommend designation of any site, building, structure, monument, area or other landmark deemed appropriate by said Commission, which is located within the Parish of Lafayette, as historic and worthy of preservation;

d. To promote restoration and preservation of any properties owned or acquired by LCG which have been designated as Historic Properties;

e. To conduct educational programs on historic preservation;

f. To investigate and study such matters relating to historic preservation which the Commission may from time to time deem necessary or appropriate for the purpose of preserving historic resources;

g. To review zoning for areas affecting historic sites, districts and neighborhoods;

h. To promote tax incentives and financial incentives;

i. To review all public and private projects affecting historically significant properties;

j. To recommend appropriate legislation for the preservation of any building, structure, site, monument, area or other landmark which said Commission has so named or designated;

k. To set the standards for review of demolition permits with reference to properties designated as Historic Properties and to review all applications for permits proposing demolition of all or any part of any building, structure, monument or other landmark which said Commission has so named and designated;

l. To provide for an Appeals Procedure as defined herein;

m. To stimulate revitalization of business districts and historic neighborhoods and to protect and enhance local historical and aesthetic attractions to tourists and thereby promote business;

n. To prepare and maintain an up-to-date inventory of Historic Properties;

o. To establish uniform procedures for the protection, enhancement and perpetuation of places, districts, sites, buildings, structures and works of public art having a special historical, cultural or aesthetic significance, interest or value; and

p. To make further recommendations concerning historic preservation and carry out such further functions and duties as may be assigned to it from time to time by LCG.

(6) Criteria for Designation of Historic Assets

a. The Lafayette Preservation Commission shall review and identify potential landmarks and adopt procedures to consider them for designation as Historic Assets as specified herein.

b. Four types of designation are used for Historic Assets

Historic Neighborhood

Historic Landmark

Historic Property

Cultural Resource

c. The factors to be considered by the Lafayette Preservation Commission in determining whether a particular subdivision should be designated as a ***Lafayette Historic Neighborhood*** shall include, but need not be limited to, the following:

Its location is the site of a subdivision that was surveyed and recorded in the Lafayette Parish Courthouse before 1945, with a concentration of buildings contained therein that were constructed in or moved to the development before 1945.

It is identified with a person or persons who significantly contributed to the history, culture, or development of the Parish of Lafayette, State of Louisiana, or the United States;

It exemplifies the culture, economic, social or aesthetic heritage of the Parish of Lafayette;

It embodies distinguishing characteristics of an architectural type of style or represents the work of an architect or master builder on a local level whose individual work is a fine example of a period, a type, a method of construction, or the use of a native material;

It occupies a unique location or possesses a singular physical characteristic that makes it an established or familiar visual feature in the Lafayette community; and

It is part of a group of related properties in an area which attains significance by being part of or related to a square, park or other distinctive area which exemplifies an historical period, cultural connection, or architectural motif unique to the development of the Parish of Lafayette;

d. The factors to be considered by the Lafayette Preservation Commission in determining whether a particular property should be designated as a ***Lafayette Historic Landmark*** shall include, but need not be limited to the following:

It constitutes a determination of eligibility for listing in the National Register of Historic Places, because it was evaluated under the National Register criteria and found to meet them.

Its location is the site of a significant historic event.

Meets criteria listed above in Section 6, Paragraph c, Numbers 2 through 6.

e. The factors to be considered by the Lafayette Preservation Commission in determining whether a particular property should be designated as a ***Historic Property*** shall include, but need not be limited to, the following:

Its location is the site of a significant historic event;

It is a building identified with a person or persons who significantly contributed to the history, culture, or development of the Parish of Lafayette, State of Louisiana, or the United States;

It is a building that exemplifies the culture, economic, social or aesthetic heritage of the Parish of Lafayette;

It is a building that embodies distinguishing characteristics of an architectural type of style or represents the work of an architect or master builder on a local level whose individual work is a fine example of a period, a type, a method of construction, or the use of a native material;

It is a building that occupies a unique location or possesses a singular physical characteristic that makes it an established or familiar visual feature in the Lafayette community; and

It is a building that is part of a group of related properties in an area which attains significance by being part of or related to a square, park or other distinctive area which exemplifies an historical period, cultural connection, or architectural motif unique to the development of the Parish of Lafayette;

f. The factors to be considered by the Lafayette Preservation Commission in determining whether a particular item should be designated as a ***Historic Cultural Resource*** shall include, but need not be limited to, the following:

It is a sign, bell, structure, or piece of art or workmanship that is permanently installed at the site of a significant historic event, or is identified with a person or persons who has/have made a significant contribution to the history, culture or development of Lafayette, or commemorates a significant event or cultural characteristic, or history or development of Lafayette;

It is a building, that is identified with a person or persons who significantly contributed to the history, culture, or development of the City or Parish of Lafayette, and is not necessarily of Statewide or National Significance and does not necessarily embody distinguishing characteristics of an architectural style, a master builder, an architectural period or type, method of construction or use of a native material.

Meets criteria listed above in Section 6, Paragraph c, Numbers 3, 5, and 6.

g. Any structure, property, site, object, or area that meets one or more of the above criteria shall also have sufficient integrity of location, design, materials, and workmanship to make it worthy of preservation or restoration.

h. Generally, a property must be a minimum of fifty (50) years old to be considered for nomination for Historic Property designation. However, properties achieving particular significance in the community within the past fifty (50) years will be considered for nomination at the discretion of the Lafayette Preservation Commission.

i. The Lafayette Preservation Commission shall not consider interior arrangement or the use of a designated Historic Property.

j. All properties in the Parish of Lafayette listed on the National Register of Historic Places shall be considered for Historic designation.

(7) Procedures for Nomination, Designation and Recission of Historic Landmarks, Historic Properties and Historic Cultural Resources, (hereinafter referred to as Historic Properties)

a. Nomination

The Lafayette Preservation Commission shall consider for Historic Property or neighborhood designation any property or subdivision nominated by motion of any Commission member or by the owner of record of the proposed property.

Notice of proposed designation shall be sent by certified or registered mail, at the discretion of the sender, to the owner of record of the property proposed for Historic Property designation, describing the property proposed, stating the property's significance, and announcing a public hearing by the Lafayette Preservation Commission to consider said designation. Such notification shall be sent to the owner of record at least twenty (20) days prior to any public hearing. When nominating historic neighborhoods, notice to property owners is not required.

The Lafayette Preservation Commission shall also send notice of a proposed designation to all agencies having previously requested notification of such proceedings, and to any other parties requesting to be informed by the Lafayette Preservation Commission of such proceedings.

The Lafayette Preservation Commission shall also cause notice of the proposed designation to be published at least seven (7) days prior to the public hearing in the official journal of the Parish of Lafayette and shall post notice of the hearing in the place where the Lafayette Preservation Commission regularly meets.

The Lafayette Preservation Commission may solicit expert testimony regarding the historic and architectural importance of the building structure, site, monument, area or other landmark under consideration for designation.

The Lafayette Preservation Commission may present testimony or documentary evidence of its own to establish a record regarding the historic and architectural importance of the proposed Historic Property or Neighborhood.

The Lafayette Preservation Commission shall send to the owners of the property proposed for designation a list of the experts solicited to testify regarding the proposed designation, a brief statement of the matters upon which the experts are expected to testify, and copies of all documentary evidence to be introduced by the Lafayette Preservation Commission.

A. Said list and statement shall be sent to the owners of the property proposed for designation at least fifteen (15) days prior to the date of the public hearing on said designation, provided that nothing herein shall be construed to prohibit the Lafayette Preservation Commission from soliciting new or additional expert testimony or from acquiring new or additional documentary evidence within the fifteen (15) day time period specified herein upon reasonable notice to the owners of the property for designation, and nothing herein shall be construed to prohibit the introduction of such additional testimony or evidence at any public hearing of the Lafayette Preservation Commission.

The Lafayette Preservation Commission shall afford the owner of said proposed property reasonable opportunity to present testimony or documentary evidence regarding the historic and architectural importance of the proposed property.

Any interested party may present testimony or documentary evidence regarding the proposed Historic Property or Neighborhood designation at the public hearing.

Prior to the final decision regarding the proposed designation, the owner of the property shall present to the Lafayette Preservation Commission a written statement declaring either support or opposition to the proposed designation. No property or portion thereof shall be designated as a Historic Property without the express written consent of the property owner.

(b) Designation

(1) Within forty-five (45) days after a public hearing, the Lafayette Preservation Commission shall render its final decision regarding the proposed designation and shall give written notice of its decision to the owner of the property for designation setting forth the reasons thereof.

a. An official map identifying all historical locations and areas designated under this Chapter may be maintained and periodically amended to reflect locations of such historical properies.

b. LCG may provide Historic Property signs to all owners of such designated properties. Any such signs shall be removed and returned to LCG upon termination of Historic Property status for any reason or cause whatsoever.

(2) Rescission

a. Requests for rescission of Historic Property designation shall be submitted by the property owner, in writing, to the Office of the Lafayette Preservation Commission.

b. No Historic Property designation shall be rescinded until a public hearing is held by the Lafayette Preservation Commission and the Lafayette City-Parish Council as provided herein.

c. The Lafayette Preservation Commission shall hold a public hearing on the request for rescission of Historic Property designation within forty-five (45) days of receipt of the request for such rescission.

d. After the public hearing of the Lafayette Preservation Commission, the Lafayette City-Parish Council shall hold a public hearing on the request for rescission of Historic Property designation. Said hearing of the Council shall be held within forty-five (45) days after the public hearing of the Lafayette Preservation Commission.

e. If the Council approves the request for rescission of Historic Property designation, the designation shall be deemed immediately rescinded. If the Council does not approve the request for rescission, the rescission shall occur automatically upon the expiration of sixty (60) days after the date of the Council public hearing.

f. In all cases rescission of Historic Property designation shall occur automatically upon the expiration of one hundred fifty (150) days after receipt by the Office of the Lafayette Preservation Commission of a request for such rescission.

(3) Annual Review of Historic Properties

a. An annual review of all designated Historic Properties shall be held by the Lafayette Preservation Commission to insure the continued compliance with the criteria for Historic Property designation. Any designated Historic Property which fails to maintain the criteria for Historic Property designation may have its Historic Property designation revoked. The question of revocation of a Historic Property designation may be placed on the agenda of a Lafayette Preservation Commission meeting only by a Commission member or the Commission staff.

b. In its annual review of Historic Properties, the Lafayette Preservation Commission shall be guided by the following general standards:

The distinguishing original qualities or character of a building, structure, or site and its environment should not be destroyed. The removal or alteration of any historic material or distinctive architectural feature should be avoided whenever possible.

Alterations to a building, structure, or site and its environment that have no historical basis and seek to create an earlier or inaccurate appearance shall be strongly discouraged.

Distinctive stylistic features or examples of skilled craftsmanship that characterize a building, structure or site should be treated with sensitivity.

Deteriorated architectural features should be repaired rather than replaced, wherever possible. In the event replacement is necessary, the new material should match the material being replaced in composition, design, color, texture and other visual qualities. Repair or replacement of missing architectural features should be

based on accurate duplication of features, substantiated by historic, physical or pictorial evidence, rather than on conjectural designs or the availability of different architectural elements from other buildings or structures.

Contemporary design for alterations and additions to existing properties should not be discouraged when such alterations and additions do not destroy significant historical, architectural or cultural material, and such design is compatible with the size, scale, color, material and character of the property, neighborhood or environment. Whenever possible, new additions or alterations to structures should be done in such a manner that, if such additions or alterations were to be removed in the future, the essential form and integrity of the structure would be unimpaired.

(c) Applications for Demolition Permits

(1) Applications for demolition permits for designated Historic Properties shall be submitted in writing to PZD.

(2) Permits for the demolition of a Historic Property shall not be issued until a public hearing is held by the Lafayette Preservation Commission and the Lafayette City-Parish Council on the proposed demolition. In the case of disapproval by the Council of a request for such a demolition permit, the permit shall not be issued until the time period established by Subsection E of this Section has expired.

(3) The Lafayette Preservation Commission shall hold a public hearing on the application for a permit for the demolition of a Historic Property within forty-five (45) days receipt of the application for such a permit.

(4) After the public hearing of the Lafayette Preservation Commission, the Lafayette City-Parish Council shall hold a public hearing on the application for a permit for the demolition of a Historic Property. Said hearing of the Council shall be held within forty-five (45) days after the public hearing of the Lafayette Preservation Commission.

(5) If the Lafayette City-Parish Council approves the request for the demolition permit after a public hearing, the permit shall be issued without further delay. If the Council does not approve the request for the demolition permit, the permit shall be issued upon the expiration of sixty (60) days after the date of the Council public hearing.

(6) In all cases, permits for the demolition of a Historic Property shall be issued upon the expiration of one hundred fifty (150) days after receipt by PZD of an application for such a demolition permit.

(d) Standards for Review for Demolition Permits

In considering applications for demolition permits for Historic Properties the Lafayette Preservation Commission and the Lafayette City-Parish Council shall be guided by the following general standards.

(1) Whether the Historic Property for which application is made continues to maintain sufficient criteria for Historic Designation.

(2) Whether the applicant has explored preservation options and whether such options exist, including but not limited to:

a. Sale of the Historic Property or parts thereof to a person/persons interested in preserving the historical significance of the property.

b. Relocation of the historically significant portion of the property to another site.

c. Incorporation of the historically significant portion of the property into any new designs, uses or development of the Historic Property.

d. The granting or dedication of a façade easement.

(3) Whether maintenance, restoration and/or preservation of the property is economically feasible in its present condition.

(4) Whether measures less drastic than demolition would allow a reasonable return on the owner's investment in the property.

(5) Whether the Historic Property is one of the last remaining examples of its kind in the neighborhood, city, parish, region, state or country.

(6) Whether there are definite plans for reuse of the property if the demolition is carried out, and what effect such plans will have on the architectural, cultural, historical, archeological, social, aesthetic, or environmental character of the surrounding area, as well as the economic impact of the new development.

(e) Hardship Variances

Where, by reason of topographical conditions, irregularly shaped lots, or because of unusual circumstances applicable solely to the particular applicant, strict enforcement of the provision of this ordinance would result in serious undue hardship particularly affecting said applicant, then the Lafayette Preservation Commission, in passing upon the application, shall have the power to vary or modify this ordinance.

(f) Enforcement Powers

(1) The Lafayette Preservation Commission shall have the power to institute suit in any court of competent jurisdiction, to prevent any unlawful action in violation of the provisions of this ordinance or of any of the rules and regulations adopted by said Commission in conformity with it.

(2) Any owner, agent, lessee, or other person acting for or in conjunction with him/her, who shall violate the ordinance or law or rules, regulations, or decisions of the Lafayette Preservation Commission, shall be fined not less than fifty dollars ($50.00) nor more than one hundred dollars ($100.00) for each violation, except as hereinafter provided. Any owner, agent, lessee, or other person acting for or in conjunction with him/her, who shall demolish a Historic Property without having received a valid permit may be fined a single fine of not less than one hundred dollars ($100.00) nor more than one thousand dollars ($1,000.00)

(g) Procedures for Appeals

(1) Appealable Decisions of Lafayette Preservation Commission:

a. Any person or persons of standing aggrieved by any decision, act, or failure to act, or proceeding of the Lafayette Preservation Commission, shall have the right to apply in writing to the Lafayette City-Parish Council ("Council") for a reversal or modification thereof.

(2) Procedure for the Council in making a Disposition of Appeal from Appealable Decisions of the Lafayette Preservation Commission:

a. In the course of the disposition of any appeal from an appealable decision of the Lafayette Preservation Commission, the Council shall have the right to stay any further action or enforcement of such decision until the Council renders its final decision on said appeal.

b. All appeals from appealable decisions of the Lafayette Preservation Commission to the Council shall be made in writing ten (10) days of the date of notification of said decision. In the case of notification by mail, the said ten (10) day period shall commence on the mailing date of the notification.

c. The Council shall consider a proper appeal at its next appropriate scheduled meeting following the receipt of said appeal, provided that the Council shall consider said appeal no more than sixty (60) days after receipt.

d. In the course of the disposition of appeals as authorized, the Council shall conduct a hearing in which the property owner or the appellant shall be afforded the right to present evidence to support his/her position and a reasonable opportunity to be heard.

e. At the close of the hearing, the Council may affirm, reverse, or modify the decision of the Lafayette Preservation Commission.

(h) Procedures for Administration

(1) The Commission shall have the power to designate and appoint from among its members various committees with such powers and duties as the Commission may prescribe, provided that said powers and duties do not violate any law of the State of Louisiana or the Lafayette City-Parish Government.

(2) The Commission 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 Commission's activities for the prior year. The Commission shall provide to the Clerk of the Lafayette City-Parish Council, copies of the minutes of each of its meetings.

(3) If the Lafayette City-Parish Council determines that this Commission is an entity which must be audited, the Council shall have the right, by separate Council Resolution: (1) to select and designate an auditor for the Commission; (2) to determine the cost of any such audit; and (3) to determine how the cost of such audit shall be paid. Furthermore, the Lafayette City-Parish Council will have the right to designate a private auditor to make any audit which it desires concerning the financial affairs of this Commission.

(4) The annual proposed budget of the Commission, if any exists, shall be submitted by the Commission to the Lafayette City-Parish President no later than sixty (60) days before the end of the Commission's fiscal year. The City-Parish President shall have the proposed budget reviewed and shall submit his/her findings, if any, to the Lafayette City-Parish Council, together with his/her recommendations, if any within thirty (30) days after his/her receipt of the proposed budget. The Lafayette City-Parish Council shall approve each annual budget for this Commission and shall have the ability to approve and/or deny any part or portion of the proposed budget of this Commission.

(5) The Lafayette City-Parish Attorney, or his designee, shall serve as the legal advisor of this Commission.

(6) The Commission shall be subject to the general policy for all boards, commissions and/or agencies established in any Resolution by the Lafayette City-Parish Council.

(7) Should any portion of this Ordinance be declared unconstitutional by a Court of competent jurisdiction, the remaining clauses will remain in full force and effect.

(8) This Ordinance shall become effective immediately upon the signature of the Lafayette City-Parish President, the elapse of ten (10) days after receipt of the City-Parish President without signature or veto, or upon an override of a veto, whichever occurs first.

(9) All Ordinances or Resolutions, or parts thereof in conflict herewith, are hereby repealed.

(i) Status of Existing Historic Properties Amendment To Ordinance

After any amendment to this Ordinance, owners of Historic Properties previously designated shall be allowed to have their Historic Property designation rescinded in accordance with the rescission procedures, even if the rescission provisions are later amended or deleted. Owners of Historic Property designated under this present Ordinance shall always have the right to rescind or demolish their properties as provided for herein.

89-35 Improvement Guarantees

Purpose: this section is in accordance with Actions Items 3.15.1, 6.3.3, and 6.8.3.

(a) Applicability

In each new subdivision, the subdivider and LCG shall agree on the type, location, and extent of necessary public improvements depending on the characteristics of the proposed development and its relationship to surrounding areas, and according to the standards and criteria as outlined in this Chapter.

(b) General Requirements

(1) The following improvements are minimum general requirements. These shall be constructed at the subdivider's expense and stipulated in the subdivision improvements agreement in a manner approved by the Planning and Zoning Commission as part of the plat approval.

a. Roads, grading, base and surfacing.

b. Curbs and gutters, if required.

c. Sidewalks, if required.

d. Sanitary sewer, laterals and mains, if required.

e. Storm sewers or storm drainage system, as required.

f. Water distribution system, if required.

g. Fire hydrants, if required.

h. Street lighting, if required by PW.

i. Permanent reference monuments and monument boxes.

j. Other facilities as may be specified or required in this Chapter, by the Planning and Zoning Commission.

(c) Completion of Improvements

Before the final plat is approved for recording, all applicants shall:

(1) Complete all improvements, in accordance with the Action Letter and approved construction plans and to the satisfaction of LCG PW and LUS.

(2) Dedicate the improvements to LCG free and clear of all liens and encumbrances on the property (except existing servitudes or easements).

(3) 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.

(d) Improvements Agreement and Guarantee

(1) LCG, in its discretion, may waive the requirement that the applicant complete and offer for dedication all public improvements prior to approval of the final subdivision plat. No final plat shall be recorded until the subdivider submits and LCG approves the following:

a. A subdivision improvements agreement that–

Sets forth the cost, plan, method, and parties involved, and

Guarantees to construct any required public improvements shown in the final plat documents, and

Includes collateral sufficient to complete the improvements in accordance with plat design and time specifications.

b. Sufficient collateral in amount stipulated in the subdivision improvements agreement.

The collateral shall accompany the final plat submission to insure completion of the improvements according to design and time specifications.

The collateral shall be in the form of a corporate surety bond, letter of credit accompanied by a draft drawn on a bank, certified check or other legal assurances the Planning and Zoning Commission deems appropriate.

If the improvements are not constructed in accordance with all of the required specifications deemed by the Administrator, LCG shall notify the subdividers of noncompliance and discuss with them the reasons for noncompliance. PW and/or LUS shall establish proposed schedules to correct the noncompliance. The Administrator may annul the funds as may be necessary to construct the improvements if the subdivider will not construct any or all of the improvements in accordance with all of the specifications.

c. If a subdivider does not provide suitable collateral to ensure completion of the required improvements, no final plat shall be approved for recording until the improvements are constructed and approved by LCG. However, LCG will supply the subdivider with a letter guaranteeing final plat approval when improvements are constructed to LCG specifications.

(e) Time Schedule and Release of Improvements Guarantee

(1) LCG must specify the period within which required improvements must be completed in the resolution approving the final subdivision plat. The time period shall be incorporated in the bond, and shall not exceed 2 years from date the final plat is certified for recording.

(2) LCG may, upon proof of difficulty, recommend extensions of the completion date set forth in the bond for a maximum period of 1 year.

(3) From time to time as the required improvements in a subdivision are completed, the subdivider shall apply in writing to the respective department for a partial or full release of the collateral.

a. Upon receipt of the written application, PW and/or LUS shall inspect the improvements which have been completed.

b. If it is determined from the inspection that the improvements comply with the final plat and the requirements of these regulations, a portion of the collateral shall be released. However, LCG shall retain collateral sufficient to cover the cost of the uncompleted improvements.

(4) PW and LUS may monitor and inspect progress toward the completion of improvements at any time during the construction period. If LCG deems that satisfactory progress has not been made, it may draw upon collateral to collect payments. This may be done after advance notification to the subdivider.

89-36 Landscaping, Buffers & Screening

Purpose and intent: This Section promotes the health, safety, and welfare, facilitates the creation of an attractive and harmonious community, conserve property values, conserves natural resources, and encourages the appropriate use of the land. These landscape requirements establish standards consistent with Louisiana Horticulture Law Rules and Regulations, to protect natural plant communities, to provide post-construction landscaping within the City-Parish of Lafayette, and to educate the public as to the merits of preservation and conservation of natural vegetative habitat for the following nonexclusive purposes:

- ***Preserve existing vegetation****. To preserve, conserve and protect healthy existing natural vegetation, and encourage the incorporation of plant materials, especially native plants, plant communities and ecosystems into landscape design, where possible.*
- ***Human values****. To reduce noise and glare, break up monotony, and soften the harsher aspects of urban development, to educate citizens as to the advantages of preservation of trees and existing natural landscaping, to promote voluntary preservation of those features, avoid clear cutting, and promote landscaping with native plant materials.*
- ***Community design****. To improve the aesthetic appearance of industrial, commercial, and residential areas through landscape design, and allow flexibility to promote innovative, diverse and cost-conscious approaches to the design, installation and maintenance of landscaping.*
- ***Environmental quality****. To improve environmental quality by recognizing the beneficial effects of landscaping on the environment, encourage forestation that replenishes the local stock of plant material suitable for growing in the City-Parish of Lafayette, encourage the preservation of existing trees, protect and increase the number of trees in the community, and facilitate compliance with state and federal environmental legislation such as the Clean Air Act.*
- ***Air and water quality management****. To conserve potable and non-potable water by preserving existing plant communities; to encourage the planting of natural or uncultivated areas; encouraging the use of site specific plant materials; providing for natural water recharge; preventing excess runoff; and facilitating compliance with state and federal water and air legislation such as Clean Air Act and the Clean Water Act.*

Action Items (1.2.1, 1.5.4, 10.2.1, 10.2.2)

(a) Applicability

(1) Land Affected

a. This Section applies to all areas within the jurisdiction of the City of Lafayette and the unincorporated areas of Lafayette Parish, except as provided below.

b. This section does not apply to –

1. Single-family detached residences.

2. Developments without a vehicular use area.

3. The "MX" (Mixed Use) Districts for Site Category 1 developments, and "D" (Downtown) districts.

(2) Activities Affected

a. This section applies to new construction.

b. This section is applied at the time of application for a building permit or certificate of occupancy, whichever is appropriate. The requirements continue to apply after the building permit or certificate of occupancy is issued and the property is developed.

c. A lot which did not meet the landscape requirement at the time of original adoption of this ordinance in April 5, 1993 or its replacement in August 28, 2001 that has a building on the effective date of this Section is exempt from this section unless there is a cumulative building expansion of the percentage indicated in the table below:

Table 89-36-1 Landscaping and Buffer Applicability to Building Expansion

Building Size	% Expansion
0 - 2,000 square feet	50%
2,001 - 5,000 square feet	35%
5,001 - 10,000 square feet	30%
10,001 square feet or larger	25%

(b) General Requirements

(1) Installation

a. Unpaved areas not covered with mulch or planted with trees, shrubs, or ground cover shall be planted with turf grass to prevent soil erosion.

b. Encroachment barriers shall be provided wherever a vehicle is likely to protrude onto a landscape area, such as in front of a parking space.

c. Plant materials shall be placed in such a manner that the top of the root ball shall be even with the finished grade level of the soil, safety staked, girdle protected, with adequate mulching of the planting bed.

d. Planting areas shall be worked to break the hardpan formed during construction until the natural soil level is reached and/or amended to insure proper growth.

(2) Landscape areas may be provided in the form of islands within the interior parking area, landscape strips, peninsulas of landscape strips, or a combination thereof.

(3) Required landscape areas shall be protected by properly anchored curbing at least six inches high, using materials such as concrete, natural stone, railroad ties, or landscape timbers. This does not apply to the following approved low-impact stormwater management areas including bioretention, filter/buffer strips, swales, or infiltration trenches. Perimeter strip and landscape island measurements do not include curbing.

(4) Every part of a vehicular use area, with the exception of loading areas, shall be within 75 feet of the trunk of a tree, with no intervening structures, except as otherwise provided in this section.

(5) Landscaped areas shall not be in conflict with the site drainage plan.

(6) The removal of a required tree or installation of an impermeable surface within a required landscape area requires approval of the PZD.

(7) Required 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

e. Within 10 feet of a sidewalk located in the right-of-way or in a sidewalk easement.

(c) Frontage Landscape Strips

(1) Street frontages

a. A minimum ten-foot landscape strip is required along each frontage line. A "frontage line" is the property line abutting a public or private street right-of-way. Table 89-36-6 may supercede this minimum.

b. 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 front (see § 89-27) is within 10 feet of a sidewalk.

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

(d) Parking Lot Landscaping

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

Table 89-36-2 Minimum Parking Lot Landscaping

Area or Zoning District	
"A" Agricultural	n/a
"RS" Single-Family Residential, residential uses	n/a
"RS" Single-Family Residential, non-residential uses	12%
"RM" Mixed Residential	10%
"MN" Neighborhood Mixed Use	10%
"MX" Mixed-Use Center	n/a Class A Street Frontage 10% Class B Frontage
"D" Downtown	n/a
"CM" Commercial Mixed	12%
"CH" Commercial Heavy	12%
"IL" Industrial Light	12%
"IH" Heavy Industrial	n/a
"PD" Planned Development	12%

"PI" Public / Institutional	10%
Unincorporated Parish	12%

(2) The percentages above can be reduced to the following percentages based on the total number of parking spaces required.
a. For 6 or fewer spaces, there is no minimum parking lot landscaping requirement.
b. For 7 to 15 spaces, the minimum percentage required is 4%.
c. For 16 to 30 spaces, the minimum percentage required is 8%.
d. For more than 30 spaces, the above chart applies.

(3) **Parking Lot Landscaping** may include any combination of the following:

a. Interior landscape islands, or

b. Low-impact stormwater management features, or

c. Existing tree clusters contiguous to or within the vehicular use areas that have the same tree density as the minimum planting requirements below.

(4) Where interior landscape islands are provided, the following minimum standards apply:

a. Every part of a vehicular use area shall be within 75 feet of the trunk of two class "B" trees, with no intervening structures, where islands are a minimum of 324 square feet with a minimum width of nine feet; or

b. Every part of a vehicular use area shall be within 100 feet of the trunk of a class "A" or two class "B" trees, with no intervening structures, where islands are a minimum of 324 square feet with a minimum width of eighteen feet; or

c. Every part of a vehicular use area shall be within 125 feet of the trunk of a class "A" tree when at least four class A trees are provided , with no intervening structures, where islands are a minimum of 1,296 square feet with a minimum width of thirty-six feet; or

d. For trees of a minimum 18-inch diameter at breast height (DBH) or clusters of trees with a combined minimum DBH of 24 inches, every part of a vehicular use area shall be within 150 feet of the trunk of a tree, with no intervening structures. These islands shall be a minimum of 972 square feet with a minimum width of 27 feet.

e. A combination of the above standards may be used to provide minimum requirements.

(e) Right-of-Way Landscaping

(1) PW shall regulate the types of trees that may be planted in the public right-of-way for any development.

(2) In addition, plantings in the public right-of-way at intersections shall be reviewed for compliance with the line of sight requirements (§ 89-44(f)).

(f) Tree Preservation and Tree Credits

(1) Credit for preserved trees

a. Existing healthy trees may be included in the minimum planting requirements and credited as per the following schedule:

DBH* of preserved tree(s)	Number of trees credited
9—19 inches	5
20—25 inches	6
26—29 inches	7
30—35 inches	8
36 inches or greater	9

* The DBH of a preserved tree is rounded to the nearest inch.

b. Existing trees included on the Recommended Tree Lists may provide up to 50 percent of the minimum tree requirement. On a lot of one acre or less, Live Oaks and Southern Magnolias with DBHs of 18 inches or greater may provide 100 percent of the tree requirement. Existing trees shall only be used as credit where adequate green area, as required herein, is provided to maintain the tree in a healthy condition.

c. A tree proposed for use as a credit to satisfy minimum planting requirements must be shown on the site plan and approved as part of the underlying review process. Trees with life spans of 30 years or less are not considered for credit.

d. The landscape area surrounding a preserved tree shall be located so that the trunk of the tree is as close to the center of the landscape area as possible. The applicant shall incorporate generally accepted preservation practices that insure exchange of water and oxygen to the root system.

(2) Protection of Preserved Trees During Construction. Existing tree(s) shall only be credited where the following management standards are met:

a. During construction, the critical root zone of the tree(s) to be preserved shall be fenced and protected from compaction, trenching, harmful grade changes, or other injury.

b. Pavement or building foundations shall not encroach into the critical root zone, unless specific preservation practices are followed to insure exchange of oxygen and water to the root system.

c. Sidewalks or other forms of hard surfaces that do not require soil compaction and are not intended for vehicular use may be located within the critical root zone only if specific preservation practices are followed to insure exchange of oxygen and water to the root system.

(g) Buffers

(1) Applicability

a. Generally

The buffer requirements in this section are based on the use (in the unincorporated Parish) or zoning (in the City) of adjacent property. Any change in use in the unincorporated area of Lafayette Parish after the effective date of these regulations may cause the new use to become subject to this subsection.

This section does not apply to the "MX" or "D" zoning districts.

b. Buffer Areas

This subsection establishes the areas subject to buffer requirements.

In the City or zoned areas, the applicable zoning district is used to determine the buffer requirement.

The following use classifications are established to determine the buffer requirements in the unincorporated areas. Use categories are defined and determined in the Use Table (§ 89-21).

Table 89-36-3 Use Classifications for Buffer Requirements

Single-Family Residential Land Use (SF)	Land used for one or more detached single-family dwellings, including vacant land in recorded approved residential subdivisions, one accessory apartment on a lot, accessory buildings (e.g., detached garage), and bed and breakfast (with less than three guest rooms).
Multifamily Residential Land Use (MF)	Any use in the "Residential" use category other than SF.
Neighborhood Business Land Use (NB)	Any use in the "Commercial / Mixed Use" use category that – • Does not include more than 5,000 square feet of floor area, and • Does not include a drive-through facility (other than drug stores with a drive-thru for pharmaceutical products only; and. • Does not include open outside storage of goods and/or supplies..
General Business Land Use (GB)	Any use in the "Commercial / Mixed Use" use category that does not fall within the NB category above..
Civic Land Use (CV)	Any use in the "Public/Civic/Institutional" use category.
Industrial Land Use (ID)	Any of the following uses in the "Industrial / Production" use category, and any use in the "Infrastructure" category except as classified in "IT" : • Contractor • Data Processing, Hosting, and Related Services (including data centers) • Industrial Services • Media Production • Manufacturing, Light • Oil and gas company (drilling and exploration) • Research and development • Oil and mining support activities • Stone cutting • Warehousing, Storage & Distribution
Intense Land Use (IT)	Any of the following uses in the "Industrial / Production" or "Infrastructure" use categories: • Mining & quarrying • Manufacturing, General • Manufacturing, Intensive • Waste-related
Agricultural Land Use (AG)	Land that is primarily agricultural in use and designated by the Lafayette Parish Tax Assessor as agricultural in use.

c. In the unincorporated Parish, this subsection does not apply to:

Any detached single-family residence located on its own individual legal lot, that may include any accessory building;

Any apartment, condominium, or townhouse or other development of attached housing, consisting of 15 or less units;

The location or placement of no more than 4 mobile homes on one tract that otherwise meets applicable regulations in Article 5.

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.

(2) Buffer Types and Specifications

There are 7 types of buffer yards. Table 89-36-6 (Buffer Specifications) shows the minimum width and number of trees and/or plants required for each 100 linear feet for each buffer yard. Each buffer yard type provides several plant material options. The Applicant may either plant new trees or plants, or preserve existing trees or plants, within the required buffer which meet the requirements of this subsection.

a. Canopy Trees required for Buffer Yard Types D, E, and F shall be Class A trees (see Art. 8). Where existing or proposed overhead electric lines conflict with tree canopies, understory trees may substitute for canopy trees.

b. An understory tree is a small to medium deciduous tree, with a mature height of 15 to 25 feet.

c. At least 50% of the shrubs for Buffer Yard Types D, E and F shall be evergreen.

d. A **fence or wall with** a minimum height of six (6) foot high and two (2) and one-half (½) inches thick is required where the land use abuts a residential district. The fence, wall or berm is required in addition to the trees and shrubs required by Table 89-36-6 (Buffer Specifications). The fence, wall or berm shall be located inside the required buffer, but may be located on the property line or interior to the buffer.

e. **Natural area with native existing mature vegetation** may be used to meet any of the above buffer yards requirements if the criteria of Table 89-36-6 (Buffer Specifications) are met.

The required buffer yard width is reduced by 20% but the minimum width is at least 10 feet.

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

Table 89-36-4 Planting Units Required by Buffer

Buffer Type	Planting Units
A	2
B	5
C	11
D	11
E	12

The number of planting units (PUs) for purposes of applying a type "N" buffer, below, is calculated based on the following ratios:

Table 89-36-5 Planting Units Defined

Plant Type	Planting Units
Canopy Tree	1
Understory	0.5
Large Shrubs	0.25
Medium Shrubs	0.1
Small Shrubs	0.05

f. Buffers may be placed inside a required setback.

g. Buffers may include –

Pedestrian pathways or sidewalks, and

Drainage retention and detention ponds.

(3) Type of Buffer Required

a. Table 89-36-7 (Required Buffers) shows when a buffer is required to buffer an adjoining zoning district or buffer area. Uses in the "adjoining zoning district" are not required to provide the buffer. The applicant shall install the type of buffer as indicated in the table.

b. In order to encourage the preservation of natural vegetation, the applicant may substitute a type "N" buffer consistent with Table 89-36-6 (Buffer Specifications) for any category of required buffer.

c. The property owner shall install a continuous fence between a parking lot and any "RS" and "RM" zoning district. The fence shall be 6 feet in height and constructed of permanent, durable material. Fences are not required along the property line or within a buffer bordering a street.

Table 89-36-6 Buffer Specifications

		Trees		Shrubs			Fence (F), Berm (B) or Wall (W)[g]
Buffer Yard Type	**Minimum Width (in feet)**	**Class A**	**Class B**	**Large**	**Medium**	**Small**	
A	10	2	2	-	-	16	-
Option	10	2	2	-	8	-	-
B	15	2	2	8	12	-	F
Option	15	2	2	6	8	6	F
C	15	2	4	9	8	-	F or W
Option	15	2	3	10	10	-	F or W
D	25	2	4	9	8	-	F or W
Option	25	2	3	10	10	-	B
E	30	2	4	14	4	4	F or W
Option	30	2	3	12	8	4	B
F	40	2	4	9	5	-	B & W
Option	40	1	4	6	8	8	B
N See subsection (e)	20% reduction with minimum of 10 feet	Any combination of trees or shrubs is acceptable where: (1) the existing vegetation provides at least the number of planting units required by subsection e above, or (2) the existing vegetation provides complete visual screening from the adjoining property.					-

Table 89-36-7 Required Buffer types along Interior Property Lines and Streets

	Adjoining *Development (unincorporated)* or Zoning							Adjoining Street		
Proposed *Development (unincorporated)* or Zoning	*AG* / A	SF / RS	*MF* / RM	*NB* / MN	*GB*, CV / CM, CH	*ID* / IL	*IT* / IH	Major Arterial	Minor Arterial	Collector
AG / A	--	--	--	--	--	--	--	--	--	--
SF / RS	--	--	--	--	--	--	--	--	--	--
MF / RM	--	A	--	--	--	--	--	A	A	A
NB / MN	C	C	B	--	--	B	B	B	A	A
GB, CV / CM, CH	D	D	C	A	--	B	B	B	A	A
ID / IL	E	E	E	E	E	--	--	C	C	B
IT / IH	F	F	F	E	E	--	--	C	C	B

(4) Interior property lines. A minimum 5-foot landscape strip is required along property lines without street frontage. This does not apply:

a. Parking facilities and/or vehicular use areas are used jointly and no landscape strip exists on either property, and

The parking or vehicular use areas were lawfully established before the effective date of this Section, or

The parking or vehicular use areas are subject to a cross-access easement or servitude.

b. Accessways are allowed within landscape strips. Parking spaces are not allowed within landscape strips.

(5) Residential Subdivisions.

a. This subsection applies when a residential subdivision abuts an existing or proposed commercial or industrial use (including parking lots), a major thoroughfare, or any other unlike use, (i.e., a hazardous site).

b. The subdivider shall construct a solid sight proof fence, barrier or vegetative screen that provides a visual barrier at least 6 feet in height along the property line between the subdivision and the abutting use.

(h) Tree Planting and Maintenance Standards

(1) Minimum Spacing requirement

a. At least 1 Class A or 2 Class B trees shall be provided per 50 linear feet of landscape strip, unless proximity to existing utility lines prohibits that placement.

b. Where street frontage strips are wider than 15 feet and/or interior strips are wider than 10 feet, the distances from trees to vehicular use areas may be a maximum of 100 feet.

c. A minimum of 100 square feet for each Class A tree or 50 square feet for each Class B tree of non-paved area is required for each tree at the planting location.

d. Trees need not be planted in straight lines, and Class B trees may be clustered to enhance visual effects. Minimum and maximum spacing of trees shall be:

Class A trees:
Minimum 30 feet (Live Oaks 45 feet)
Maximum 50 feet

Class B trees:
Minimum Appropriate to species
Maximum 50 feet for single trees
75 feet for clusters of three or more trees

e. Minimum distances measured horizontally from trees to overhead utility lines shall be:

Class A trees: 30 feet
Class B trees: 5 feet

f. The location and species of trees proposed for location in utility servitudes shall be approved by LUS before installation.

(2) Tree and Shrub Specifications

a. All trees and shrubs shall be of good quality and free of girdling roots, disease, and insects.

b. Tree specifications

Class A trees shall be a minimum 2-inch caliper with a minimum height of 10 feet;

Class B trees shall be a minimum 1.5-inch caliper with a minimum height of 8 feet; for multi-trunk species, each trunk shall have minimum caliper of 1.5 inches.

In landscape islands, only Class A trees are credited.

c. Shrub specifications -

A large shrub is no more than 25 feet in height at maturity and may be either deciduous or evergreen.

A medium shrub is between 5 and 10 feet in height at maturity and may be deciduous or evergreen.

A small shrub is no more than 5 feet in height at maturity and may be either deciduous or evergreen.

d. Article 8 includes lists of approved tree and shrub species. The applicant shall select planting materials that correspond with the approved species list. The Administrator may approve a landscape plan with species not shown on the approved species list if:

The species are comparable in appearance and durability to the approved species, and

Are normally grown in southern Louisiana, or are adaptable to the climate and growing conditions of southern Louisiana and are not invasive.

e. Landscape materials shall be installed in accordance with landscape and arboricultural specifications as defined in this Section.

f. Plant material shall be true to name, variety and size, and shall conform to all applicable provisions of the American Standards for Nursery Stock, latest edition.

(3) Maintenance. Landscape material which is preserved or installed as part of the minimum landscape requirements of this Section shall be maintained in perpetuity, or until a new landscape plan is approved and implemented. If any such landscape material is removed, the landowner shall replace it with material necessary to return the site to compliance. If a preserved tree is removed, the property owner shall install new trees equaling the number of trees for which credit was given.

(i) Alternative Compliance

Intent: The landscape requirements are intended to encourage development which is economically viable and environmentally sensitive. The standards are not intended to be so specific as to inhibit creative development. Project conditions associated with individual sites may justify approval of alternative methods of compliance. Conditions may arise where normal compliance is impractical or impossible, or where maximum achievement of the purpose and intent of this ordinance can only be obtained through alternative compliance.

(1) Request for alternative compliance review. Requests for alternative compliance may be granted for any permit application to which the landscape requirements apply, when one or more of the following conditions are met:

a. Improved environmental quality would result from alternative compliance.

b. Topography, soil, vegetation, drainage or other site conditions are such that full compliance is impractical.

c. Spatial limitations, unusually shaped pieces of land, unusual servitude requirements, or prevailing practices in the surrounding neighborhood may justify alternative compliance.

d. Public safety considerations make alternative compliance appropriate.

e. Public improvement projects make alternative compliance appropriate.

f. The site is part of a development for which a master plan has been submitted which makes adequate provision for landscaping.

(2) Written and graphic documentation. Requests for alternative compliance shall be accompanied by written explanation and landscape plan drawings to allow staff evaluation and decision. Depending on the size of the site, and at the discretion of the department, documentation shall be prepared and stamped by a State of Louisiana Registered Landscape Architect.

(3) Criteria for approval

a. The use of existing trees, which as a result of prior growing conditions have reached mature heights with little canopy, in lieu of planting new trees, are discouraged unless such trees are grouped in a setting which to some degree replicates a natural forest setting.

b. Aesthetics, innovation, and creativity are encouraged.

c. Significant anticipated mature canopy coverage of the vehicular use area of the site is encouraged.

d. Landscape design which makes use of existing vegetation and topographical conditions is encouraged.

e. Landscape design which provides a buffer between different uses of adjacent properties is encouraged.

f. The use of various complementary species of trees and shrubbery is encouraged.

g. Alternative compliance is not allowed as a way to provide less landscape material than is otherwise required.

89-37 Commercial Lighting

Purpose and intent: The intent and purpose of this Section is to protect and maintain the residential character of established neighborhoods and residential properties by establishing requirements regarding the artificial lighting provided for adjacent commercial developments. Action Item (1.3.2)

(a) Applicability

(1) This section applies to

a. The City of Lafayette, and

b. New multifamily, commercial, and industrial construction in the unincorporated areas of Lafayette Parish.

(2) This section is applied at the time of application for a building permit or final certificate of occupancy.

(3) A lot which did not meet the lighting requirements at the time of the original adoption of this ordinance (June 24, 2003) is not required to comply with this section unless there is a cumulative building expansion of the percentage indicated in the table below:

Building Size	% Expansion
0 to 2,000 square feet	50
2,001 to 5,000 square feet	35
5,001 to 10,000 square feet	30
10,001 square feet or larger	25

(4) This section does not apply to the following:

a. Single-family detached residences.

b. Developments without a vehicular use area.

c. A change in use that involves no new construction.

(b) Lighting Standards

(1) Lighting shall meet all codes and safety clearances from above-ground electric facilities.

(2) Lighting shall illuminate only those areas for which it is designed.

(3) Lights shall not be taller than the structures they are serving.

(4) Parking lot lighting poles shall not exceed 60 feet in height.

(5) Developments shall shield lighting away from adjacent residential uses or zoning districts.

(6) Low mounted lights, not to exceed 20 feet in height, shall be used for parking areas within 100 feet of residential uses or vacant property located in residential zoning districts.

89-38 Lots, Blocks & Setbacks

This section

- *Provides general standards and guidance for new lots in subdivision plats, and*
- *Provides guidance for measuring lot size and other lot characteristics to administer the zoning and other regulations in this Chapter, and*
- *Accommodates various types of residential housing schemes without resorting to more specific and detailed standards strictly associated with a particular housing type or market label.*

Action Item (1.2.1)

(a) Applicability

This section applies to any lots, blocks or setbacks –

(1) Prescribed in the zoning district regulations (Article 2), or

(2) Required in the subdivision regulations or this Article within the City or unincorporated Parish.

(b) Generally

(1) Lots, blocks, and setbacks shall comply with Article 2 and this section.

(2) Buildings shall not encroach into utility servitudes, rights-of-way, or required minimum setbacks.

(c) Lots

(1) Measurement. Lot area is the size of a lot measured within the lot lines and expressed in terms of acres or square feet.

(2) Design, Arrangement, and Layout

a. A subdivision layout shall result in the creation of lots which are developable under this Chapter and any applicable codes and regulations.

b. Lots shall have sufficient area to accommodate servitudes for all public and private utility services and facilities.

c. The lot shall have direct access from a public or private street.

d. Up to 20% of lots in a subdivision may be served by a rear private alley and front on a common open space.

(3) Lot shapes.

a. Lots should be designed, so far as possible, with side lot lines being at right angles or radial to any adjacent street right-of-way line.

b. Side lot lines shall be at right angles to straight streets and be radial to curved streets.

(4) Area

a. Lots in the City must comply with the applicable zoning district regulations (see Article 2).

b. 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.

c. Nonresidential lots created by platting in the unincorporated Parish that have an average depth of more than 300 feet from an adjacent public street right-of-way must be established and designated as reserves and subject to those provisions of these regulations pertaining to reserve tracts. (See subsection (11) below).

d. Lots that face or back on a designated major arterial must have a depth at least 10 feet deeper than the average depth of lots within the interior of the subdivision.

(5) Buildings

a. Every building erected, reconstructed, converted, moved, or structurally altered shall be located on a lot of record.

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

c. In the unincorporated Parish, no more than 2 dwelling units are permitted on a lot, except as provided for Manufactured Homes in Article 5.

(6) Corner lots

a. Corner lots are subject to the line of sight requirements of 89-44(f).

b. A corner lot has a front lot line on each street and no rear setback.

c. In the unincorporated Parish, buildings on a corner lot shall be set back at least 10 feet from the front lot line.

d. If the line of sight requirements exceed the minimum front setback in the applicable zoning district or subsection "c" above, the line of sight requirements apply.

e. No part of any driveway entering the property shall be closer than 30 feet from the point of intersection of the right-of-way lines of any fronting street.

f. No part of any garage or carport structure having access to and facing a side street shall be closer than 20 feet from the right-of-way line of the street.

g. Any parking pad having access from or facing the side street shall have a minimum length of 20 feet, and no part of the pad shall protrude into the street right-of-way.

(7) Access

a. Each lot shall have a direct frontage on a public or private street or approved permanent access easement or servitude.

b. Rear and side vehicular driveway access from lots restricted for residential use are not allowed adjacent to:

Streets designed in the Lafayette Transportation Plan as Major Arterials, or

Any other public street which carries a traffic volume where additional vehicular driveways would create a traffic hazard or impede the flow of traffic.

(8) Numbering. All lots and common areas in the subdivision shall be numbered.

a. Municipal address numbers shall be assigned to all lots as specified in § 89-45 (b).

b. Numbers shall be consecutive within each block and throughout the subdivision. No two lots in a given subdivision (including an extension of the subdivision) shall have the same identification number.

(9) Key or flag lots are permitted, as follows:

a. The narrowest part of the lot (i.e., the "pole," or "staff portion") must be at least 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 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.

(10) Double frontage lots are prohibited unless –

a. Private Alleys are approved or when reverse frontage is used to separate and control traffic or to overcome specific disadvantages of topography and orientation.

b. The following shall be provided along the line of lots abutting each street –

In the City, a Type A buffer (see 89-36(g)), or

In the unincorporated Parish, a minimum 1-foot reserve strip.

c. The planting screen or reserve strip shall provide no right of access.

d. A statement dissolving the right of access of individual lots to the arterial or collector street shall be placed on the final plan and recorded.

(11) Reserve tracts

a. Reserve tracts are individual parcels created within a subdivision plat which are not divided into lots, but are established to accommodate some specific purpose (such as commercial centers, industrial sites, golf courses or other type of private recreational facilities, schools or church sites or sites for utility facilities such as water wells and storage areas, wastewater treatment plants, electrical power stations, or other activities and land uses which division into lots is not suitable or appropriate). Since the use of reserve tracts may not be completely determined by the subdivider or developer at the time plats are prepared and submitted to the Planning and Zoning Commission, these reserve tracts are often established as "unrestricted reserves" which allows maximum flexibility in the determination of the ultimate use planned for those properties.

b. **Public street access**. Reserve tracts must have frontage on and be immediately adjacent to at least one public street. The frontage must be at least 60 feet in width. If the average depth of an unrestricted reserve is more than 300 feet, the reserve access to all adjacent public streets must be separated by a 1-foot reserve placed within the adjacent street right-of-way. The reserve will be automatically removed upon the approval and recording of a suitable development plat of the property within the reserve.

c. **Identification and designation**. All reserves must be labeled and identified on the plat and a description of the use intended for the reserve must be noted. If the use of the reserve is not restricted for any specific use, the reserve must then be identified and noted as being unrestricted. All reserves are to be identified and designated by alphabetical letters, not numbers. An indication as to the total acreage of the reserves must be shown within each reserve boundary.

(d) Blocks

(1) Measurement. Block lengths are measured –

a. Along the face of a block (i.e., congruent with street right-of-way lines) from street intersection to another street intersection, where the streets provide cross traffic circulation (not cul-de-sac streets or loop streets).

b. For cul-de-sac or loop streets, blocks are measured along the centerline from the intersecting street right-of-way line to the furthest edge of the right-of-way of the bulb of the cul-de-sac or loop.

(2) General. The length, width, and shape of a block shall be determined with regard to:

a. Provisions of adequate building sites suitable to the special needs of the type of use contemplated.

b. Zoning requirements as to lot size and dimensions.

c. Need for access, circulation, control, and safety of pedestrian and vehicular traffic.

d. Limitations and opportunities of topography.

(3) Block Length

a. General. The length between intersecting streets is as follows. This subsection does not apply to arterial streets.

	Block Length	
	(min. - feet)	*(max. - feet)*
City of Lafayette *(zoning district)*		
"A" Agricultural	300	1,500
"RS" Single-Family Residential	200	800
"RM" Mixed Residential	200	800
"MN" Neighborhood Mixed Use	200	800
"MX" Mixed-Use Center *(Site Category 1)*	200	800
"MX" Mixed-Use Center *(Site Category 2)*	200	800
"D" Downtown	200	800
"CM" Commercial Mixed	200	800
"CH" Commercial Heavy	200	1,200
"IL" Industrial Light	200	1,500
"IH" Heavy Industrial	200	1,500
"PD" Planned Development	200	800
"PI" Public / Institutional	200	1,500
Unincorporated Parish		
Residential	300	1,500*
Commercial / Mixed Use	300	1,500
Industrial	300	1,500

* The maximum block length for lots having a width of 40 feet or less is 1,200 feet.

b. In blocks over 700 feet in length, the Planning and Zoning Commission may require a pedestrian crosswalk at least 10 feet wide to provide circulation or access to schools, playgrounds, shopping areas, transportation or other community facilities.

c. If lots are subdivided and a public or private street is proposed which equals or exceeds the maximum length, the plat shall include cross streets extending to the property line within each interval equal to the maximum block length.

d. If lots are created along the length of an existing public or private street, and the cumulative length of frontage for the lots equals or exceeds the maximum block length, a cross street

extending to the rear property line of the lots (which divides the lots into two or more blocks) shall be provided for each frontage increment equal to the maximum block length.

e. Stub streets or dead-ends may have a block length of up to 800 feet unless terminated with a circular turnaround and if deemed necessary by the Planning and Zoning Commission suitably modified to accommodate future extension of the street into adjacent property.

f. Dead-end private streets must not extend further than 800 feet from the nearest right-of-way line of the intersecting public or private street measured along the center line of said private street to the center of the circular turnaround (cul-de-sac) or the outer limit of the paving in the T-type turnaround configuration.

(e) Setbacks

(1) Measurement

a. Required setbacks adjacent to public streets or alleys shall be measured from the property line adjacent to the right-of-way.

b. Where lots are created adjacent to or abutting a substandard public right-of-way, an enhanced building setback line shall be placed at a distance from the public right-of-way equal to the sum of one-half of the right-of-way deficit plus any setback required as part of these regulations.

c. Required setbacks adjacent to private streets or alleys shall be measured from the edge of pavement or back of curb of the street, whichever is closest to the structure.

d. Required setbacks not adjacent to a street or alley are measured from the property line.

e. If sidewalks are located in a sidewalk easement or servitude, required setbacks and landscape elements are measured from the edge of the sidewalk servitude on the development side.

(2) Setback Types

a. Front setback means a setback across the full width of the lot extending from the front line of the principal building to the front lot line.

b. Rear setback means the setback between the rear lot line and the rear line of the principal building and the side lot lines.

c. Side setback means a setback between the principal building and the adjacent side line of the lot, and extending entirely from a front setback to the rear setback or along adjacent lot lines.

(3) Required Setbacks

a. Setbacks shall be provided as set out in the zoning district regulations (Article 2).

b. Where a lot in a business or industrial district abuts a lot in a residential district, there shall be provided along the abutting lines a setback equal in width or depth to that required in the residential district. See buffer section § 89-36.

c. There are no required front setbacks for townhouse developments on private streets or alleys.

d. Setback requirements may vary if a complete subdivision development plan is submitted to the Planning and Zoning Commission showing the proposed location of all buildings and the maximum buildable area.

e. No part of a setback or other landscape buffer required for any building shall be included as a part of a required setback or other landscape buffer required for another building.

(4) Projections into Required Setbacks

a. Every part of a required setback shall be open to the sky except for –

Normal projections not over 24 inches, and

Required landscaping, buffering and screening (see § 89-36), and

Required ingress and egress.

b. 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*
Arbors (maximum footprint of 80 sf and maximum height of 12 feet)	Any setback	No restriction	0 feet
Basketball goal	Any setback	No restriction	0 feet
Bird houses, dog houses	Any setback	No restriction	0 feet
Building projections including window sills, belt courses, cornices, chimneys, buttresses, eaves, spouts/gutters, brackets, pilasters, grill work, trellises and similar ornamental architectural features	Any setback	30 inches into setback	--
Canopies, Freestanding	Front	10 feet into setback	
Canopies having a roof area up to 60 sf	Front/rear	6 feet into setback	--
Clothes line	Rear/Side	No restriction	0 feet
Driveways	Any Setback	No restriction	0 feet
Equipment, ancillary (residential or mixed use districts)	Interior Side/Rear	No restriction	0 feet
Equipment, ancillary (non-residential districts)	Interior Side/Rear	No restriction	0 feet
Fire escape / enclosed outside stairway / handicap ramps required by the building code	Any setbacks	5 feet from building	--
Flag Pole	Any setback	No restriction	0 feet
Garages, attached or detached and loaded from an alley	Rear	No restriction	0 feet
Gates	Any setback	No restriction	0 feet
Heating and cooling units	Side/Rear	No restriction	3 feet
Landscaping, lawns, berms, trees, shrubs, and fences	Any setback	No restriction	0 feet
Light Poles	Any setback	No restriction	0 feet
Mailboxes	Any setback	No restriction	0 feet
Playground equipment, trampolines	Any setback	No restriction	0 feet
Pier, awnings, steps, or projections enclosing habitable living space, or similar architectural features and awnings	Any	No restriction	3 feet
Parking areas, subject to zoning district regulations and Article 2 and § (b)(5)	Any	No restriction	0 feet
Porches, unenclosed	Front/rear	6 feet into setback	--
Cantilevered overhangs on the ground floor not listed above	Any	No restriction	3 feet
Projecting windows such as bays, bows, oriels, or dormers	Any setback	30 inches into setback	--
Ramps for citizens with impairments	Any	No restriction	0 feet

Feature	Setbacks *where encroachment is permitted*	Maximum Encroachment	Minimum Setback *From street or lot line*
Retaining Walls	Any	No restriction	0 feet
Sidewalks	Any	No restriction	0 feet
Signs (subject to Article 5)	Any	See Article 5	See Article 5
Stormwater detention or retention facilities or ditches, if the Administrator finds that underground stormwater management facilities are not currently available	Rear (MN, MX districts), Any setback (all other districts)	No restriction	0 feet
Vending Machines, ATMs	Any	No restriction	0 feet
Wing walls, stoops, landings, balconies, patios, and decks	Any setback	12 inches into setback with at least 10 feet of clearance over any utility or utility servitude	--

c. One encroachment into the required rear setback is allowed (for the principal structure) if:

The encroachment shall not be closer than 5 feet to the rear lot line.

The encroachment is only permitted on 1 side of the lot when the lot is divided by extending a line that divides the rear and front lot lines in half.

No building or portion of building located on the other side of the lot shall be located closer than the required rear setback plus the amount of the setback reduced by the encroachment.

The encroachment is permitted upon receipt of a site plan demonstrating that all existing and proposed construction is in compliance with setback requirements in Article 2. A plat of survey (by a registered land surveyor) is required after construction has begun and before the foundation inspection is approved.

(5) Side Yards Setback. Side setbacks are subject to the applicable building code.

(6) Setback Reductions in the City of Lafayette

a. Any lot less than 100 feet deep may have front and rear setback areas reduced by one percent for each foot that the depth of the lot is less than 100.

b. In the case of a lot less than 50 feet in width, the minimum side setback requirement is 10% of the lot width.

c. No building need be set back from the street more than the average front setback depth of the buildings within 100 feet on either side.

(7) Yards Setback in Unincorporated Areas. The following setback requirements apply to the unincorporated areas of Lafayette Parish that are not zoned:

a. Setback. Yard setbacks are as follows:

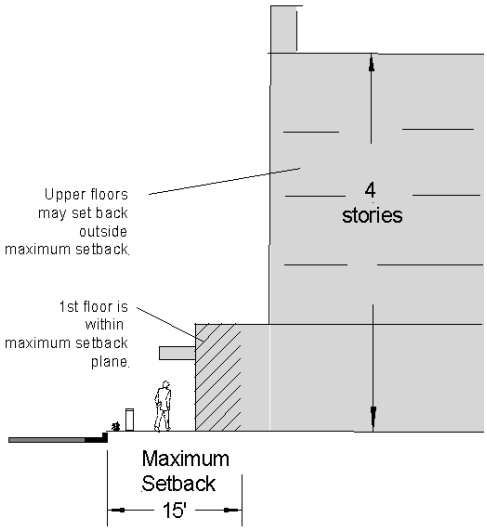
Front setback	20 feet
Side setback	5 feet
Rear setback	10 feet

b. When the lots face Local streets classified as interior streets, the Planning and Zoning Commission may waive the required front setback if:

The applicant submits in writing a request to have the building setback lines waived, and

The face of the plat includes a typical lot layout and notes restricting the placement of the garage and dwelling unit.

(f) Setbacks



a. All roads in the Rural Area of the Lafayette Transportation Plan with posted speed limits of 35 mph or over shall have an enhanced building setback of (100' – actual ROW)/2.

b. All roads in the Urban Growth Area of the Lafayette Transportation Plan with posted speed limits of 35 mph or over shall have an enhanced building setback of (100' – actual ROW)/2 + 20' permanent building setback, unless Districts provide otherwise.

c. For projects identified on the Lafayette Transportation Plan, additional setbacks are required. PW determines the setback based on project scope.

d. Maximum Setback:

a. Maximum setbacks apply to all building components, excluding open space, driveways and porte cocheres.

b. The maximum setback does not apply to the building plane above the first floor.

e. 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.

(b) Railroad Rights-of-Way / Arterial Roads – Lot Arrangement

Where a proposed subdivision abuts or contains a railroad right-of-way or an existing or proposed arterial thoroughfare, as designated in the Lafayette Transportation Plan, the Planning and Zoning Commission may require:

(1) Marginal access streets on each side of the right-of-way.

(2) Reverse frontage lots with required screen planting within the non-access frontage.

(3) Deep lots with service alleys.

(4) Adequate right-of-way that is appropriate for future traffic demands.

(5) Other treatment necessary to protect and separate local and through traffic.

89-39 Parking & Loading

Purpose: this Section provides safety, comfort and convenience to parking lot users, pedestrians and motorists. These standards:

- *reduce the effect of parking demand on traffic movement on adjacent streets, and*
- *prevent the occurrence of undesirable conditions caused by the construction of parking lots which would adversely affect adjacent property owners; and*
- *establish minimum levels of parking to capture vehicular traffic while avoiding the undesirable effects of excessive parking, and*
- *consistent with PlanLafayette Action Item (3.2.3), discourage excessive paved surfaces, and*
- *ensure that parking does not interfere with pedestrian, bicycle, or other modes of transportation.*

(City Code 1965, § 19-7)

(a) Applicability

(1) This section applies to the City and the unincorporated Parish.

(2) This section applies to the parking of vehicles accessory to any use.

(3) Where the requirements of this section conflict with the provisions of 89-13, Downtown, the provisions of 89-13, and related appendices, shall apply.

(b) Accessibility

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 § 89-26 for ingress and egress requirements.*

(c) Residential Zoning District Separation

The property owner shall install a continuous fence between the parking lot and any "RS" or "RM" zoning district. The fence shall be 6 feet in height and constructed of permanent, durable material.

(d) Location

(1) The property used for parking required by this section must be located on or within a contiguous lot or parcel containing the principal use, except as provided below.

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

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.

(3) In the MN, MX, and CM districts:

a. Parking areas shall be located at the rear or side of a building. Parking areas located at the side shall be screened from sidewalks by a combination of low (i.e. not exceeding 4 feet in height) walls or fences and a minimum Class "B" buffer (see 89-36(g)).

b. A parking lot or garage shall not be adjacent to or opposite a street or intersection.

c. Parking shall be accessed by an alley or rear lane, when available. However, there shall be no parking in an alley or lane.

(e) Joint Parking.

(1) The off-street parking facilities required by two or more uses may be combined and used jointly.

(2) The joint spaces shall be located –

a. On the same building site, or

b. Within 1,320 feet of the building or area that includes each use.

(3) The off-street parking facilities shall be adequate in area to provide the sum total of the facilities required for all of the uses.

(4) Two or more owners or operators of buildings or uses requiring off-street parking or loading facilities may collectively use such facilities if the total minimum and maximum number of such parking or loading spaces conform with this section when computed separately for each use or building type.

(5) An off-street parking area required for any building or use may be used as part of an off-street parking area required for another building or use where peak use periods do not overlap, as provided below. The required parking spaces are reduced in accordance as follows:

a. Determine the minimum parking requirements in accordance with Table 89-39-1 for each land use as if it were a separate use,

b. Multiply each amount by the corresponding percentages for each of the five time periods set forth in Columns (B) through (F) of Table 89-39-1 below,

c. Calculate the total for each time period (Column),

d. Select the Column with the highest total. This is the required number of spaces.

Table 89-39-1 Shared Parking Reduction

	Weekday		Weekend		
(A) Land Use	(B) Daytime (9 a.m. - 4 p.m.)	(C) Evening (6 p.m. - midnight)	(D) Daytime (9 a.m. - 4 p.m.)	(E) Evening (6 p.m. - midnight)	(F) Nighttime (midnight 6 a.m.)
Office/Industrial	100%	10%	10%	5%	5%
Retail	60%	90%	100%	70%	5%
Hotel	75%	100%	75%	100%	75%
Restaurant	50%	100%	100%	100%	10%
Entertainment/ Commercial	40%	100%	80%	100%	10%

(6) If an office use and a retail use share parking and the office space comprises at least 35% of the space and at least 2,000 square feet, the parking required **for the retail use** is reduced to the lesser of –

a. 80% percent of the parking spaces otherwise required, or

b. 1 parking space per 500 square feet.

(7) If a residential use shares parking with a retail use other than lodging uses, eating and drinking establishments or entertainment uses, the parking required for the residential use is reduced by 30 percent or the minimum parking required for the retail and service use, whichever is less.

(8) If an office and a residential use share off-street parking, the parking requirement for the **residential** use is reduced to the lesser of –

a. 50 percent of the parking normally required for the residential use, or

b. 1 space per 1,000 square feet.

(f) Leases

Required parking may be leased if –

(1) It is located as provided in subsection (d) above, and

(2) The required parking spaces are leased for a period of time equal to or longer than the lease of the use they are provided for. If the associated use is owned by the operator, the lease of the parking area must be maintained as long as the business is operating, and

(3) A copy of the new lease must be filed with the zoning administrator prior to expiration of the current lease.

(g) Required Parking

(1) Applicability

a. This subsection applies to all development in the Parish and the City of Lafayette. It does not apply to the "MN," "MX" or "D" zoning districts, except where specifically indicated below.

(2) Type of Parking Required

a. The schedule in Table 89-39-2 below establishes the motor vehicle parking spaces required for any use.

b. Ten permanent bicycle parking spaces may be provided in lieu of 1 parking space. A maximum of 20 bicycle parking spaces may be provided to count toward this reduction.

c. Parking lots or garages must provide at least 1 bicycle parking space for every 10 motor vehicle parking spaces in the "MN", "MX", and "D" zoning districts.

(3) Calculations

a. Adjacent on-street parking is counted toward the minimum parking requirements.

b. When a determination of the number of minimum required off-street parking spaces or the permitted maximum number of off-street parking spaces results in a requirement of a fractional space, the fraction counts as 1 space.

c. If the number of spaces is based on square feet, the square footage is the gross floor area of all habitable building spaces on the lot or parcel. This does not include any parking garage.

d. When computing required minimum off-street parking spaces, the total number of required spaces are calculated separately for each use, except as indicated below.

e. Where applicable, up to two provisions of subsection (4) below may be applied in order to reduce the minimum off-street parking requirement.

(4) Parking Space Reductions

a. Required parking spaces are reduced if joint parking spaces are provided (see subsection (e) above).

b. Reduction for proximity to public transit. Where a nonresidential use is located within 1,200 feet of a public transit route, the total number of required off-street parking spaces, unassigned to specific persons, is reduced to 80% percent of that otherwise required as set forth in Table 89-39-2.

c. Reduction for first 4,000 square feet. Where the off-street parking requirement for a nonresidential or mixed use is based on square footage, the total number of required off-street parking spaces, for the first 4,000 gross square feet of floor area of the use, is reduced by 2 spaces.

(5) Parking Space Limits

a. Parking shall not exceed the required number of spaces based on size and use. Additional parking spaces are allowed up to the following limits:

1. Commercial sites that have under 50 parking spaces are allowed up to 25% additional parking spaces before conditions are mandated.

2. Commercial sites that have between 51 and 100 parking spaces are allowed up to 20% additional parking spaces before conditions are mandated.

3. Commercial sites that have between 101 and 150 parking spaces are allowed up to 15% additional parking spaces before conditions are mandated.

4. Commercial sites that have between 151 and 200 parking spaces are allowed up to 12% additional parking spaces before conditions are mandated.

5. Commercial sites that have between 201 and 250 parking spaces are allowed up to 8% additional parking spaces before conditions are mandated.

6. Commercial sites with more than 250 parking spaces are allowed up to 5% additional parking spaces before conditions are mandated.

7. For restaurant sites of any size, conditions are not mandated unless parking spaces exceed the number required for a 1 space to 2 seat ratio.

b. 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 a. Green Infrastructure provided herein shall qualify as Parking Lot Landscaping for the purposes of Open Space requirements.

c. The Green Infrastructure must be able to manage the amount of runoff that is being created by the additional impervious surfaces. The required infrastructure shall be designed according to recommended, dimensions, slopes, materials, planting standards, specifications, and performance requirements as needed to manage on-site storm water. Source control devises and methods shall be installed where necessary to prevent litter floatation with storm water. Recommended storm water management facilities that use vegetation in the process of cleaning storm water include but are not limited to:

- Micro-detentions such as rain gardens, rain groves and circular depressions
- Planted storm water buffers,
- French drains, infiltration trenches,
- Sand filters,
- Grassed swales, bioswales or vegetated ditches,
- Parking lot detentions
- Constructed wetlands,
- Porous paving,
- Underground storage chambers that capture parking lot water,
- Irrigation cisterns that recycle rooftop captured storm water,
- Retained natural wetlands,
- Stream bank or riparian buffer.

Table 89-39-2 Required Parking Spaces

Use *(see § 89-21 for definitions)*	Required Parking Spaces
Residential	
Residences	
Accessory apartment	1 per dwelling unit
Apartment Hotel	1 per dwelling unit
Apartment House	1 per dwelling unit
Condominium / Townhouse / Row house	1.5 per dwelling unit
Cottage Courts	1 per dwelling unit
Dwelling, single-family detached	1 per dwelling unit
Dwelling, two-family (duplex)	1 per dwelling unit
Multi-family	1.5 per dwelling unit
Live/Work Dwelling	1 per dwelling unit
Manufactured home / Mobile home	1 per dwelling unit
Manufactured Housing Land Lease Community	1 per dwelling unit
Zero lot line home	1 per dwelling unit
Group Living:	
Boarding and Rooming Houses / Dormitories	1 per guest room
Child Care, Commercial	1 per 400 sf
Community living	1 per 1,000 sf
Community home	1 per 1,000 sf
Fraternities / Sororities	1 per 100 sf of living area
Lodging / Short-Term Rental	
Bed and breakfast	1 per 1 guest rooms
Hotel (small)	1 per 1 guest rooms
Hotel / Motel	1 per guest room
Recreational vehicle park	n/a

Use (see § 89-21 for definitions)	Required Parking Spaces
Commercial / Mixed Use	
Animal Services:	
Animal hospital (indoor)	1 per 800 sf
Animal services, generally	1 per 800 sf
Financial Services:	
Automated teller machine, stand alone	n/a
Financial institutions	1 per 250 sf
Pawn shop	1 per 250 sf
Food & Beverage Sales / Service:	
Bar / Lounge	1 space per 4 seats in the sitting area plus 1 space per 200 sf of remaining floor area
Food market	1 per 250 sf
Food preparation	1 per 250 sf
Food service	1 per 250 sf
Mobile vendor	n/a
Restaurant	1 space per 4 seats in the sitting area plus 1 space per 200 sf of remaining floor area
Snack or beverage bars	1 per 250 sf
Office, Business & Professional:	
Office, professional, non-medical	See chart below
Personal / Business services:	
Bail bond services	1 per 250 sf
Business support services	1 per 250 sf
Courier, messenger and delivery services	1 per 250 sf
Day Labor Service	1 per 250 sf
Funeral & interment services	1 per 250 sf
Crematorium	1 per 500 sf
Linen/Uniform Supply	1 per 250 sf
Maintenance & repair services	1 per 250 sf
Personal services	1 per 250 sf
Pick-up station (laundry and/or dry cleaning)	1 per 250 sf
Retail sales:	
Convenience store	1 per 250 sf
Convenience store (with gasoline sales)	1 per 250 sf
Nonstore retailers	1 per 250 sf
Nursery/Horticulture/Farm Supply	1 per 250 sf
Retail, general	1 per 250 sf
Vehicles / Equipment:	1 per 250 sf
Auto and truck repair	1 per 250 sf
Automobile or vehicle dealership	1 per 250 sf
Building material sales & services	1 per 250 sf
Car Wash	1 per 250 sf
Commercial and Industrial Machinery and Equipment Rental and Leasing	1 per 250 sf
Gasoline or diesel fuel sales	1 per 250 sf
Manufactured Home Dealers	1 per 250 sf
Truck stop	1 per 250 sf
Public/Civic/Institutional	
Day Care:	
Adult day care	1 per 250 sf
Child care facility, commercial	1 per 250 sf

Use *(see § 89-21 for definitions)*	Required Parking Spaces
Child care facility, residential	1 per 250 sf
Assembly:	
Cemetery/mausoleum	1 per 250 sf
Church or worship center	1 per 250 sf
Exhibition, convention, or conference facility	1 per 250 sf
Club or lodge (private)	1 per 250 sf
Government / Non-Profit:	1 per 250 sf
Armory	1 per 250 sf
Detention or penal institution	1 per 250 sf
Vehicle / equipment maintenance facility	1 per 250 sf
Public Safety Facility	1 per 250 sf
Social assistance, welfare, and charitable services	1 per 250 sf
Postal services	1 per 250 sf
Educational:	
Business college / Trade school / Instructional studio	1 per 4 classroom seats
Elementary and middle school (public or private)	1.5 per classroom
High school (public or private)	7 spaces per classroom
Personal instructional services	1 per 250 sf
University and College	1 per 10 classroom seats
Medical:	
Hospital or sanitarium / Nursing homes	1 per 3 beds plus ancillary uses
Life care or continuing care services	1 per 3 beds plus ancillary uses
Medical office, clinic, or laboratory	1 per 200 sf
Arts, Entertainment, & Recreation:	
Adult business	1 per 250 sf
Art galleries	1 per 300 sf of floor area
Auditoriums	1 per 5 seats, permanent and portable
Civic Spaces	n/a
Convention halls	1 per 5 seats, permanent and portable
Cultural facility	1 per 250 sf
Entertainment facility / Theater	1 per 150 sf
Health/fitness club	1 per 250 sf
Gymnasiums	1 per 5 seats, permanent and portable
Libraries	1 per 300 sf of floor area
Museums	1 per 300 sf of floor area
Recreational Facility, Indoor	1 per 250 sf
Recreational Facility, Outdoor or Major	1 per 250 sf
Theater	1 per 5 seats, permanent and portable
Industrial / Production – *for buildings of less than 10,000 square feet, follow the table below;*	*– for buildings of 10,000 square feet or more, 20 parking spaces plus 1 for every 3 employees*
Manufacturing & Employment:	
Contractor	1 per 500 sf
Data Processing, Hosting, and Related Services (including data centers)	1 per 500 sf
Industrial Services	1 per 500 sf
Media Production	1 per 500 sf
Mining & quarrying	1 per 500 sf
Manufacturing, Light	1 per 500 sf
Manufacturing, General	1 per 500 sf
Manufacturing, Intensive	1 per 500 sf
Oil and gas company (drilling and exploration)	1 per 500 sf
Research and development	1 per 500 sf
Oil and mining support activities	1 per 500 sf

Use *(see § 89-21 for definitions)*	Required Parking Spaces
Stone cutting	1 per 500 sf
Warehousing, Storage & Distribution:	
Building and landscaping materials supplier	1 per 500 sf
Building maintenance services	1 per 500 sf
Freight depot (railway and truck)	1 per 500 sf
Fuel Distribution or Recycling	1 per 500 sf
Machinery and heavy equipment sales and service	1 per 500 sf
Mini-warehouse facilities	1 space per on-site dwelling unit plus 1 space per 200 square feet of office space and 1 parking space for every 2 employees
Oil & gas storage	1 per 500 sf
Outdoor storage	1 per 500 sf
Self-service storage facility	1 space per on-site dwelling unit plus 1 space per 200 square feet of office space and 1 parking space for every 2 employees
Vehicle towing and storage facility	1 per 500 sf
Wholesale distribution, warehousing and storage	1 per 500 sf
Infrastructure	
Transportation / Parking:	
Airport	1 per 500 sf
Ground passenger transportation (e.g. taxi, charter bus)	1 per 500 sf
Heliport / miscellaneous air transportation	1 per 500 sf
Parking facility	n/a
Railroad facilities	n/a
Passenger depot	1 per 500 sf
Transit shelter	1 per 500 sf
Utilities:	
Utility, Major	n/a
Utility, Minor	n/a
Communications facilities:	
Communications facility	n/a
Wireless communication tower or antenna	n/a
Weather or environmental monitoring station	n/a
Waste-related:	
Hazardous waste disposal	n/a
Hazardous waste transfer	n/a
Junk yards	1 per 500 sf
Recycling plant	1 per 500 sf
Remediation Services	1 per 500 sf
Solid waste	1 per 500 sf
Agriculture	
Farming	n/a
Poultry and egg production	n/a
Community garden	n/a
Crop Agriculture	n/a
Community Supported Agriculture	n/a
Accessory	
Accessory use (generally)	n/a
Accessory commercial uses	1 per 250 sf
Accessory farm use	n/a
Accessory schools	Depends on use

Use *(see § 89-21 for definitions)*	Required Parking Spaces
Accessory retail and personal service, office, or recreational use	1 per 250 sf
Caretaker or guard	1 per 250 sf
Construction yard	n/a
Home occupation	n/a
Model home complex / temporary real estate sales office	1 per 250 sf
Parking garage, private	n/a
Pharmacy, accessory	1 per 250 sf
Recreational facility, accessory	n/a
Storage, recycling or clothing	n/a
Miscellaneous	
Temporary Uses	n/a

On-site Parking Spaces Required for Professional, Non-medical buildings					
Building area (sq ft)	Required spaces	Building area (sq ft)	Required spaces	Building area (sq ft)	Required spaces
1-500	3	23,501-24,000	79	47,001-47,500	145
501-1,000	5	24,001-24,500	82	47,501-48,000	146
1,001 - 1,500	8	24,501-25,000	83	48,001-48,500	148
1,501 - 2,000	10	25,001-25,500	85	48,501-49,000	149
2,001 - 2,500	13	25,501-26,000	86	49,001-49,500	151
2,501 - 3,000	15	26,001-26,500	88	49,501-50,000	152
3,001 - 3,500	18	26,501-27,000	89	50,001-50,500	153
3,501 - 4,000	20	27,001-27,500	91	50,501-51,000	155
4,001 - 4,500	22	27,501-28,000	92	51,001-51,500	156
4,501 - 5,000	25	28,001-28,500	93	51,501-52,000	158
5,001 - 5,500	26	28,501-29,000	95	52,001-52,500	159
5,501 - 6,000	27	29,001-29,500	96	52,501-53,000	160
6,001 - 6,500	28	29,501-30,000	97	53,001-53,500	161
6,501 - 7,000	29	30,001-30,500	98	53,501-54,000	162
7,001 - 7,500	30	30,501-31,000	100	54,001-54,500	163
7,501 - 8,000	31	31,001-31,500	101	54,501-55,000	164
8,001 - 8,500	32	31,501-32,000	103	55,001-55,500	165
8,501 - 9,000	33	32,001-32,500	104	55,501-56,000	167
9,001 - 9,500	34	32,501-33,000	105	56,001-56,500	168
9,501 - 10,000	35	33,001-33,500	107	56,501-57,000	169
10,001 - 10,500	36	33,501-34,000	108	57,001-57,500	170
10,501 - 11,000	38	34,001-34,500	110	57,501-58,000	171
11,001 - 11,500	39	34,501-35,000	111	58,001-58,500	173
11,501 - 12,000	42	35,001-35,500	113	58,501-59,000	174
12,001 - 12,500	43	35,501-36,000	114	59,001-59,500	175
12,501 - 13,000	44	36,001-36,500	115	59,501-60,000	177
13,001 - 13,500	46	36,501-37,000	117	60,001-60,500	178
13,501 - 14,000	47	37,001-37,500	118	60,501-61,000	179
14,001 - 14,500	49	37,501-38,000	120	61,001-61,500	181
14,501 - 15,000	50	38,001-38,500	121	61,501-62,000	182
15,001 - 15,500	53	38,501-39,000	123	62,501-63,000	184
15,501 - 16,000	54	39,001-39,500	124	63,001-63,500	185
16,001 - 16,500	55	39,501-40,000	125	63,501-64,000	187
16,501 - 17,000	57	40,001-40,500	127	64,001-64,500	188
17,001 - 17,500	59	40,501-41,000	128	64,501-65,000	189
17,501 - 18,000	61	41,001-41,500	129	65,001-65,500	190
18,001 - 18,500	62	41,501-42,000	131	65,501-66,000	191
18,501 - 19,000	63	42,001-42,500	132	66,001-66,500	192
19,001 - 19,500	65	42,501-43,000	133	66,501-67,000	194
19,501 - 20,000	67	43,001-43,500	135	67,001-67,500	195
20,001 - 20,500	68	43,501-44,000	136	67,501-68,000	196
20,501 - 21,000	70	44,001-44,500	138	68,001-68,500	197
21,001 - 21,500	72	44,501-45,000	139	68,501-69,000	199
21,501-22,000	73	45,001-45,500	140	69,001-69,500	200
22,001-22,500	75	45,501-46,000	141	69,501-70,000	201
22,501-23,000	77	46,001-46,500	142	70,001-70,500	202
23,001-23,500	78	46,501-47,000	144	70,501-71,000	204

Continued on following page

Continued, On-site Parking Spaces Required for Professional, Non-medical buildings

Building area (sq ft)	Required spaces	Building area (sq ft)	Required spaces	Building area (sq ft)	Required spaces
71,001-71,500	205	96,501-97,000	276		
71,501-72,000	206	97,001-97,500	278		
72,001-72,500	207	97,501-98,000	279		
72,501-73,000	209	98,001-98,500	281		
73,001-73,500	210	98,501-99,000	282		
73,501-74,000	211	99,001-99,500	283		
74,001-74,500	212	99,501-100,000	285		
74,501-75,000	213	100,001-100,500	286		
75,001-75,500	214	100,501-101,000	287		
75,501-76,000	216	101,001-101,500	289		
76,001-76,500	218	101,501-102,000	290		
76,501-77,000	219	102,001-102,500	291		
77,001-77,500	221	102,501-103,000	293		
77,501-78,000	222	103,001-103,500	294		
78,001-78,500	223	103,501-104,000	295		
78,501-79,000	225	104,001-104,500	297		
79,001-79,500	226	104,501-105,000	298		
79,501-80,000	227	**More than 105,000**			
80,001-80,500	228	Any building area exceeding 105,000 sq. ft. will be required to have one parking space for each additional 350 sq. ft. of building area			
80,501-81,000	230				
81,001-81,500	231				
81,501-82,000	233				
82,001-82,500	234				
82,501-83,000	236				
83,001-83,500	237				
83,501-84,000	239				
84,001-84,500	240				
84,501-85,000	241				
85,001-85,500	243				
85,501-86,000	245				
86,001-86,500	246				
86,501-87,000	248				
87,001-87,500	249				
87,501-88,000	250				
88,001-88,500	252				
88,501-89,000	253				
89,001-89,500	255				
89,501-90,000	256				
90,001-90,500	258				
90,501-91,000	259				
91,001-91,500	261				
91,501-92,000	262				
92,001-92,500	263				
92,501-93,000	265				
93,001-93,500	266				
93,501-94,000	268				
94,001-94,500	269				
94,501-95,000	271				
95,001-95,500	272				
95,501-96,000	273				
96,001-96,500	275				

(h) Parking Area Design

(1) Stall dimensions. Parking stalls shall conform to the minimum dimensions established in Table 89-39-3.

(2) Compact Spaces.

a. Up to ten percent (10%) of parking spaces may be designed for use by cars smaller than full size (called "compact spaces").

b. Compact spaces shall be located in continuous areas, and shall not be mixed with spaces designed for full size cars.

c. Compact spaces shall be clearly designed by pavement marking and labeled as "Compact Cars Only."

d. Stall dimensions for compact spaces are reduced to 8 feet wide and 16 feet deep (8' x 16').

Table 89-39-3 Parking Stall Dimensions

					Modules	
Parking Angle	**Stall Width Parallel to Aisle** *(feet)*	**Stall Depth to Wall** *(feet)*	**Stall Depth to Interlock** *(feet)*	**Aisle Width** *(feet)*	**Wall to Wall** *(feet)*	**Interlock to Interlock** *(feet)*
45 degrees						
9.0-foot stall	12.0	17.5	15.3	12.0	47.0	43.0
9.5-foot stall	13.4	17.5	15.3	11.0	46.0	42.0
60 degrees						
9.0-foot stall	10.4	19.0	17.5	16.0	54.0	51.0
9.5-foot stall	11.0	19.0	17.5	15.0	53.0	50.0
75 degrees						
9.0-foot stall	9.3	19.5	18.8	23.0	62.0	61.0
9.5-foot stall	9.8	19.5	18.8	22.0	61.0	60.0
90 degrees						
9.0-foot stall	9.0	18.5	18.5	26.0	63.0	63.0
9.5-foot stall	9.5	18.5	18.5	25.0	62.0	62.0

(3) Use of street, sidewalk or alley as part of access aisle. The full width of an alley, but no part of a public street, shoulder or sidewalk, may be used in calculating the access aisle portion of a one-side parking module.

(4) Surfacing

a. Non-residential lots. The surface of parking lots shall be constructed of concrete or asphalt in accordance with the of construction plans approved by PW.

b. Residential lots. The surface shall consist of shell, brick, stone, gravel, concrete or asphalt. The material shall be compacted and of such thickness as to provide for the safe movement of traffic and pedestrians during inclement weather.

c. Driveways

1. The surfacing between the edge of the existing street and property line for the driveway shall consist of the same or more durable material as the contiguous street surfacing.

2. If a sidewalk exists it shall continue across the driveway and shall be of concrete composition with a minimum depth of six inches or the same thickness of the driveway, whichever is greater. It shall be separated from the drive by expansion joints for the total length it traverses the driveway and be ADA compliant.

3. A driveway permit must be obtained from PW prior to construction of the driveway if the construction is not already associated with a building permit.

4. The design must be in accordance with LCG Driveway Specifications, a copy of which can be obtained from LCG.

(5) **Drainage**. Parking lots shall have on-site drainage such that surface rainwater will not be allowed to flow across any sidewalks or properties of different ownership adjoining the property proposed for off-street parking. The size and positioning of culverts and drains shall be approved by PW.

(6) **Wheelguards**. Wheelguards or bumper guards so located that no part of parked vehicles will extend beyond the parking facility. The distance from the property line to the wheelguard shall be a minimum of 3.0 feet.

(7) Dumpsters, when present, shall be located within the development. Dumpsters are not permitted within the public right-of-way.

(8) Where cart corrals are provided, trash receptacles must also be provided.

(i) Head-in/back-out Parking

(1) Applicability

a. This subsection applies to "head-in/back-out parking spaces." These are parking spaces requiring a vehicle to back onto a public street/or right-of-way as a means of gaining access to the public street.

b. This subsection does not apply to:

1. Single-family Dwellings, including single-family detached dwellings, accessory apartments, cottage Courts, two-family dwellings (duplexes), Live/Work Dwellings, Manufactured homes, Manufactured Housing Land Lease Communities, Apartment Houses, Townhouses / Row houses, and Zero lot line homes (see Use Table, § 89-21), or

2. The "D" (Downtown) zoning districts.

(2) Generally *(⇔ see also 89-26(d)(12))*

a. Head-in/back-out parking spaces shall not be constructed in any development except where provided in this subsection.

b. No head-in/back-out parking spaces will be located within the public rights-of-way and no limestone areas within the public rights-of-way shall be used as head-in/back-out parking spaces.

c. The construction or renovation of existing buildings or structures shall not cause the number of existing head-in/back-out parking spaces located at and servicing the building or structures to increase.

(3) Existing Spaces. An existing building or structure that has existing head-in/back-out parking spaces may expand if:

a. Any head-in/back-out parking spaces that front major arterial, minor arterial and major collection streets shall be removed.

b. If the subject property is unable to meet the number of parking spaces required by applicable regulations after removing the head-in/back-out spaces, the owner of the property may construct head-in/back-out parking spaces adjacent to streets which are not designated as major arterial, minor arterial or major collector streets. However, the maximum number of replacement head-in/back-out parking spaces added cannot exceed the number of head-in/back-out spaces removed pursuant to subsection a, above.

c. PW shall determine whether a property or existing head-in/back-out parking spaces fronts a major arterial, minor arterial or major collection street at the time a request for a building permit is requested for the expansion of a building or structure located on a property which has existing head-in/back-out parking spaces.

d. Existing head-in/back-out parking spaces are not required to be removed unless there is cumulative expansion (aggregate of all expansions) of existing buildings or structures equal to or greater than the percentages indicated below:

BUILDING SIZE	PERCENT EXPANSION
0 to 2,000 square feet	50
2,001 to 5,000 square feet	35
5,001 to 10,000 square feet	30
10,001 square feet or larger	25

(4) If an existing building or structure is converted from a residential use to a commercial use, existing head-in/back-out spaces may remain unless they front a major arterial, minor arterial or major collector street. In that event, the existing head-in/back-out parking spaces shall be removed and the property shall provide all requested parking spaces in accordance with applicable regulations.

(5) The PW Director may grant variances from the strict application of this subsection when the director determines either (i) extenuating circumstances exist or (ii) practical difficulties in the development or use of land would result from strict application of this section. Any variances shall be consistent with the intent of this section, the general welfare of the community and traffic safety. The procedure for requesting variances of this subsection shall be published by PW.

89-40 Open Space

(a) Applicability

This section applies to –

(1) Any subdivision of property, except for a single-family residential subdivision of less than 10 lots.

(2) Any building permit, except for that of a single-family residential home.

(3) In the event the Planning Commission finds that the interests of infill and redevelopment of areas into a more urban character, these requirements may be modified or waived.

(b) Reservation

(1) Where a proposed park, playground, or other site for public use is shown on an approved plan and is located in whole or in part in a proposed subdivision, the Planning and Zoning Commission may require the land to be reserved within the proposed subdivision.

(2) The reservation shall continue in effect for a period of up to 1 year from the date of filing of the proposed subdivision plan. Additional reservation time may be provided but only upon mutual agreement of the subdivider and the appropriate governmental agency.

(3) The reservation may be released upon written notice by the respective governmental agency.

(4) For lands intended for reservation, the subdivider may provide alternate plans for the development lands set aside for public use by the respective governmental agency.

(5) If the appropriate governmental agency does not initiate action toward a commitment to acquire the land held in reservation during the period of reservation (see subsection (2) above), and the reservation expires, any alternate subdivision plans for the tract become an integral part of the subdivision. When all technical requirements as found in these regulations are met, the reserved land is deemed to have obtained preliminary subdivision approval by the Planning and Zoning Commission.

(c) Open Space Requirements

(1) Amount Required. Open space is required as a percentage of the gross developable area of a lot or lots. 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 the Lafayette Parish, the amount of required open space shall be twenty (20%) of the gross developable area.

(2) Design

a. Open space includes neither building sites for dwelling units, utility or storage purposes, vehicular parking, carports or garages, driveways, nor streets, either public or private.

b. Open space does not include areas within required setbacks, except as allowed below.

(3) Improvement. Open space may contain complementary structures and improvements needed and appropriate for the benefit and enjoyment of residents of the development.

(d) Qualifying Open Space

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		
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%

Category	Description / Standards	Percentage
Wetlands	Natural wetlands reasonably visible from walkways provided in and through the wetland.	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)		
Natural Area	Areas established for the protection of natural attributes of local, regional, and statewide significance, which may be used in a sustainable manner for scientific research, education, aesthetic enjoyment, and appropriate use not detrimental to the primary purpose (other than wetlands as provided above). These areas are resource rather than user-based, but may provide some passive recreational activities such as hiking, nature study, and picnicking. Natural Areas may include – • Floodplains; • Natural wetlands reasonably visible from walkways provided in and through the wetland	Up to 75%
Greenway	A series of connected natural areas (including areas protected by state or federal law) such as ravines, creeks, streams,[ii] woodlands, floodplains, or protected tree canopy that connect buildings or gathering spaces with trail systems, or that buffer the site from streets or neighboring areas.	Up to 75%
Agricultural Preserve	An area designated for active farming in the form of crop cultivation, the keeping of livestock, or equestrian facilities. Agricultural Preserves protect areas of agricultural and rural heritage and promote compatible active agricultural operations.	Up to 75%
Community Garden	A site operated and maintained by an individual or group to cultivate trees, herbs, fruits, vegetables, flowers, or M.A other ornamental foliage for personal use, consumption, donation or off site sale of items grown on the sit	Up to 75%
Parks	Open space areas improved with playground equipment or other active open space improvements. These may be surrounded by street frontages and building frontages, but this is not required..	If included, at least 25%
Recreation areas	Hard surface recreation areas such as recreational courts and pedestrian plazas.	Up to 70%
Wet areas	Unpaved lakes, ponds, bayous, streams, or creeks, including stormwater retention basins that are designed so that at least 20% percent of the abutting shoreline is accessible for the common use of the development. The accessible shoreline must have at least 300 feet of frontage on a street.	Up to 75%
School sites	School sites, library sites, outside hard surface recreational areas excluding the area devoted to buildings.	Up to 75%
Rotary or Circle	An existing building or buildings that have historical or cultural significance may be located in a common open space and open to the public.	Up to 50%

Civic 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 Civic Space results in 1.5 acres of credit towards the Open Space requirement for the district)**		
Plaza	An open area with seating that is adjacent to, or part of, a building. A Plaza may be combined with the Courtyard frontage type. Plazas function as gathering places and may incorporate a variety of non-permanent activities such as vendors and display stands. A plaza requires a minimum depth and width of 10 feet and a minimum total area of 300 square feet.	Up to 75%
Square	Areas that are improved with a combination of lawn, landscaping and seating areas, and that are accessible to the public or the	Up to 75%

Category	Description / Standards	Percentage
	project's tenants or customers. A Square shall be: • bounded by streets on at least one side and pedestrian walkways on at least 2 sides, or • not bounded by streets, but accessible to the public	
Courtyard	A courtyard is a contiguous open area, open to the public, that – • is surrounded on at least two sides by building walls with entryways. • is at grade.	Up to 75%
Pedestrian Pathways	Protected customer walkways or easily identifiable building pass-throughs that contain window displays and are intended for general public access.	Up to 50%
Green	A common open space available for unstructured recreation, its landscaping consisting of grassy areas, trees, shrubs, and other landscaping.	Up to 75%
Sidewalks	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.	Up to 40%

(1) Open space does not include:

a. Vehicle use areas.

b. Any noncontiguous green area of less than 100 square feet.

c. Unless expressly allowed by this section, required elements, such as:

1. Driveways;

2. Utilities with above ground improvements or road servitudes;

3. Paved coulees or creeks.

d. Structures (unless a part of a common open space such as gazebos);

e. Required unimproved drainage ditches or canals; and

f. Areas reserved for the exclusive use and benefit of an individual tenant or owner.

(e) Ownership and Maintenance of Common Open Space

(1) Unless otherwise open to the public, common open space shall be permanently set aside for the sole benefit, use, and enjoyment of present and future occupants of the development through covenant, deed restriction, common open space servitude, or similar legal instrument. If agreed to by the LCG, the common open space may be conveyed to LCG for general public use.

(2) Common open space shall be protected against building development and environmental damage by conveying to LCG, association, or land trust a common open space servitude restricting the area in perpetuity against any future building and against the removal of soil, trees and other natural features.

(3) If land shown on a preliminary plat as common open space is dedicated to LCG, LCG may, but is not required to, accept the common open space if:

a. The land is accessible to the residents of the parish;

b. There is no cost of acquisition other than the costs incidental to the transfer of ownership; and

c. LCG agrees to and has access to maintain the lands.

(4) The developer shall provide for and establish an organization for ownership and maintenance of the common open space for the benefit of residences, occupants and owners of the development.

(5) The organization shall not be dissolved and shall not dispose of the common open space, by sale or otherwise, except to an organization conceived and established to own and maintain the common open space for the benefit of the development. The organization shall not be dissolved or dispose of the common space without first offering to dedicate it to the city or other appropriate governmental unit.

(f) Cross-access credit. In order to encourage cross-access between lots, for each cross-access point provided to an adjoining lot, the open space requirement for that development shall be reduced by one (1) percentage point, up to a maximum total credit of three (3) percentage points. For example, in a district with a 20% open space requirement, providing two such cross-access points reduces the open space requirement to 18%.

(g) Joint-access Credit. In order to encourage joint-access, when a development provides joint-access with an adjoining lot along the same public street, the open space requirement for that development shall be reduced by one (1) percentage point. For example, in a district with a 20% open space requirement, providing joint-access reduces the open space requirement to 19%.

89-41 Reserved

89-42 Stormwater Improvements

Purpose:
The Drainage system within Lafayette Parish is extensive and critical to the success of the Parish. Therefore, the design of drainage systems contributes to the success of the area and shall be designed in conformance with the concepts listed within. Action Items (1.5.6, 1.5.7, 7.6.1).

(a) Applicability

(1) This section applies to all proposed development within the City and Parish of Lafayette.

(2) PW shall review all developments for compliance with these requirements and PW and the Planning Commission shall in no way modify or void any other development drainage requirements found herein.

(b) General Requirements

(1) All drainage systems shall be designed, signed and sealed by a Louisiana Registered Professional Engineer in accordance with the most recent edition of LCG's Public Infrastructure Design Standards, Drainage, and Other Infrastructure Improvements unless otherwise approved by the PW Director and shall include hydraulic calculations, plan profile sheets, typical sections and a Drainage Impact Study and submitted to the PW for approval.

(2) The developer's design engineer shall design the on-site drainage improvements to accommodate potential runoff from the entire upstream drainage area, whether inside or outside of the

development. A sufficient number of grading sections shall be provided to adequately evaluate site drainage patterns as required by PW.

(3) The design engineer shall study the effect of each development on existing downstream drainage facilities or roadside ditches outside the area of the development for no less than 1,000 feet of the effluent channel downstream of the development.

(4) If the runoff created by the development will overload an existing downstream drainage facility or roadside ditch, the design engineer shall –

a. Indicate this fact in the development drainage design, and

b. Provide improvements or site design features that prevent the overloading of downstream facilities or roadside ditch.

(5) Streets and lots in a proposed development shall be arranged to minimize artificial drainage channel relocation.

(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) New and replacement sanitary sewage systems shall be designed to minimize infiltration of flood waters into the system and discharges from the system into flood waters. New and replacement water distribution systems shall be designed to eliminate infiltration of flood waters into the system and discharge from the system into flood waters.

(8) All developments shall comply with Sections 26-681 – 26-800 (Flood Damage Protection) or any subsequent updates.

(9) Open Ditches

a. Open ditch drainage is not allowed in the City of Lafayette or the Unincorporated Areas.

b. The Planning and Zoning Commission grants approval of open ditch streets within a development to PW only when –

1. the sub-surface system hydraulic calculations and elevations do not function in an effective manner and PW concurs with this finding, or
2. the open ditches are along streets not intended to be dedicated for public use.

c. If the design engineer determines, and PW concurs, that an area of the development cannot accommodate a sub-surface system, that area must be designated on the final plat. The following note shall be placed on the plat:

"This development/lot/area has been approved with an open ditch drainage system providing the required storm water retention/detention capacity. The development/lot/area shall remain open ditch and only subsurface culverts required for driveways shall be permitted, unless otherwise approved by LCG PW Department."

d. If approval is granted, see subsection (e), "Standards of Construction of Drainage Systems," below for open ditch construction standards.

(c) Design Requirements

(1) All flow of water across any intersection either public or private shall be through culverts or bridges.

(2) Runoff Determination Methods. The design engineer shall use the following procedures to determine runoff rates:

Size of Drainage Area	Method to determine runoff rates
< 200 acres	Rational Method (Q=CIA) ⇔ *see subsection (4), below, for runoff coefficients*
Between 200 and 2,000 acres	Most recent Soil Conservation Service (S.C.S.) Method, as modified by the Louisiana D.O.T.D. procedure
> 2,000 acres	Most recent USGS Regression procedure

(3) Rainfall Intensity. Rainfall intensity and duration shall be taken from the latest edition of the Louisiana DOTD Hydraulics Manual.

(4) Runoff Coefficients. The runoff coefficients to be used in the Rational Method shall be those indicated in Tables 89-42-1 and 89-42-2.

Table 89-42-1 Rational Method Runoff Coefficients

Development/Subdivision Type	Runoff Coefficient
Residential	
Single-family detached	0.30 to 0.50
Two-family (Duplex)	0.40 to 0.60
Single-family and multi-family attached	0.60 to 0.75
Commercial, Retail And Office	
Downtown area	0.70 to 0.95
Neighborhood and outlying areas	0.50 to 0.70
Industrial	
Light Industry	0.50 to 0.80
Heavy Industry	0.60 to 0.90
Parks and Cemeteries	0.10 to 0.25
Playgrounds	0.20 to 0.40
Railroad Yard Areas	0.20 to 0.40
Vacant, Open Space And Unimproved Areas	0.10 to 0.30

Table 89-42-2 Runoff Coefficients for Average Block Calculations

Type	Runoff Coefficient
Asphalt Surfaces	0.95
Concrete Surfaces	0.95
Roof Areas	0.85
Lawns	
Flat (less than 2% percent grade)	0.20
Average (2% to 7% percent grade)	0.25
Steep (7% percent grade)	0.30

(5) Design Storm Event

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

Type	Design Event *(minimum)*	Evaluated for -
Drainage system and outfalls for commercial or multi-use subdivision	10-year storm	25 and 100-year storms

Drainage system and outfalls for residential subdivision	5-year storm	25 and 100-year storms
Drainage outfalls serving more than a single development	10-year storm	25 and 100-year storms
Collector street crossings	10-year storm	25 and 100-year storms
Arterial street crossings	25-year storm	25 and 100-year storms
Channel crossings in excess of 100 square feet	25-year storm, if feasible	25 and 100-year storms
Retention/Detention within public drainage channel	25-year storm	25 and 100-year storms
Relocated channel	50 year storm	100 year storm

(6) 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, 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 1 foot of freeboard from top bank unless otherwise determined to be lower through a hydraulic analysis for a 25-year design storm event. Tailwater (TW) is defined as the flow depth of the downstream channel measured from the flow line of the outlet structure or culvert.

(d) Drainage Impact Study

(1) Any development that results in a post-development runoff that exceeds the development area's pre-development runoff rate shall mitigate the increase through drainage improvements. The design and calculations of the mitigation measures are presented to LCG for review and approval in a drainage impact study. Additional descriptions of the information required in the study are found in LCG's Public Infrastructure Design Standards.

(2) A developer may submit a written request to waive the Drainage Impact Study to PW.

a. The PW Director may approve, approve with conditions, or deny the request.

b. The PW Director may approve the request if –

1. A prior approved Drainage Impact Study was performed for the site, the analysis complies with the requirements of this Chapter, and conditions have not materially changed since the analysis was performed, or

2. Existing site conditions are such that a Drainage Impact Study would not provide information needed to determine whether the proposed development complies with this Section.

3. The site is less than ¾ of acre in total size. Runoff to the adjacent roadway, outfall or other properties for these sized developments shall not be allowed as a single point discharge unless approved by the PW Director (or his/her designee). Rather, in these cases, a drainage site and grading plan shall be submitted for review and approval.

(3) If the Drainage Impact Study indicates that the proposed development does not comply with this Section, the plat shall be returned to the Planning Commission to determine whether the condition of Preliminary Plat approval is satisfied. If the Planning Commission determines the condition is not satisfied, the Planning Commission shall rescind the conditional Preliminary Plat approval.

(4) No construction of any development components subject to any approved Preliminary or Final plat shall be commenced until the PW Director issues a favorable written approval of the Drainage Impact Study and construction plans. Violation of this provision can result in a cease and desist order being issued for the development (⇔ *Article 4, 89-71*).

(e) Standards of Construction of Drainage Systems

(1) 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 inches (15"), 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 (i.e. plastic, metal, etc.) will be accepted unless otherwise approved by PW.

c. Metal aluminum culverts may be used only upon approval of PW and will only be approved for outfall termini at channels. The predicted design service life for metal culverts, if approved for use by PW, is determined by calculating the net effect of corrosion from both interior and exterior conditions concurrently.

(2) Lateral drainage ditches from the street to an outfall channel which traverse lots shall be provided by subsurface pipe drain with at least a 20 foot permanent drainage servitude. The actual width of the drainage servitude required will be determined by PW based upon pipe diameter, invert elevations, and maintenance issues.

(3) Open Ditch (when approval has been granted by PW and the Planning Commission.)

a. A minimum right-of-way of 60 feet is required for developments with open ditch drainage. Rights-of-way exceeding 60 feet may be required depending on the depth and cross section of roadside ditches and an evaluation of the developer's drainage design. The maximum depth of open ditches is limited to thirty inches (30").

b. Right-of-way width shall be determined by the maximum ditch side slopes of 3:1 (H:V) for foreslope and 2:1 (H:V) for backslope with a minimum shoulder width of 5 feet unless otherwise approved by PW.

c. No objects or culverts shall be placed within the drainage system without prior written approval from PW.

d. Maximum grade for street ditches shall be limited to that which will not cause erosion.

e. For development with open ditch systems, the development engineer shall include a culvert sizing chart for each future driveway location based on the design storm flows, depth of cover and constructability.

(4) Erosion

a. Embankment slopes of coulees and drainage ditches shall have slopes which are not in excess of 2:1 (H:V) and shall have appropriate erosion control as approved by PW. End of pipe treatments shall be for both the upstream and downstream end of pipe. Utilization of articulated

block matting may be required. Slope requirements around pipe terminus shall be the same as side slope of channel.

b. Erosion is a naturally occurring phenomenon and the control of erosion on private property and street ditches is the responsibility of the property owner of the drainage servitude and the property owner adjacent to the open ditch within the right-of-way.

(f) Storm Water Management Facility

(1) Responsibility of the owner

a. The owner of the Storm Water Management Facility shall maintain (such as mowing, bank or bulkhead repairs, and removing debris and trash that occurs on a regular basis, etc.) all other public or private areas, access areas, or privately owned lots, which are a part of or adjacent to the facility.

b. The owner of the proposed development Storm Water Management Facility or any successor who acquires title to the Storm Water Management Facility shall at all times maintain the design section of the Storm Water Management Facility as indicted on the Site Drainage Plan and in the Drainage Impact Study.

c. PW shall have the right to enter the premises where a Storm Water Management Facility is located to determine whether the owner has maintained the design section of the Storm Water Management Facility as indicated on the Site Drainage Plan and in the Drainage Impact Study and as set forth above in subsection (d).

(2) Inspections

a. PW may inspect Storm Water Management Facilities at or after the time of construction and require any changes necessary to make the construction conform to applicable requirements. This subsection shall apply even if the Storm Water Management Facility was constructed prior to its incorporation into the City of Lafayette or before the establishment of this section.

(3) Guaranty by the Owner

a. The requirements of this section shall be included on the Site Drainage Plan and the Drainage Impact Study Report and shall be acknowledged in writing by the owner and/or developer, if different from the owner. The developer will cause to be created (or furnish a certified correct copy if already in existence) a financial and management legal entity or entities that will guarantee and assure the maintenance of all private facilities constructed for storm water management.

b. The developer will provide a certification to the Administrator from an attorney licensed to practice law in the State of Louisiana that the documentation, attached to the certification, provides for the creation of an entity that is responsible for maintaining the private facilities for storm water management in the subdivision. The certification must be provided prior to obtaining final subdivision approval. The certification shall contain the name of the entity responsible for maintenance and its registered office.

(4) Maintenance

a. After proper notification to the owner, LCG may enter those areas declared to be in violation of this Section and effect repairs of the area as needed to protect the public.

b. The Administrator shall not undertake any work until the owner of the lot, place, area or premises has had the opportunity to do the work within 30 days after proper notice is given. Notice must be given to the owner of the lot, place, area or premises, or, in his absence from the city, to his agent of the leased premises or occupant thereof. Proper notice shall consist of notification by certified mail to the last known address of the owner as reflected by the assessor's tax rolls in and for the parish. If the property is not leased or occupied, the Administrator must provide notice by advertisement in the official journal of the City-Parish for 2 consecutive days.

c. The actual cost to LCG in having the work performed, and any necessary, reasonable and required administrative charges, is declared to be a charge, cost or expense of the property, lot, place, structure, house, business or area where any repairs or maintenance are performed. Expenses shall be collected in the manner fixed by law for the collection of taxes and are subject to the same penalties for delinquencies. The Administrator shall demand of the owner of the property the payment of such charges, costs or expenses by written notice to the owner of the property. If the costs or expenses are not paid within 30 days after demand, the Administrator shall, after due notice as stated in this section, send an attached bill of the costs and expenses to the Support Services Manager for the Lafayette Utilities System who shall add the amount of the bill to the next tax bill of the owner. The Administrator shall have recorded, in the mortgage office of the parish, an attached bill showing the cost and expense of the work and the place or property on which the work was done, so as to establish for LCG a lien and privilege securing the payment by the property owner of the charges, costs and expenses.

(5) Desiltation

a. For developments where water collected from public infrastructure is routed through a detention facility, access in favor of LCG shall be provided from a publicly dedicated road to the Storm Water Management Facility. The access shall be at least a clear 20-foot wide travel way (graded to accommodate use by equipment) and sufficient area proximate to the travel ways to allow desiltation activities. A note shall be placed on the final plat indicating that this access shall be provided to LCG.

b. It shall be the responsibility of the owner of the Storm Water Management Facility to ensure proper desiltation. If, within 30 days of notification by LCG that desiltation is required to ensure proper performance of the Facility, desiltation is not performed by the owner, then LCG may (but is not obligated to) perform the desiltation and other required remedial measures as determined by LCG. Cost and charges will be assessed to the owner. Notice and assessment of costs and charges shall be in the same manner as set forth in subsection (f)(4) above.

(g) Development within Designated 100 Year Flood Hazard Area

(1) In addition to any other stated provisions, a development proposed within a FIRM designated Flood Plain, Flood Hazard or Floodway, whether located in the City or Parish of Lafayette, shall be in accordance with the 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 Flood Hazard, Flood Plain or Floodway areas 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 flood damages that could pose a potential hazard to public health and safety.

(3) Flood Plain Analysis shall be required for all developments of 5 acres or 50 lots located within a Designated Flood Hazard. 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 which alone or cumulatively with other such development, fill or obstructions would cause or result in an obstruction or other situation which 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 such development application shall include hydrologic and hydraulic HEC-RAS data, or other models acceptable to the applicable regulatory agency, confirming that no adverse flood effects will result from a proposed development in the Designated Floodway.

b. This certification is 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 Designated 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 the plat requirements for those properties intending development within a Flood Hazard, Flood Plain, or Floodway, see 89-33.

89-43 Environmental Stormwater Management

(a) See Stormwater Ordinance of the Lafayette City-Parish Consolidated Government (LCG Code Chapter 34, Article V).

89-44 Street Design

Purpose: this section establishes street connectivity, layout and geometric design standards that –

- *implement PlanLafayette Action Items 1.3.2, 1.6.4, 2.11.1, 3.15.5, 6.4.2, 6.8.3, 10.2.1, and*
- *protect the public health, safety and general welfare, and*
- *promote the character of development provided in PlanLafayette and, if applicable, the zoning district, and*
- *provide for the efficient movement of all modes of travel, including cars, pedestrians, bicycles, and transit.*
- *Adhere to local, state, and federal engineering standards, policies, practices, and requirements for compliance and public safety.*

(a) Public Streets

(1) General

a. The arrangement character, extent, width, grade and location of all streets shall –

1. Conform to the Lafayette Transportation Plan, and

2. Be considered in their relation to existing and planned streets, topographical conditions, public convenience and safety, and their appropriate relation to the proposed uses of the land to be served by the streets. Artificial channel relocation shall be minimal.

b. The Lafayette Transportation Plan shall be adopted by ordinance after review and recommendation by the Planning and Zoning Commission as part of its responsibility in Section 4-10 of the Lafayette City-Parish Charter. LCG staff, under the direction of the Chief Development Officer and the Director of PW, shall annually review, and if necessary suggest updates, to the Lafayette Transportation Plan.

c. Where streets are not shown on the Lafayette Transportation Plan, the arrangement of streets in a subdivision shall:

1. Provide for the continuation or appropriate projection of existing or proposed streets into surrounding areas where possible;

2. Conform to any neighborhood or area plan for the neighborhood approved or adopted by the Planning and Zoning Commission.

3. Provide adequate street connections to adjacent properties to insure adequate traffic circulation within the general area.

d. Public or private street layout within a subdivision shall provide access to all lots, or residential units, within the subdivision. Private streets may not be used to block connections to existing public right-of-ways or stub-out streets.

e. Streets shall be constructed with curb and gutter unless otherwise approved by PW based upon the results of the Drainage Impact Study

f. The actual right-of-way varies based on the number of travel lanes and lane widths and the provision of other elements to support the type and density of adjoining land uses including parallel or angled on-street parking, buffer planting zones with landscape and streetscape materials, pedestrian zones and sidewalk widths, on-street bike facilities, and medians.

g. Typical Pavement Section using minimum construction requirements is to be 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 and the final inspection. The minimum pavement section shall be three inches (3") asphaltic concrete wearing course, and eleven inches (11") soil cement base or eight inches (8") concrete (3800 psi) and six inches (6") properly prepared base.

h. In those instances where a subdivision plat is located adjacent to an existing public street with a sub-standard right-of-way, sufficient additional right-of-way or setback shall be dedicated to accommodate the ultimate development of the subject street to a right-of-way width as required by the development standards.

i. Public alleys are not permitted.

j. Street Lighting

1. Street lighting is required along all streets within a subdivision plat located in the City of Lafayette. Street lighting is not required along streets within a subdivision plat located in the Unincorporated areas of Lafayette Parish.

2. Street lighting is required along all streets in a subdivision plat in accordance with PW and LUS Standards for Arterial Street Lighting, when applicable.

3. Lighting along streets, including pedestrian scale lighting, shall be provided along all streets required in the MX and PD districts along all streets that have sidewalks in accordance with PW and LUS Standards for Arterial Street Lighting, when applicable.

4. Lighting shall be shielded and directed downward in order to reduce glare.

(2) Geometric Design

a. Plan and profile sheets showing the roadway geometric design, drainage design and utility plans shall be designed by a Louisiana Registered Professional Engineer and submitted for review and approved by PW and LUS, when applicable, before any development improvement work begins.

b. The minimum right-of-way, horizontal curves, gradients and miscellaneous widths for streets shall be as listed below for conventional street designs and for compact street designs.

c. **Design Standards**. The table below describes the minimum facilities required for each roadway type and the minimum widths of those facilities. Note, additional facilities are permitted if they are in accordance with the standards.

Table 89-44-1 Street Design Minimum Standards[a]

R/W = right-of- way | ft = feet | mph = miles per hour | N/A = not applicable | Op = Optional	**Arterial**	**Collector**	**Collector - Downtown**	**Local Road**	**Local Road Open Ditch[c]**	**Compact Road[b]**	**Private Streets**	**Private Alleys**
Number of Traffic Lanes	4	2-4	2	2	2	2	2	2
Width of Traffic Lanes *(ft)*	11.5'-12'	10.5'-12'	12'	12'	11'	10'	11'	11'
Minimum R/W Width *(ft)*	102'	60'	70'	50'	60'	42'	N/A	N/A
Medians *(min. width-ft)*	21'	Op (13')	N/A	N/A	N/A	N/A	N/A	N/A
Sidewalk Width *(ft; see subsection (e) for requirements)*	5	5	5	5	5	5	Op	N/A
On Street Parking Lane	No	Op	Op	Op	No	Op	Op	No
Curb	Yes	Yes	Yes	Yes	No	Yes	Op	Op
Bike Facilities within street *(min. width-ft)*	Yes (4')	Op (4')	Op	Op	Op	Op	Op	No
Street Trees within R/W	Permitted in median	Op (7-20')	Yes (7-20')	Op (8')	Op (8' min)	Op (8')	Op (8')	Op (8')

[a] Information shown on this table is the minimum required. Additional right-of-way will be required to accommodate additional facilities above the minimums. The minimum may not be acceptable for all developments
[b] Compact Roads are only allowed in the following Districts: RS-2, RM, MN, PI and PD.
[c] Open Ditch streets apply to the "A" zoning districts, conservation subdivisions or locations where curb and gutter requirement is determined to be hydraulically unfeasible by PW. A sub-surface system shall be extended as far as hydraulically feasible before an open ditch section is permitted.

d. Curves and Intersections.

1. Subdivision plats, site plans and concept plans shall be arranged to allow the opening of future streets and logical future subdivision or development.

2. Curves proposed for the right-of-way of designated major thoroughfares must have a minimum center line radius of 150 feet.

3. Reverse curves shall be separated by a tangent distance of at least 100 feet.

4. Intersections with other public streets shall be at right angles. Any variance shall not modify the angle of a major thoroughfare intersection more than five degrees. Where acute angle intersections are approved, a radius of at least 25 feet in the right-of-way line at the acute corner must be provided.

5. Streets may intersect at a minimum 60-degree angle unless otherwise provided. If a street intersects at an acute angle, a minimum twenty-five foot (25') radius is required at the edge of pavement.

(b) Connectivity

Purpose: Street layouts should respond to local conditions such as topography, watercourses, greenways and the existing street systems of neighboring developments. Local street patterns may discourage through traffic, but should also include interconnecting streets with alternative routes throughout the neighborhood to diffuse automobile traffic and shorten walking distances. A well connected street network shall be provided to spread traffic efficiently, and to provide greater opportunities for access and circulation of motor vehicle, pedestrian, and bicycle modes of travel.

(1) Reserve strips that control access to streets are not permitted unless they are dedicated to or controlled by LCG, and approved by the Planning and Zoning Commission. This does not apply to reserve strips where required for double frontage lots. (⇔ *§ 89-38(c)(10)*)

(2) Half streets are prohibited.

(3) External Connectivity

a. Parcels shall be arranged to allow the opening of future streets and logical further subdivision.

b. Proposed streets shall be extended to the boundary lines of the tract to be subdivided or developed, unless prevented by topography or other physical conditions, or unless the City Engineer determines that the extension is not necessary or desirable for the coordination of the layout of the subdivision or development with the existing layout or is not the most advantageous future development of adjacent tracts.

c. The external connection shall be provided by extending at least one (1) street to the boundary line of the tract.

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 x 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.

(4) Internal Connectivity

a. The following terms are defined for purposes of this subsection only:

Street Link That portion of a Street that lies between 2 Nodes.

Node The intersection of two (2) or more streets (vehicular street or pedestrian connection) or a vehicular dead-end. The following are not considered Nodes:

- An eyebrow. An eyebrow is a semicircular shaped portion of a street that is configured so that a portion of a circle with a radius of thirty (30) feet can fit within the confines of the paved portion of the surface.
- The intersection of a Local street within the proposed subdivision with an external public street that connects to the proposed subdivision is not considered a node in computing the connectivity ratio.
- The terminus of a Local Street that provides a stub for a future Public Street connection.

Pedestrian Connection A sidewalk or similar pedestrian Accessway or portion of a development's trail system that:

- For sidewalks, complies with subsection (e). Trails and pedestrian Accessways shall have a minimum width of 5 feet.
- Connects a dead-end street, cul-de-sac, or T-intersection to another public street or to a commercial or office development that is built, approved or designated as part of the proposed development. Pedestrian Accessways or trails that connect only to parks, greenways or recreational areas are not counted as a Pedestrian Connection for purposes of calculating the Connectivity Ratio.

b. Streets within any proposed residential subdivision shall achieve a Connectivity Ratio as provided below. The Connectivity Ratio is computed by dividing the number of Street Links and Pedestrian Connections by the number of Nodes within the subdivision.

c. The Administrator may count a feature as a Street Link or Pedestrian Connection or reduce the required ratio if:

1. Existing topography or natural features make the required number of connections impractical, and

2. The applicant provides alternative solutions that substantially accomplish the purposes of this section.

Table 89-44-2 Connectivity Ratio

	Area or Zoning District ***(see Article 2)***	**Connectivity Ratio** ***(minimum)***
1	*Unzoned areas, "A" Agricultural, "RS" Single-Family Residential, "RM" Mixed Residential*	1.2
2	*Conservation Development, "CH" Commercial Heavy, "IL" Industrial Light, "IH" Heavy Industrial*	Not applicable
3	*"MN" Neighborhood Mixed Use, "MX" Mixed-Use Center, "D" Downtown, "PD" Planned Development*	1.6
4	*"CM" Commercial Mixed, "PI" Public / Institutional*	1.4

(5) Cul-de-Sacs and Dead-End Streets

a. Dead-end streets are not allowed except in those instances where the street is terminated by a circular cul-de-sac turnaround or where the street is designed to be extended into adjacent property.

b. The maximum length of dead-end streets (cul-de-sacs) is established in the table below. However, the Planning and Zoning Commission may approve dead-end streets of a greater length when unusual conditions exist. The turnaround dimensions apply to a dead-end street over 150 feet from a through street intersection.

Table 89-44-3 Cul-de-Sacs and Dead-End Streets

Dead-End Streets		Turnaround	
(Cul-de-Sacs)	**Length** *(max-feet)*	**ROW Diameter**	**Pavement Diameter**
Residential	750	100	70
Commercial	500	120	100
Industrial	500	120	100

c. When there are plans for the future extension of a dead-end street, the closed end of the streets shall include a hard surface turnaround subject to the specifications of the Department of PW.

(c) Improvements Proposed for Public Dedication

(1) The design and construction of public streets are not subject to direct regulation or control of the Planning Commission, but such matters do fall within the review and policies of the state and PW.

(2) On all streets developed within LCG's jurisdiction, all grading, surfacing, drainage and sidewalk construction shall be done under the supervision of a licensed civil engineer with full time inspection who has obtained either LCG construction inspection certification or LA-DOTD certification in the area of work in which the inspection is being provided. New road pavement design shall be determined by the site soils and anticipated traffic loading.

(3) For all improvements offered for dedication, the developer's engineer shall certify to the completeness of the construction and that the construction was performed under the supervision of a full time quality control/quality assurance inspector, completed in accordance with the approved plans and LCG's specifications approved by LCG and all of the requirements set forth at provisions listed within Sections 89-58 (e) and (f) and 89-59. The testing laboratory shall be approved by PW.

(4) All curbs, sidewalks, crosswalks and pedestrian ways intended for public dedication shall be designed and constructed in accordance with the Americans with Disabilities Act (ADA).

(5) A Development Permit must be completed and adhered to for dedication and acceptance.

(d) Private Streets and Private Alleys

(1) **General Arrangement and Layout**. The pattern or layout of private streets in any project shall provide the following basic design concepts:

a. Provide adequate vehicle access to buildings and facilities within the plat boundaries.

b. Provide adequate interior traffic circulation and access to buildings by firefighting personnel and equipment and not induce a hazard to vehicular traffic and the occupants of the development as determined by PW.

c. Provide adequate access to the existing public street system adjacent to the boundaries of the plat however, private streets shall not be direct projections of any public street.

d. The developer is responsible for private streets. The Planning and Zoning Commission will designate these streets as such. All private streets and private alleys will be clearly marked and designated as private streets or private alleys on the preliminary and final plats.

e. Minimum unobstructed private right-of-way width of twenty-eight (28') feet shall be required along all Private Streets except in the case of a Private Street being designated as a one-way street, in which event a minimum constructed private right-of-way width of twenty (24') feet shall be required. If parallel parking is proposed along the Private Street, additional width may be required to accommodate the parking in question as determined by LCG.

f. The assurance of pavement construction requirements will be under the jurisdiction PW review of construction standards.

g. Typical Pavement Section 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.

h. A private development may not block an existing or proposed public street extension.

i. The minimum pavement or traffic lane width requirement shall be twenty-two (22') feet. When the Private Street is designated as a one-way street, then the minimum pavement or traffic lane width requirement shall be twenty (20') feet.

j. Any single family residential development within the unincorporated Parish of Lafayette composed of fifteen (15) proposed lots or fewer, or any apartment, condominium, planned unit development, or other attached housing, having fewer than fifteen (15) units and containing Private Streets, shall be serviced by a Private Street system with an aggregate or paved surface. The typical roadway section shall be a minimum four (4) inches of aggregate (limestone or gravel) or two (2) inches of asphaltic concrete placed over a base that is either ten (10) percent lime treated soil ten (10) inches thick or eight (8) inch soil cement.

k. It shall be unlawful to develop property in 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 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 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.

(2) Private Alleys

a. Private alleys may be provided within any subdivision to provide secondary vehicular access to buildings that have their primary access from an adjacent public street or private street.

b. Private alleys cannot be used or designed to provide the principle access to property outside the subdivision plat boundaries in which the private alleys are located.

c. Parallel parking is not allowed along a private alley. To maintain this restriction, the owner of the alley shall, at the developer's expense, conspicuously display signs prohibiting parking.

d. Intersections of private streets shall be at right angles with variations not to exceed ten degrees.

e. A driveway easement assuring permanent rear lot access for interior lots may be substituted for an alley.

(3) Geometric Design

a. Private streets (including private alleys) shall comply with the geometric design requirements in 89-44 (a) 2.

b. Private streets may be established without a formal right-of-way if an unobstructed right-of-passage width equal to the right-of-way width required in 89-44 (a) is provided and constructed.

c. **Dead-ends, cul-de-sacs, and T-type turnarounds** are allowed only in the unincorporated Parish, and shall comply with subsection (b)(3) and Table 89-44-3.

(4) Intersections

a. When a private street or private alley intersects with a public street there must be a minimum off-set distance of 125 feet from the center line of the private street or private alley to the center line of any adjacent street or alley intersecting the public street.

b. Intersections of all private streets and private alleys with the public streets must be at right angles with variations not to exceed ten degrees and have 25 feet radii at all corners.

(5) Connectivity

a. Private streets must comply with the connectivity standards in subsection (b) above.

b. To provide adequate emergency vehicular access, the private street system shall provide at least 2 points of access to the project or development from the public streets adjacent to the boundaries of the project or development.

(6) Fire Protection

a. All buildings proposed to be constructed within any project containing private streets must be so arranged and located that the firefighting apparatus can park and reach any part of any building with a 200-foot long hose extending from the apparatus. The 200-foot hose length must be measured as the hose is laid on the ground and may not be measured as the aerial radius from the parked apparatus.

b. Fire hydrants, where required, must be so located and provided within the project boundaries that 500 feet of fire hose, extending on the ground from the hydrant, can reach the furthermost part of any building within the boundaries of the plat.

c. All buildings proposed to be constructed within any project containing private streets and which contain residential dwelling units and have an overall length of 300 feet or more, must be so designed to have at least 1 open, unobstructed walkway through the building at ground level. The walkway must have a width of at least 5 feet to allow ready access by fire and police and their equipment and other emergency services to each side of such buildings. Where buildings are to be constructed over and across any private street, the unobstructed overhead clearance must be at least 14 feet when measured between the highest point of the private street paving under the structure and the lowest part of the building structure or associated parts of the building. Suitable restrictions to this condition must be noted on the plat.

(7) Maintenance of Private Streets and Private Alleys

a. LCG is not responsible for maintaining any private streets, signs or drainage improvements on the private street(s).

b. The developer will cause to be created (or furnish a certified correct copy if already in existence) a financial and management legal entity or entities that will guarantee and assure the maintenance of all private streets and private alleys constructed.

c. The developer will provide a certification to the Administrator from an attorney licensed to practice law in the State of Louisiana that the documentation attached to the certification provides for the creation of an entity that is responsible for maintaining the private streets, private roads and/or private alleys in the subdivision. The certification must be provided prior to obtaining final subdivision approval. The certification shall contain the name of the entity responsible for maintenance and its registered office.

(8) 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 not supersede any other development drainage requirements in this chapter.

(e) Sidewalks

(1) Sidewalks are required where indicated in the geometric design standards (see (a)(2)). Sidewalks shall be a minimum of five feet (5') when separated from the roadway by a four-foot (4') open area. When sidewalks are adjacent to the roadway (curb) the sidewalk minimum width is six feet (6').

(2) The applicant for subdivision plat approval shall construct all sidewalks on the property.

(3) The sidewalks shall be constructed at the time of final plat recordation. The acceptance of a letter of credit in lieu of the construction of sidewalks is allowed according to 89-35 "Improvement Guarantees." The amount of the letter of credit must be approved by PW.

(4) Development Fronting on State Highways.

a. The developer must construct sidewalks either in state highway right-of-way or in a sidewalk easement on the development property.

b. If the applicant intends to construct the sidewalk in the state right-of-way –

The applicant shall request approval from the local state highway office on the appropriate form during the platting process.

If the state highway department approves the application, the sidewalks will be shown on the preliminary plat as approved by the DOTD and a copy of the DOTD permit submitted to PW prior to final plat approval.

If the state highway department denies the application, the developer will designate a minimum 5-foot-wide sidewalk easement adjacent to the state right-of-way line on development property on the preliminary plat.

The sidewalk easement can be located within the utility easement.

(5) Development Fronting City/Parish Streets

a. The developer must construct sidewalks either in public street right-of-way or in a sidewalk easement on the development property.

b. Sidewalks built in the public street right-of-way shall be constructed so that the development side edge of the sidewalk is one foot (1') within the right-of-way line and the 5-foot sidewalk width is in public right-of-way.

c. If street right-of-way width, trees, utilities, topography, existing ditches, or similar existing obstructions prevent the construction of sidewalks in public right-of-way, the sidewalk will be constructed in a sidewalk easement designated on the preliminary plat. The sidewalk easement can be located within the utility easement. If the conflict is discovered after final plat recordation, an Act of Correction must be completed and recorded with the revised sidewalk easement shown.

(6) Maintenance. If sidewalks are constructed according to LCG standards in the designated sidewalk easement, LCG will assume perpetual maintenance of these sidewalks.

(7) Design

a. Sidewalks shall be constructed according to LCG's Specifications for Roads, Drainage, Bridges, and Other Infrastructure Improvements.

b. Sidewalks shall avoid obstacles such as ditches, trees, and utilities.

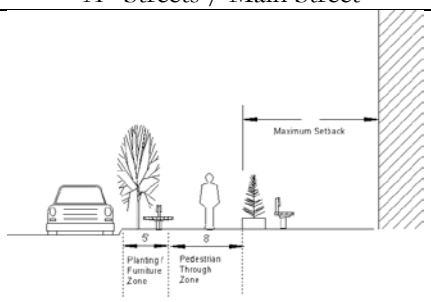
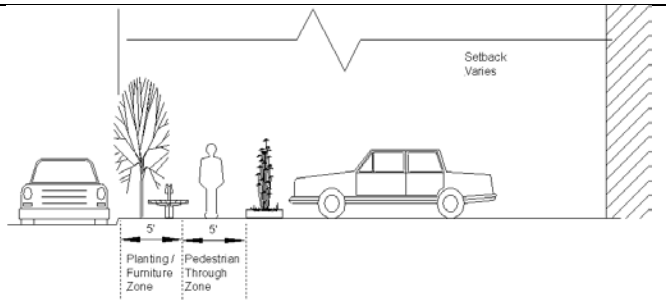
c. Sidewalks across driveways or that will be crossed by vehicles will be at least 6 inches thick or as thick as the driveway, whichever thickness is greater.

d. The sidewalk will be continuous over the full frontage of the development.

e. At street corners the sidewalk in both directions will extend to the pavement edge. If a ditch culvert is required to accomplish this, it will be considered part of the sidewalk requirement. The size and grade of culverts will be determined by the development engineer and approved by PW.

f. Sidewalks along "A" and "B" streets in the MX and D zones ("A" and "B" streets are as defined in the development's plan), shall be divided into frontage zones, pedestrian through zones and furnishing zones as follows:

Table 89-44-4 Frontage Zones

	"A" Streets / Main Street	"B" Streets
		
	Figure 89-44-1 Frontage Zones	
Pedestrian Through Zone *(minimum-feet)*	8 feet	5 feet
Planting / Furniture Zone *(minimum-feet)*	5 feet	5 feet

(f) Line of Sight

(1) Applicability

a. This subsection applies to existing obstructions predating adoption of this ordinance and new construction of fences or signs or placement of movable objects, and new planting of hedges, bushes or other plants.

b. Utility structures, traffic and street signs, where necessary as determined by the Administrator, and buildings existing at the time of adoption of this ordinance are exempt from this subsection.

c. This subsection becomes enforceable upon application for building permit.

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.

(2) It is unlawful to construct or maintain, or permit to remain, any fence, sign, movable object, hedges, bushes or other plants which exceed 36 inches in height measured from the street level on any lot where the fence, sign, movable object, hedges, bushes or other plants obstruct the line of sight at street intersections as defined in this section.

(3) The sight line and the curb lines of the major street and minor street represent sight triangles that are to be free from obstructions as noted in this section.

(4) The sight distance is measured from a point along the minor street intersection approach located 14.4 feet from the intersection of the centerline of the minor street with the curb line extension of the major street. This point is established at 3½ feet above the minor street pavement elevation. From this point a vehicle driver shall be able to view an object from a predetermined distance measured along the center of the lane of the intersecting major street. This object shall be visible from a height of 3½ feet above the pavement of the major street. The required distance varies with the posted and/or 85th percentile operating speed of the major street and the number of lanes on the major street.

(5) Sight distance for various speeds and number of lanes for the intersection roadways are specified in Table 89-44-5 The area required to be free from obstructions for intersections on the inside of a horizontal curve of a major street requires sight distance restrictions more than a street intersection at 90 degrees.

(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 30 foot sight triangle, it shall be the responsibility of the developer to comply with AASHTO safety guidelines and present those findings on the permit drawings.

Table 89-44-5 Minimum Required Sight Distances/Required Sight Triangles

Total number of lanes on major street	Minimum Cross Street/Intersection Sight Distances in Feet posted speed limit on major street*										
	20mph	25mph	30mph	35mph	40mph	45mph	50mph	55mph	60mph	65mph	70mph
2	225	280	335	390	445	500	555	610	665	720	775
3	240	295	355	415	475	530	590	650	710	765	825
4	250	315	375	440	500	565	625	690	750	815	875
5	265	335	400	465	530	600	665	730	795	860	930

*85 percent speed may be used in lieu of existing speed limit.

The value noted within Table 89-44-5 is measured in accordance with the following graphic figure:

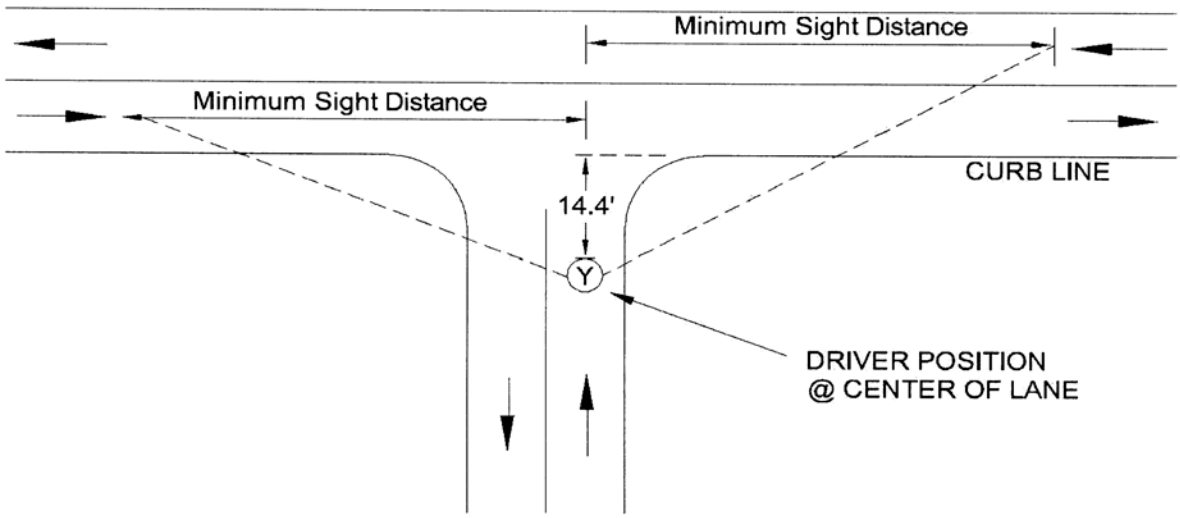


Figure 89-44-2 Sight Distance Measurements

89-45 Street Names

(a) Generally

(1) Required. Street name signs shall be erected at all intersections built and set to the specifications of PW.

(2) PZD. PZD is the coordinating agency for the identification and naming of public and private streets, roads, and thoroughfares within the jurisdiction of LCG. In this capacity the department shall review, recommend and assign names submitted for new streets and roads and proposed changes to existing street, road, and thoroughfare names. Street names are subject to the approval of the 911 Lafayette Parish Communication District.

(3) Duplication Prohibited. Proposed street names shall not duplicate any existing street name, public or private, located within the Parish of Lafayette or any incorporated municipality.

a. This does not apply to streets in the "D" Downtown District, such as Main Street or First Street.

b. Identification as a public street or as a private street does not exempt a street name from duplication. Example: Broussard Road and Broussard Lane (Private) is not acceptable.

c. Suffixes such as Drive, Road, Street, Parkway, Avenue, Court, Loop, Circle, etc. do not remedy duplication.

d. Prefixes such as Saint, Rue, Chemin, Avenue, etc. do not remedy duplication.

e. Directional prefixes and suffixes in French or English may be allowed and will remedy duplication if the streets are coterminous.

(4) General Standards

a. Streets that align with existing streets shall bear the names of existing streets.

b. Streets shall, whenever possible, have the same name throughout their entire length.

c. Alphabetical and numerical street names are not allowed.

d. All existing and new public streets shall have block numbers assigned in conformity with the block numbering system for Lafayette Parish.

e. LCG encourages developers, property owners, residents and businesses applying for street names to use French names or terms in an effort to preserve and promote the Cajun/Creole culture and heritage in Acadiana. Applicants for street names may use the names of individuals who may have some historical relationship to the area where the street is to be located or who may have donated the right-of-way, or may recognize historical events and place names in the development of street names.

f. Private street name signs shall have an abbreviation for private (PVT) placed on the sign after the street's name. The background color of private street name signs shall be blue. Public street name signs shall have a green background color. Private and public street name signs shall be identical in every other way except those mentioned in this section.

g. Streets or roads may "offset" or "jog" with the same name up to 125 feet from center line to center line.

h. Where a major thoroughfare replaces a Local street or road in whole or in part, the name of the major thoroughfare shall prevail over the Local street or road name. When the Local street or road name is determined to be non-duplicative and of historical or sentimental value the name shall be placed in a street name reserve list for reuse at an appropriate opportunity.

i. Existing street names must be used in those instances where a new street is a direct extension of an existing street or logical extension thereof except in those instances where the existing street name is a duplicate street name.

(5) Procedures

a. Street, road, and thoroughfare names and name changes may be initiated by three different sources:

PZD – Administrative costs for streets, road, and thoroughfare name change proposals originated by Lafayette City-Parish Council shall be funded by PZD.

Lafayette City-Parish Council.

Fifty percent plus one of the property owners owning or fronting the public or private street/road under consideration.

b. Applications to change the name of a public or private street, road, or thoroughfare are allowed only for the entire length of the subject street, road or thoroughfare.

c. PZD may initiate a public or private street name change for the following reasons:

To resolve an existing duplication of street names within the parish.

To accommodate capital improvements by federal, state, and local government.

To coordinate the establishment of one name where multiple names exist on one continuous street.

To identify an existing road or street lacking a name designation.

In all other instances where confusion or duplication might otherwise exist with reference to streets with the same or deceptively similar names.

(6) The city-parish council, as appropriate, shall initiate a request for a public or private street name change only by resolution which shall be forwarded to the PZD for review.

(7) Property owner applicants for public or private street, road, thoroughfare, etc., name change or name identification must furnish to PZD an application form acceptable to the department containing a list of all property owners owning and fronting said private or public street right-of-way with their mailing addresses. Property owner certificates, which can be obtained from the Lafayette Parish Tax Assessor's office, shall be furnished for all property owners listed.

(8) PZD will forward the proposed street names to the parish communication district (9-1-1) office, which shall respond in writing within seven days of their approval or disapproval of the proposed street names.

(9) PZD shall notify owners of property fronting on any public or private street, road or thoroughfare of any proposed or requested name change. Adjacent property owners who wish to respond shall mail to PZD their choice for the street name within 14 days.

(10) PZD will determine the proposed street name favored by the majority of persons subject to notice. If the name in majority is "other" (their own recommended name), PZD will forward this proposed street name to the parish communication district (9-1-1) office, which shall respond in writing within seven days of their approval or disapproval of the proposed street name. In the latter case, i.e. disapproval, PZD will make a recommendation from the approved list.

(11) PZD will implement the street name change after obtaining all necessary approvals from the parish communication district office and shall notify all property owners abutting the street within 7 days of the new street name.

(12) PZD will coordinate the implementation of the respective changes. PZD will assign addresses to residents who currently have a municipal number and/or route number. These residents will be notified in writing by PZD within 14 days of their municipal number and the property owner will need to comply within 6 months of this notification. PZD will notify the post office and other departments and agencies affected at the time of implementation of these changes.

(13) PZD will notify PW in writing within 7 days of notification from the Planning and Zoning Commission of name change. PW shall fabricate and install street name signs within 14 days of notification and maintain approved street name signs on public streets and intersections with private streets.

(14) Applicants for street name changes shall provide sufficient funds to cover the cost of installing new street name signs. The funds shall be identified on the application and paid within 30 days following approval by LCG. LCG shall cover installation costs of new street name signs only for proposals initiated by PZD or Lafayette City-Parish Council.

(b) Street Addressing

(1) PZD is the coordinating agency for the property addresses on all public and private streets and thoroughfares within the jurisdiction of LCG. In this capacity, the department shall assign new addresses and, to the extent appropriate, make changes to existing addresses in order to eliminate duplication of addresses, confusing similar addresses and other potential difficulties with regard to street addresses.

(2) General Standards.

a. Property number addresses shall be issued in conformance with the street/road block numbering system established for all minor and major thoroughfares in Lafayette Parish.

b. Property number addresses shall be issued only for building and/or property referenced as "lots of record" or property divisions recognized and/or approved by the Planning and Zoning Commission.

c. A single building or property will be assigned a single property number address. An exception may be made for multi-use or multi-building complexes. Shopping centers, apartment complexes, condominium development, etc. may have multiple property number addresses provided that each property number address is fronting a public street or road. Only "sub unit" number addresses may be issued for buildings or properties not fronting directly on a public street or road or Planning and Zoning Commission approved private street. "Sub unit" must be numerical (e.g. 515A, 515B, or 515 Building A, 515 Building B Main Street). "Sub unit" identification defines property or buildings and does not prohibit the use of alphabetical identification within a building if pre-existing.

d. Odd numbers shall be assigned to the left side of a street and even numbers shall be assigned to the right side of a street. All streets/roads shall have a point of origin identified on the parish-wide block numbering system.

e. Where no lots or blocks exist along a street or road, the department shall generally assign a new block every 1,000 feet; provided, however, natural divisions of any existing intersecting streets may be considered in determining the beginning of a new block.

f. As a general rule, a property address shall be reserved every 50 feet along each side of every street or road.

g. The block number and property number addresses of any new street or development which is a continuation of an existing street shall be in conformance with the already established block numbering system of the existing street unless changed by PZD.

h. In those instances where plats are required to be submitted to and approved by the Planning and Zoning Commission which include private streets, property number addresses shall be issued in the same manner as property number addresses on public streets or roads.

i. The department shall insure that property number addresses are issued uniformly and consecutively within each block (e.g. 915 Broussard Road must be opposite 914 or 916 Broussard Road).

j. The department shall require each and every property owner to display numbered with Arabic numbers not less than four inches in height, the address of every property having its own property address. The department shall provide a procedure whereby applicants for a property address number shall complete an application form and such forms shall be maintained by PZD.

(3) Procedures

a. Requests to issue property addresses may be initiated by three different sources:

PZD.

Lafayette City-Parish Council.

The property owner.

b. PZD may initiate a property address change and/or assignment for the following reasons:

To resolve an existing error in property addressing.

To assign addresses to lots in an approved Planning and Zoning Commission subdivision plat.

To eliminate multiple or confusingly similar property addresses.

c. The City-Parish Council, as appropriate, shall initiate a request for an address change only by resolution which shall be forwarded to PZD for review.

d. The Lafayette Parish Commission District (9-1-1) office shall initiate through the City-Parish Council a request for a change of property addresses for the health, safety and general welfare of the people of the Parish of Lafayette and their property.

e. When the property owner is the applicant, PZD will determine an address and notify the property owner in writing within five days of the application being filed. When the applicant is platting the property, the address will be issued subject to approval. The property owner shall post the newly assigned address number prior to final inspection, and no certificate of occupancy will be granted until a new building is properly numbered for identification.

f. If a source other than the property owner initiates the address request, PZD will determine the address and notify the property owner or owners of the government action. The newly assigned number shall be posted within 90 days of receipt by the property owner of notification of the

assignment, except that in business locations a reasonable extension may be granted to avoid hardship to a business and allow time to notify business clientele.

g. PZD will coordinate the implementation of the address changes accordingly. PZD will notify the U.S. Post office, the Lafayette Parish Communication District (9-1-1) and other identified departments and agencies through standard correspondence.

89-46 Utilities

Action Item (3.15.5)

(a) Applicability

This section applies to any application for subdivision plat, conditional use permit, or building permit approval where a site plan is required.

(b) General

(1) If the proposed development is in the City of Lafayette or requesting LUS potable water, sewer or electric services, the applicant shall reach an agreement with the LUS to provide a water distribution system, sewage disposal facilities and electrical facilities for the proposed subdivision.

(2) Utility improvements shall be constructed in accordance with any applicable standard specifications of LCG/LUS, FEMA, water district, or sewer district having jurisdiction, and the sanitary code of the Louisiana Department of Health and Human Resources.

(c) Water System

(1) Proposed subdivisions in the City of Lafayette shall enter into an agreement with LUS or the applicable municipality, parish or water district to extend the public water system (including the installation of standard valves, fire hydrants, and similar appurtenances) to each lot in the subdivision.

(2) Fire hydrants shall be designed to meet LUS specifications and located in accordance with LCG Fire Department specifications.

(3) If a public water supply is not available –

a. The developer shall construct a private water system that provides an adequate supply of potable water to every lot within the subdivision or development with a minimum pressure of 40 pounds per square inch.

b. The source of water supply and distribution system shall comply with the sanitary code of the State Department of Health and Hospitals and the area municipality designated by the commission.

c. LUS is not obligated to incorporate any private system of water supply into any public system of water supply that may be built in the future.

d. When authorized by the State Department of Health and Hospitals, individual water wells may be used to supply potable water to each lot in the development.

(d) Sewage

(1) If a subdivision is located so that it can be served by the extension of an existing public sanitary sewer within a reasonable time, the subdivider shall enter into an agreement with either LUS, the appropriate municipality, or sewer district to extend sanitary sewer service to each lot within the subdivision.

(2) If public sanitary sewers are not available –

a. The subdivision shall include a collection system and treatment plant approved by LUS.

b. The developer may, at the discretion of the State Department of Health and Hospitals, build a community sewer system or install individual septic tanks or other mechanical means of sewerage disposal for the entire subdivision. The sewage disposal system shall be approved by State Department of Health and Hospitals and PW and installed in accordance with the State Sanitary Code.

(3) Unincorporated Areas

a. Public: If the subdivision is so located within three hundred feet (300') and to be served by an existing public sanitary sewer system, the developer shall enter into an agreement with the respective municipality, sewer district or parish so that such service shall be available to each lot within the subdivided area. Municipal sewer district systems should be planned and designed for interconnectivity (with private and public sewer systems) and economic efficiency.

b. Private: Where a public sanitary sewer system is not available, the subdivision sewer shall be connected to a private community disposal system complying with the applicable provisions of this subsection. The developer shall pay for costs of sewer infrastructure within a subdivision to accommodate the proposed dwelling unit density to the outflow based on sound engineering practices. All new private community sewage infrastructure should be planned and designed for interconnectivity with municipal systems at some point in the future.

c. Permits

Before commencement of construction of a private sewage disposal system (either individual or community), the owner shall first obtain a written permit from the applicable federal, state and local regulatory agencies, including but not limited to LUS, Louisiana Department of Health and Hospitals, PZD and the Louisiana Department of Environmental Quality (Collectively the "Regulatory Agencies.").

It shall be unlawful for a person to construct, install or provide a private community-type sewage system or make changes to an existing sewage system in the City-Parish of Lafayette unless and until the plans and specifications therefore have been submitted to and approved by the applicable Regulatory Agencies.

d. Inspection: Approval

A permit for a private sewage disposal system shall not become effective until the installation is completed to the satisfaction of the Regulatory Agencies having jurisdiction with regard thereto. The Regulatory Agencies shall be allowed to inspect the work at any stage of construction, and in any event, the applicant for the permit shall notify the appropriate Regulatory Agencies when the work is ready for final inspection and before any underground portions are covered.

No utility company licensed to do or doing business in the City-Parish of Lafayette shall install or connect permanent service or provide electric or gas service to run any sewer system to any person at a location required to provide a sewage disposal system until a final permit has been issued by applicable Regulatory Agencies approving such system and a final Certificate of Occupancy has been issued. (Any utility service

previously connected shall be disconnected upon demand of PZD Director where a sewage disposal system is being operated unlawfully.)

e. Design Standards

The type, capacities, location and layout of an individual treatment system and/or a private community sewage disposal system shall comply with the recommendations and requirements of the applicable Regulatory Agencies.

A private community-type sewage disposal system shall be constructed in accordance with standards established by LUS. The system, when applicable, shall meet all U.S. Environmental Protection Agency and Louisiana Department of Environmental Quality water discharge permit requirements as the same may be published from time to time.

No floor drain, soil pipe, main drain or other pipe, or part thereof, which is directly connected to a storm or sanitary sewage line, or through which waste water or sewage from any source flows or into which sewage or waste water may back up, shall be located nearer than thirty (30') feet from any well, spring or other source of water supply. Pipes and drainage or parts thereof through which sewage or waste water flows, or into which sewage or waste water may backup and which are located within fifty (50') feet of any well, spring or other water supply shall be constructed of ductile iron pipe or plastic pipe approved by the Regulatory Agencies.

The minimum lot size for lots with individual treatment systems and/or individual water wells shall be twelve thousand square feet (12,000) with a minimum of 60-foot frontage on a public or private road.

f. Regulation of Individual Sewage Treatment Systems

No development wherein there is proposed greater than fifteen (15) lots, or in the case of any apartment, condominium, planned unit development or other attached housing, greater than fifteen (15) units, shall be serviced by individual treatment systems. Every such development shall be serviced by a community-type sewage disposal system and all lots and/or units shall be connected to said system.

No new individual septic tank systems shall be allowed.

In those situations where an individual treatment system is permitted hereunder, every such system shall have an effluent reduction process constructed in accordance with the minimum standards imposed by Louisiana Law.

An individual treatment system shall be located not less than fifty feet (50') from any well, spring or other water supply source if the system is located at a lower ground elevation than the water supply and not less than one hundred feet (100') if the system is located at a higher ground elevation than the water supply.

It shall be unlawful to develop property in 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 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 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.

The owner of any property on which an individual sewage treatment system is located is responsible for its successful and proper operation. LCG shall have no responsibility, financial or otherwise, or any liability of any kind with respect to the ownership or operation of an individual sewage treatment system. On any property or properties where soil porosity or other limitations preclude or prevent the proper operation of an individual sewerage treatment system in full compliance with all applicable laws, ordinances and regulations, such system shall be abandoned and a system approved by the Regulatory Agency installed.

g. Community-type Systems

In those instances where connection to a public sewage system is not required and an individual treatment system is not permitted, a private community-type sewage system shall be installed. Prior to installation, the plans and specifications shall be submitted to and approved by Lafayette Utilities System, Louisiana Department of Health and Hospitals (DHH) and the Regulatory Agencies. All component facilities of a community-type sewage system shall, at all times, be maintained in good working order and operated efficiently to minimize upsets, discharges of excessive pollutants, bypassing of discharges from the system, health hazards and nuisances. Operator staffing and training, laboratory and process controls, maintenance during normal period of equipment downtime, back up equipment and spare parts shall be provided as needed to maintain continued compliance with the effluent limitation and standards established for the facility by the applicable Regulatory Agencies.

Every community type sewage system shall consistently produce the quality of effluent required in the applicable state, federal or municipal wastewater discharge permits.

The bypass of any raw or partially treated sewage from a sewage system is prohibited, except where unavoidable to prevent loss of life, personal injury or severe property damage, and where no feasible alternative to bypass exists. The use of alternatives to bypass, such as auxiliary treatment facilities, retention of untreated wastes, elimination of wastewater production, maintenance during normal period of equipment downtime, or installation of adequate backup equipment, shall be utilized to the maximum extent feasible to avoid bypass and shall be utilized in strict compliance with all laws, ordinances and regulations.

The developer of a development (the "Developer") shall remain individually and personally liable for the continued successful and proper operation of community type sewage system for so long as the system is intended to provide or provides sewage treatment to the development. The Developer shall be relieved from further liability upon the transfer of control and ownership of the system to either of the following:

A. LUS, whereupon LUS shall assume all further operations, maintenance and control of the system; or

B. A company licensed by the State of Louisiana to own and operate a community sewage system which at the time of such transfer is in good standing and fully licensed by the State of Louisiana ("Licensed Sewage Company") whereupon said Licensed Sewage Company shall assume all further operations, maintenance and control of the system.

Notwithstanding any other language contained in the ordinance to the contrary, every Developer of a development with a community sewerage system must first offer in writing to LUS ("Transfer Offer") to transfer ownership and control of the community sewage system before offering to transfer ownership and control of such system to any Licensed Sewage Company. LUS shall have a period of sixty (60) days from the date of its receipt of the Transfer offer ("Response Period") to accept the Transfer Offer by delivering written notice of acceptance to the Developer ("Acceptance Notice") on or before the expiration of the Response Period. In the event that LUS does not provide the Acceptance Notice to the Developer within the Response Period or LUS rejects the Transfer Offer within the Response Period, then in either event, the Developer may thereafter transfer ownership and control of the community sewage system to a Licensed Sewage Company. LUS' decision to accept or reject the Transfer Offer shall be in LUS' sole and unqualified

discretion including but not limited to LUS having adequate manpower, equipment and resources to operate and maintain the community system that is the subject of the Transfer Offer

With regard to community type sewage systems existing on the date of enactment of this ordinance, the owner of such system may offer same to LUS for maintenance and thereby be relieved from further liability for the maintenance thereof if LUS accepts such system for maintenance. All costs of inspection in order to determine whether said system is in fact acceptable to LUS shall be borne by the owner of said system seeking transfer. LUS may require the system to be upgraded to LUS standards prior to acceptance. All costs to upgrade the system shall be borne by the owner of said system seeking transfer.

For the purposes of this Section, "Developer" shall mean and include individual developers, legal entities such as corporations, limited liability companies, partnerships, trusts or association, and shall further include individually and in so lido with any such legal entity that individual or those individuals with decision-making authority for such legal entities at the time the system is installed and at any time thereafter during which the system must be maintained in good working order. A Developer shall not avoid contained liability by transferring ownership, operation or control of the system to a private entity.

h. Penalties: Any person, partnership corporation, limited liability company, trust, association or other entity who shall violate any of the provisions of this ordinance, whether acting for himself or others, shall be guilty of a misdemeanor and upon conviction shall be fined no less than $100.00 nor more than $500.00 and/or shall be imprisoned in the Parish Jail for not less than thirty days (30) nor more than six months (6) for each offense. Each day of violation or each incident of discharge of raw sewage shall constitute a separate offense.

(e) Electricity

(1) An underground electrical distribution system shall be provided in all residential and commercial subdivisions in accordance with the standards of LUS.

(2) In industrial subdivisions, the electrical distribution system may be placed above or below ground as determined by the needs and proposed uses of the subdivision.

(3) Storm Water- Utility location and installation shall regard the existing drainage pattern and not modify it unless designed by an engineer and approved by PW.

(f) Wiring Improvements

(1) Service wiring shall be according to the standards of NEC or NESC requirements.

(2) All utilities shall be constructed in accordance with good utility practice and with the approval of LUS.

(g) Refuse disposal

Refuse storage shall be conveniently located and conform to PW policy on enclosures. If inside storage is to be provided, the location shall facilitate pickup.

Amended March 2016

Lafayette Consolidated Government

Unified Development Code

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Article 4. Procedures

Division 1. General Procedural Elements

89-47 Generally

(a) This Article applies to any application for zoning or subdivision approval in the LCG.

(b) This Article establishes procedures for land development decisions made under this Chapter. These include

(1) **Legislative** decisions, including rezoning and changes to this UDC and the Comprehensive Plan. These involve a new policy or rule, or a change in land development policy.

(2) **Quasi-Judicial** decisions, including conditional use permits and variances. These proceedings require a weighing of the evidence, a balancing of the equities, an application of rules, regulations and ordinances to facts, and a resolution of specific issues. These also involve a public hearing and the exercise of discretion by the decision-making agency.

(3) **Administrative** decisions, such as building permits and certificates of occupancy. These apply the UDC or conditions of a quasi-judicial decision to a specific project that is either clearly defined in the UDC, or that has already obtained all necessary legislative and quasi-judicial approvals. Because these involve the application of non-discretionary rules to specific projects, these decisions are made by LCG staff without a public hearing.

(c) This Chapter sets up rules for procedures, such as pre-application, neighborhood notification, notices and public hearings. It then describes the process for specific land use decisions. The procedures all have a **common workflow** and description, as follows:

Table 89-47-1 Procedure Workflows

Element	What does this mean?
Applicability	The type of development or situation that is subject to the process.
Initiation	This is how the applicant begins the process, including the department or official that an applicant files the application with.
Completeness	This is how the LCG determines that the application has sufficient information to be processed.
Notice	This describes the type of notice, and how it is provided.
Decision	This states who approves that application, how notice is provided, and the type of proceeding that leads to the decision.

Approval Criteria	These are any particular standards that determine whether the application is approved. All applications are subject to this Chapter and zoning district regulations.
Subsequent Applications	If an application is denied, some processes have a waiting period before that type of application can be re-filed for the property.
Appeals	This provides a way to review an application that is denied, or that have conditions that the applicant disagrees with.
Scope of Approval	This states the activities that the application authorizes. For example, some approvals send the applicant to the next step in the overall process, while others authorize construction or use.
Recordkeeping	This states how the formal decision of approval is maintained.

(d) The processes established in this Code are summarized below.

Table 89-47-2 Process Summary

	Agency					*Notice*			
Process	*Administrator / Staff*	*Hearing Examiner*	*Planning & Zoning Commission*	*City-Parish Council ("Council")*	*Board of Zoning Adjustment*	*Publication*	*Mail*	*Signs*	*Cross-Reference*
Annexation	I			D-PHL		■			RS 33:151 et seq. and RS 33: 171 et seq.
Acceptance of improvements	I		D			✓			89-59
Appeal (Zoning)	I				A	✓			89-68
Appeal (Planning and Zoning Commission decision)	I			D-PHA		■	■	■	89-69
Boundary Adjustment	D								89-63
Conditional Use Permit	I		D-PHA	A-PHA		✓	✓	✓	89-54
Modifications	I	⇔	⇔	⇔					89-67
Comprehensive Plan Amendment	I		D-PHL			✓			89-51
Rezoning & Annexation Zoning Assignment	I		D-PHL	A-PHL		✓	✓	✓	89-53
Site Plan Review	D								Art. 10
Subdivision, Final Plat	D*								89-58
Subdivision, Minor Plat	I	D-PHA	A-PHL	A-PHL		✓	✓	✓	89-60
Subdivision, Plat Vacation	I		D-PHL	A-PHL		✓	✓	✓	89-61
Subdivision, Preliminary plat	I		D-PHL	A-PHL		✓	✓	✓	89-57
Subdivision, Re-subdivision	I	D	D-PHL	A-PHL		✓	✓	✓	89-62
Subdivision, Sketch Plan	I								89-56
Text Amendment	I		D-PHL	A-PHL		✓			89-52
Variance (Zoning)	I				D	✓	✓	✓	89-68

Key: I = intake, review and referral R = Recommendation D = Decision A = Appeal
PHL = public hearing (legislative) PHA = public hearing (administrative)
⇔ = the decision is tied to another process. The agency has a role only where noted in the procedures related to a specific process.
✓ = required ■ = specific notice depends on the situation – refer to the section reference

* Administrator acts on behalf of Planning and Zoning Commission.

Note: this table is a general summary. Refer to the referenced sections for the specific procedure. If there is any conflict between the text section referenced here and Table 4-2, the text section controls.

89-48 How are applications filed?

(a) What are the general requirements?

(1) Applications filed under this Chapter must include the information required by Article 10 (Submittal Requirements). All applications shall be made on forms prepared by the LCG and available in the Planning Zoning and Development Department ("PZD").

(2) The Council may establish fees for all applications required in this Chapter by resolution. Any fees in effect at time of adoption or amendment of this Chapter remain in effect, unless and until they are revised by Council.

(b) How are applications reviewed for completeness?

(3) The LCG will not process incomplete applications.

(4) An application is not complete until all required items are submitted (see Article 10).

(5) When applications are filed, the Administrator will review them for completeness. A time period required by this Chapter to process an application does not commence until the Administrator determines that the application is properly submitted and the applicant has corrected any deficiencies in the application. Review for completeness of application forms is solely to determine whether preliminary information required for submission with the application is sufficient to allow further processing. It does not constitute a decision as to whether an application complies with this Chapter.

(6) The Administrator will determine whether the application is complete and will transmit the determination to the Applicant. If the Administrator determines that the application is not complete, the Administrator will specify those parts of the application that are incomplete and will indicate how they can be made complete, including a list and description of the information needed to complete the application. The Administrator and the decision making agency are not obligated to further review the application until the required information is corrected.

(7) The Administrator or the approving authority may provide submission deadlines for materials required in support of any application provided for in Article10. Compliance with those deadlines is required to have the application placed on an agenda to be heard by the approving authority.

89-49 What are the general procedures for notice?

(a) State law establishes various requirements for public notice. Unless otherwise provided, the notice established in this Article is as follows

(b) Table 89-49.2-1 Type and Description of Notice

Type of notice	Description
Publication	PZD will publish in a newspaper of general circulation throughout the parish, or the official journal of the Lafayette Consolidated Government.
Mail	PZD will mail the notices. Regular mail is sufficient, unless certified mail is required by a specific process or state law.
Signs	**1.** The applicant will provide and place weatherproof signs on the street right-of-way nearest the property. **2.** All signs must be posted in visible locations. At least 1 sign is required for every 500 linear feet of the property frontage. **3.** The sign shall be green in color, and at least 4 feet by 4 feet and at least 4 feet from the ground. **4.** The sign shall include – • The type of proceeding (e.g. rezoning, preliminary subdivision plat, appeal, variance, etc.) • The main phone number for the PZD, provided by PZD staff • The PZD website address (URL), as provided by PZD staff **5.** The applicant shall, at its sole cost and expense, remove the sign(s) within 7 working days following the public hearing, unless the decision is appealed. If an appeal is filed and considered, the applicant shall remove the sign(s) within 7 working days after a final decision on appeal.

(e) Notice shall include the following information, unless the process includes a different requirement.

(1) Time, date, and place of the public hearing or meeting;

(2) The type of land use or development decision that is being considered;

(3) A telephone point of contact within the PZD

(4) LCG shall provide all notice required in this Section and throughout this Chapter. However, the failure of the LCG to provide any notice not otherwise required under State law shall not affect the validity of any action undertaken pursuant to this Chapter, and no person shall have the right to challenge such action for lack of notice where LCG has complied with the applicable State law governing notice.

89-50 What procedures apply to hearings?

(a) A public hearing gives interested parties an opportunity to be heard. The specific processes for providing testimony and conducting the hearing are established by the agency that conducts the hearing.

(b) Where a public hearing is required for legislative action, the hearing may be called –

(1) By the Planning and Zoning Commission upon its own initiative, or

(2) At the direction of the Council.

Division 2. General Processes

89-51 Comprehensive Plan Amendment

(a) When does this process apply?

Louisiana provides for the development of a master plan for the physical development of the Parish and City (LRSA 33:106) and that zoning regulations are to be made in accordance with a comprehensive plan (LRSA §§ 33:4723, 33:4780.43). This section applies to any amendment to the Comprehensive Plan.

(b) How does the process begin?

(1) In accordance with Comprehensive Plan, the Planning and Zoning Commission and the PZD will monitor the implementation progress. PZD staff shall submit an annual report indicating actions taken and progress made toward plan implementation during the previous year, together with work planned for the upcoming year.

(2) In conjunction with the annual report, the Planning and Zoning Commission may, in its sole discretion, propose amendments to the Comprehensive Plan.

(3) Upon the occurrence of the fifth anniversary of the adoption of the Comprehensive Plan, and every fifth year thereafter, the Planning and Zoning Commission shall conduct a review of the Comprehensive Plan. In conjunction with this mandatory five-year review, PZD staff shall submit a Five-Year Evaluation Report (the "Report") to the Planning and Zoning Commission, which Report shall summarize the major accomplishments of the preceding five year period, the results of the performance metrics, and recommendations for amendments to the Comprehensive Plan. Upon receipt of the Report, the Planning and Zoning Commission shall consider all proposed amendments to the Comprehensive Plan and may propose such amendments as it deems appropriate.

(c) What kind of public notice is required?

(1) The following notice is required for a plan amendment hearing (Reference: LRSA 33:108):

Type	When provided
Publication	• At least 10 days before the scheduled hearing

(d) How are decisions made?

(1) The Planning and Zoning Commission shall conduct an initial public hearing, at which time LCG staff may present its annual evaluation and/or five-year Report. At this time, the Planning and Zoning Commission shall also receive recommendations for amendments to the Comprehensive Plan from PZD Staff, and may recommend amendments of its own.

(2) Following the initial hearing, all recommended amendments shall be made available for public review and comment at least thirty (30) days in advance of the hearing to vote on final adoption of said amendments.

(3) Upon expiration of the required thirty day public comment period, and after providing public notice in accordance with § 89-51(c), the Planning and Zoning Commission shall hold a second public hearing to take final action on the proposed amendments. At the Final Adoption Hearing, the Planning and Zoning Commission may –

a. Adopt the plan amendment resolution, either as submitted or amended. The resolution shall refer expressly to the maps and descriptive and other matter intended by a commission to form the whole or part of a plan, or

b. Deny the plan amendment and terminate the amendment process.

(Reference: LRSA 33:108)

(e) What are the standards for approval?

A plan amendment is a legislative decision that is committed to the Planning and Zoning Commission's discretion. The Planning and Zoning Commission will consider whether the plan amendment is reasonable, including –

(1) Whether the plan amendment is internally consistent with other parts of the plan, and

(2) Whether the plan amendment is consistent with sound planning principles, and

(3) Any other factors those agencies deem appropriate.

(f) How is a decision appealed?

Not applicable.

89-52 Text Amendment

(a) When does this process apply?

This section applies to any proposal to amend, supplement, or change the regulations or standards established in this Chapter.

(b) How do I start the process?

A text amendment may be initiated by:

a. The Council, by resolution, or

b. Recommendation of the LCG administration, or

c. The Planning or Zoning Commission through the introduction or adoption of a motion, or

d. Petition or request by the general public or property owners.

(c) How do I know if my application is complete?

See § 89-48.

(d) What kind of public notice is required?

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

Type	When provided
Publication	• At least 10 days before the scheduled Planning and Zoning Commission or (if required) Council hearings

(e) How are decisions made?

(1) The Planning and Zoning Commission may hold a public hearing on the proposed amendment after the required notice is provided.

(2) The Planning and Zoning Commission shall submit a report with its recommendations relative to the amendment and its reasons for making the recommendation. The report shall be filed with the Council within 45 days after the date of the public hearing held to consider the amendment.

(3) If the Planning and Zoning Commission fails to submit a timely report and recommendation, the Council may take action on the amendment without the report and recommendation. Otherwise, the Council shall not take action to amend this Chapter, and no amendment to this Chapter is effective, until the Council receives the Planning and Zoning Commission's final report and recommendation.

(4) 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, or deny the amendment.

(f) What are the standards for approval?

An amendment is a legislative decision that is rendered by the Planning and Zoning Commission or Council's discretion. The agencies will consider whether the amendment is reasonable, including –

(1) Whether amendment is consistent with the Comprehensive Plan, and

(2) Whether the amendment is internally consistent with other parts of this Chapter, and

(3) Whether the amendment is consistent with sound planning principles, and

(4) Any other factors those agencies deem appropriate.

(g) After a decision is made, is there a limit on subsequent applications?

There is no limit on subsequent applications.

(h) How is a decision appealed?

Not applicable.

(i) What are my next steps?

(1) An amendment is effective 15 days after the date when it is adopted.

(2) A text amendment does not authorize development. Any development that occurs after the amendment is adopted is subject to all applicable requirements of this Chapter.

(j) How are records of the decision kept?

See LCG Charter, § 2-16.

Division 3. Zoning Processes

89-53 Rezoning

(a) When does this process apply?

This section applies to any amendment to the Zoning Map, referred to as a "rezoning."

(b) How do I start the process?

(1) A rezoning may be initiated by:

a. The council, by passage of an ordinance or resolution, or

b. Recommendation of the LCG administration, or

c. The Planning and Zoning Commission, by adopting a motion, or

d. Petition by the owner of the affected property filed with the PZD.

(2) A property owner-initiated rezoning petition shall be duly signed and acknowledged by the owner, or authorized agents of over 50% of the land area of land for which a rezoning is requested. However, that where any lot located in the proposed rezoning area is owned in indivision, all co-owners must sign the petition for that lot to be included in the 50% area provision.

(c) How do I know if my application is complete?

See § 89-48.

(d) What kind of public notice is required?

The following notice is required for a rezoning hearing (References: LRSA 33:4724 [zoning amendments]):

Type	When provided
Publication	• At least 3 times if published in the official journal • At least 10 days between the first publication and the hearing
Signs	• PZD will place signs on or before the first date of publication before the meeting.
Mail	• The PZD will mail notice at least 10 days before the public hearing. • Notice is provided to all of the immediate adjacent property owners of record and the owners of property immediately adjacent to that property pre the latest tax assessor's tax rolls. Property directly across the Public Road from the reclassification site is treated as adjacent property.
	• Where a comprehensive rezoning revision of more than one hundred (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 LRSA 33:4724

(e) How are decisions made?

(1) Meeting Schedule. The Planning and Zoning Commission will publish a schedule of meeting dates for rezoning petitions. Action will be taken on petitions that are filed at least 40 days prior to the date of a scheduled hearing.

(2) Planning and Zoning Commission Report and Recommendation

a. The Planning and Zoning Commission may hold a public hearing on the proposed amendment after the required notice is provided.

b. The Planning and Zoning Commission shall submit a report with its recommendations relative to the rezoning and its reasons for making the recommendation. The report shall be filed with the Council within 45 days after the date of the public hearing held to consider the amendment.

(3) Council Action

a. If the Planning and Zoning Commission fails to submit a timely report and recommendation, the Council may take action on the rezoning without the report and recommendation. Otherwise, the Council shall not take action to rezone, and the rezoning is not effective, until the Council receives the Planning and Zoning Commission's final report and recommendation.

b. 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, or deny the rezoning.

c. A Council decision to approve a rezoning shall occur within 90 days from the date upon which the Planning and Zoning Commission files its report and recommendation to Council was filed or the time to file the report and recommendation expires, unless a motion is made to extend this time period.

(4) 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, setback requirements, and other restrictions appropriate to mitigate the impacts of the development.

(f) What are the standards for approval?

(1) A rezoning is a **legislative** decision that is committed to the Planning and Zoning Commission or Council's discretion.

(2) The agencies will consider whether the amendment is reasonable, including –

a. Consistency. Whether the proposed rezoning is consistent with the Comprehensive Plan.

b. Mistake. Whether there was a mistake in the original Zoning map or text

c. Change. Whether there are changes in conditions or densities in the area that justify a rezoning? (Examples include new roads or road expansions, new development, closures, and demolitions).

d. Health, Safety & General Welfare. Whether the rezoning promotes the community's public health, safety, morals or general welfare.

e. Compatibility. Whether the proposed rezoning is –

1. Compatible with surrounding land uses, and

2. Would adversely impact the neighboring properties, or

3. Cause a loss in property values.

f. Suitability as Presently Zoned. Whether the property under consideration for rezoning has a reasonable economic use as currently zoned.

g. Other Factors. The Planning and Zoning Commission or Council may consider any **other** factors relevant to a rezoning application under Louisiana law.

(g) How is a decision appealed?

Not applicable.

(h) After a decision is made, is there a limit on subsequent applications?

(1) This subsection applies to a rezoning petition that –

a. Is finally acted upon by the Council, or

b. Receives no action by the Council, within 90 days, or

c. Is officially advertised for public hearing before the Planning and Zoning Commission or Council but is subsequently withdrawn.

(2) If subsection (h)(1) applies, the Council shall not consider any further petition requesting or proposing the same or less restrictive amendment for the same property within a period of 2 calendar years. This 2-year period begins on the date of the final legal action on the petition or the date of the expiration of the 90-day period in subsection (1) b above, or the date of withdrawal of the officially advertised petition.

(3) This provision does not apply to a comprehensive zoning revision of an area larger than 20 acres.

(i) What are my next steps?

(1) If a **building or buildings exist** and there is **no proposed new construction**, the applicant shall submit to the Planning and Zoning Commission an application stating the proposed use of the property.

a. The Planning and Zoning Commission may recommend a time limit within which the applicant shall apply for a certificate of occupancy in conformity with the proposed us. The time limit shall be no more than 6 months from the final decision.

b. If applicant ceases to use the property for the specific purpose for which the application is made and the cessation of use continues for a consecutive 1-year period, the property shall, without any action on the part of the Planning and Zoning Commission, revert to its original zoning classification.

(2) If new construction is proposed, the rezoning may include a condition that a site plan be approved by the Commission or Council and filed with the Administrator and PZD.

a. All site improvements shall be completed within 18 months, unless for good cause shown, the rezoning decision provides a longer period. If, at the end of this period, construction is not complete, the Administrator may extend the time period by 3 months if substantial progress has been made. Securing a permit for construction does not constitute substantial progress. For purposes of this subsection, "substantial progress" means that at least: -

1. Footings are poured for at least 75% of the building floor area, or

2. At least 25% of all buildings or structures are completed and issued a certificate of occupancy, or

3. At least 50% of all site improvements required by a condition of approval and Article 3 are completed.

b. All improvements to the site shall be constructed in conformity with the approved plan.

c. Any required plan may include, but is not limited to, a floor plan, elevations, site plan, plot plan, and other items required by the rezoning decision.

(j) How are records of the decision kept?

See LCG Charter, § 2-16.

89-54 Conditional Use Permit

(a) When does this process apply?

This section applies to any use designated as a conditional use in the applicable zoning district (see § 89-21).

(b) How do I start the process?

(1) The applicant files an application for a conditional use permit with the Administrator.

(2) The applicant may file an application for a conditional use permit concurrent with an application for rezoning.

(c) How do I know if my application is complete?

See § 89-48.

(d) What kind of public notice is required?

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

Type	When provided
Mail	• PZD will mail notice at least 10 days before the public hearing. • 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	• PZD will place signs at least 14 days before the scheduled Planning and Zoning Commission hearing

(e) How are decisions made?

(1) The Planning and Zoning Commission will publish a schedule of meeting dates for conditional use permits. Action will be taken on applications that are filed at least 40 days prior to the date of a scheduled hearing.

(2) The Planning and Zoning Commission Report and Recommendation.

a. The Planning and Zoning Commission shall conduct a public hearing on the proposed amendment after the required notice is provided.

b. The Planning and Zoning Commission shall submit a report with its recommendations relative to the conditional use permit and its reasons for making the recommendation. The report shall be filed with the Council within 45 days after the date of the public hearing held to consider the conditional use permit.

(3) Council Action.

a. If the Planning and Zoning Commission fails to submit a timely report and recommendation, the Council may take action on the conditional use permit without the report and recommendation. Otherwise, the Council shall not take action on the application, and a conditional use permit shall be without effect, until the Council receives the Planning and Zoning Commission's final report and recommendation

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

(f) What are the standards for approval?

Conditional uses shall comply with the following standards:

(1) The proposed use is consistent with the Comprehensive Plan, and

(2) The proposed use is consistent with all applicable requirements of this Chapter, including –

a. The applicable zoning regulations, and

b. Any applicable development standards in Article 3, and

c. Any applicable supplemental use regulations in Article 5, and

(3) The proposed conditional use is compatible with the character of the neighborhood within the same zoning district in which it is located. The proposal, as submitted or modified, shall have no more adverse effects on health, safety or comfort of persons living or working in the neighborhood, or shall be no more injurious to property or improvements in the neighborhood than would any other

use generally permitted in the same district. In making this determination, the Planning and Zoning Commission will consider the location, type and height of buildings or structures, the type and extent of landscaping and screening on the site and whether the proposed use is consistent with any policy of the Comprehensive Plan that encourages mixed uses and/or densities.

(4) Adequate utilities shall be provided as set forth in the utilities standards of this chapter.

(5) Adequate measures shall be taken to provide ingress and egress so designed as to minimize traffic hazards and to minimize traffic congestion on the public roads.

(6) The proposed use shall not be noxious or offensive by reason of emissions, vibration, noise, odor, dust, smoke or gas.

(7) The proposed use shall not injure the use and enjoyment of the property in the immediate vicinity for the purposes already permitted, or substantially diminish or impair the property values within the neighborhood.

(8) The proposed use shall not impede the orderly development and improvement of surrounding property for uses permitted within the zoning district.

(9) The establishment, maintenance, or operation of the proposed use shall not be detrimental to or endanger the public health, safety, morals, comfort, or general welfare.

(g) After a decision is made, is there a limit on subsequent applications?

(1) This subsection applies to a conditional use permit application that –

a. Is finally acted upon by the Planning and Zoning Commission or Council, or

b. Receives no action by the Planning and Zoning Commission or Council, within 90 days, or

c. Is officially advertised for public hearing before the Planning and Zoning Commission but is subsequently withdrawn.

(2) If subsection (g) (1) applies, the Planning and Zoning Commission will not consider another petition requesting or proposing the same use for the same property within a period of 2 calendar years. This 2-year period begins on the date of the final legal action on the petition or the date of the expiration of the 90-day period in subsection (1) b above, or the date of withdrawal of the officially advertised petition.

(h) How is a decision appealed?

See § 89-69.

(i) What are my next steps?

A conditional use permit does not authorize development. After a conditional use permit is approved, the applicant may file an application for a building permit or certificate of occupancy (see Division 5).

(j) How are records of the decision kept?

The Administrator and the applicant shall maintain copies of the conditional use permit approval, and all supporting documentation.

Division 4. Subdivision Processes

89-55 Subdivision Plats, Generally

Purpose: these regulations implement the Comprehensive Plan and this Chapter by –

- *establishing a procedure to approve plats and maps that subdivide or resubdivide real property, and*
- *examining subdivision plats and maps to ensure that they comply with this Chapter; and*
- *protecting the health, safety and general welfare of the people of the City and Parish of Lafayette and their property.*

These subdivision regulations are authorized under R.S. 33:101—33:119, as amended, and this ordinance is declared to be in accordance with all provisions of those statutes.

(a) When does this process apply?

(1) Except as provided below, this Division applies to any "subdivision" as defined in La. R.S. 33:101, i.e.:

"Subdivision" means the division of a lot, tract, or parcel of land into two or more lots, plats, sites or other divisions of land for the purpose, whether immediate or future, of sale or of building development, and, with regard to parishes, for the purpose of sale or of building development for purposes other than agricultural. It includes resubdivision and, when appropriate to the context, relates to the process of subdividing or to the land or territory subdivided.

"Resubdivision", in addition to being synonymous with "subdivision", means and shall also include the consolidation of two or more lots, plats, tracts, parcels, or other divisions of land into one or more lots, plats, tracts, parcels, or other divisions of land.

(2) This Division does not apply to any subdivision exempt from regulation by LRSA Title 33, Chapter 1, Part 4, Subpart A, but only to the extent that the statute provides an exemption.

(3) This Division applies to all lands located within –

a. The legal boundaries of the City of Lafayette as now exists or as may subsequently be changed by future annexation, and

b. The unincorporated areas of Lafayette Parish.

(b) How does the overall process work?

(1) The purpose of these subdivision processes is to assure the orderly development of property and reduction of blight in existing neighborhoods within the City of Lafayette and unincorporated Lafayette Parish. The requirements for approval set forth in this Division do not imply an inherent right to subdivide property or to create building sites except as consistent with the public health, safety and welfare of the entire community. It is intended that the review processes of this Division and any decision to approve a subdivision plat shall include an evaluation of all aspects that might relate this decision, including but not limited to: infrastructure capacity or impact, current growth management policies, traffic congestion, and environmental impacts. Moreover, it is specifically within the authority of the Planning and Zoning Commission to require specific improvements, easements or other limitations to development rights that further these public interests as a condition of an approval.

(2) There are 2 steps for subdivision plat review:

a. Preliminary plat approval by the Planning and Zoning Commission, and

b. Final plat review by the PZD prior to recording the plat.

(3) The usual type and sequence of actions is as follows:

a. The Planning and Zoning Commission –

1. Approves or tentatively approves the preliminary plat with conditions, or

2. Defers approval of the preliminary plat until the next regular meeting (not to exceed 60 days) if necessary, and

3. Approves, approves with conditions, or disapproves the preliminary plat.

b. The Final Plat is submitted to PZD for recording.

(4) The Planning and Zoning Commission may allow the concurrent processing of preliminary plats and final plat if –

a. A preliminary plat has expired and the resubmitted plat is prepared in final form in full compliance with the previous approval conditions, and no changes are proposed within the original plat boundary. This only allows concurrent processing, but not approval. The resubmitted plat must comply with all regulations in effect when it is resubmitted.

b. The plat is prepared in final form and covers a single tract or unrestricted reserve contained within a general overall plan or street dedication plat previously approved by the commission, and where no new or additional streets or lots are proposed to be created and established.

c. An application is received containing an instrument to vacate a subdivision to convert it to acreage rather than replat or resubdivide the property.

d. The plat is a correction plat.

e. The plat submitted contains 5 lots or less.

f. The entire subdivision fronts on an existing dedicated, constructed, and accepted parish or municipal street or road.

g. The Planning and Zoning Commission finds that other special circumstances exist, after considering the question of special circumstances at a public meeting.

(5) The applicant for a subdivision approval has the burden of proof to demonstrate full compliance with the applicable requirements of this Chapter.

89-56 Pre-Application Sketch Plan (Optional)

(a) When does this process apply?

A sketch plan is an optional, informal process that allows the applicant to meet with LCG staff to gain an understanding of the comprehensive plan, the regulations in this Chapter, and approval process. The intent of this procedure is to assist the subdivider in preparing a plan that meets the requirements of this Chapter, and to permit the processing of the preliminary plat in an expeditious manner.

(b) How do I start the process?

The subdivider submits to the Administrator a sketch plan of the proposed subdivision. See Article 10 for submittal requirements.

(c) How do I know if my application is complete?

See § 89-48.

(d) What kind of public notice is required?

No public notice is required.

(e) How are decisions made?

The Administrator or the subdivider may request a conference to review the proposed subdivision.

(f) What are the standards for approval?

A sketch plan review is not a formal process. The Administrator and any reviewing agencies will consult the standards in this Chapter and the Comprehensive Plan in providing their comments to the applicant.

(g) After a decision is made, is there a limit on subsequent applications?

There is no limit on subsequent applications.

(h) How is a decision appealed?

Not applicable.

(i) What are my next steps?

The sketch plan is not binding on either the applicant or the LCG. After receiving the Planning Administrator's comments, the applicant may file an application for preliminary plat approval.

(j) How are records of the decision kept?

No records of the decision are kept.

89-57 Preliminary Plat

Purpose: The purpose of preliminary plat is to review and check the proposed subdivision against the specific design standards and improvements required as set forth in this Chapter. The preliminary plat is more detailed than the pre-application sketch plan and, consequently, shows the entire area proposed to be subdivided.

(a) When does this process apply?

Preliminary plat approval is required for all unplatted property that has not been approved by the Planning and Zoning Commission or before a building permit can be obtained. Preliminary plat approval is required before a final plat is submitted.

(b) How do I start the process?

(1) The applicant files an application for preliminary plat approval with the Planning Administrator.

(2) The applicant may file an application for rezoning or conditional use permit approval concurrent with an application for preliminary plat approval.

(c) How do I know if my application is complete?

See § 89-48.

(d) What kind of public notice is required?

The following notice is required for a preliminary plat hearing (Reference: LRSA 33:113):

Type	When provided
Publication	• 10 days before the scheduled hearing
Regular Mail	• 5 days before the scheduled hearing • 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. • 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.
Signs	In addition to the information required by 89-49, signs shall state- Names and type of proposed Development or Subdivision, the total number of proposed lots; date, time and location of the public hearing, and The statement "A subdivision is proposed for this site"

(e) How are decisions made?

(1) The Administrator will refer the preliminary plat to the following departments or agencies for review and comment, as appropriate. Failure to receive comments from an agency within the allotted time period for preliminary plat review is deemed a tacit approval by the agency:

a. LCG, Department of Public Works.

b. City of Lafayette, Lafayette Utilities System (LUS).

c. City of Lafayette, Fire Department.

d. Private and public utilities serving the area.

e. The PZD.

f. Any other agencies or departments who may provide relevant comments about the proposed subdivision.

(2) The Administrator shall fix a date for a public hearing of a completed preliminary plat.

(3) The Planning and Zoning Commission shall conduct a public hearing and shall approve, conditionally approve, or deny the preliminary plat application.

(4) During the course of the public hearing, the applicant may modify the plat to address issues raised by the Planning and Zoning Commission.

(5) After the public hearing is closed, the Planning and Zoning Commission shall render a decision.

(6) Approval is expressed as preliminary approval which is revocable and not entered on the plat. The Planning and Zoning Commission will state conditions in writing. If the preliminary plat is disapproved, the Planning and Zoning Commission will state the reasons.

(7) The Administrator shall notify the subdivider in writing of the conditions of approval with any conditions of approval, as necessary, shown on the preliminary plat.

(f) What are the standards for approval?

(1) The Planning and Zoning Commission will approve the preliminary plat if –

a. The application complies with all applicable requirements of this Chapter, and

b. The plat is consistent with the Comprehensive Plan.

(2) Whenever the proposed subdivision contemplates a rezoning that is incompatible with, or nonconforming to, existing and updated comprehensive plans or zoning regulations, the subdivider shall:

a. demonstrate why conditions of the comprehensive plan should no longer apply, and,

b. complete the rezoning process prior to filling the application for preliminary plat approval.

(g) After a decision is made, is there a limit on subsequent applications?

(1) When the Planning and Zoning Commission has denied any subdivision proposal, no reconsideration of any application will be granted unless:

a. The applicant certifies that circumstances and/or conditions have been changed or altered, or

b. The applicant certifies that data used or provided in analysis of the proposed subdivision was inaccurate, and that the applicant could not have been aware of the inaccuracy for reasons beyond its control, or

c. Additional information has become available which was not available when the public hearing occurred.

(2) A reapplication is subject to all procedures required by the original submittal.

(h) How is a decision appealed?

See § 89-69.

(i) What are my next steps?

(1) Tentative approval of the preliminary plat is not approval of the final plat. Rather, it is considered an expression of approval of the layout submitted on the preliminary plat.

(2) Receipt of a copy of the preliminary plat, indicating the Planning and Zoning Commission's approval conditions, authorizes the subdivider to proceed with the preparation of construction plans (see Article 10) and specifications in accordance with the improvements required in Article 3.

(3) The subdivider shall submit the necessary construction plans; specifications and documents for the required public improvements to the Department of Public Works and LUS (see Article 10 for submittal requirements).

(4) Following the approval of construction plans by the respective department, the applicant may –

a. Begin construction of the improvements, or

b. Construct at least 80% of the improvements, and furnish an improvement agreement guarantee for 125% of the estimated cost of the remainder of the improvements. The improvement agreement guarantee shall be submitted to the respective department charged with the responsibility of those improvements. The improvement agreement guarantee, along with the completed construction plans, and/or bank letter of credits, will allow the developer to present his final plat to the PZD for approval.

(5) For How Long is My Preliminary Plat Approval Effective?

a. Preliminary plat approval ("**Preliminary Approval**") shall be valid for a period of twelve (12) months from the date of Preliminary Approval of the Lafayette Planning Commission ("**Initial Period**"). During the Initial Period, the applicant is responsible for:

1. preparing all infrastructure and improvement plans ("**Infrastructure Plans**") including, but not limited to, water, sewer, electrical, drainage and streets, and

2. obtaining approval of all Infrastructure Plans by all applicable LCG departments and/or other applicable utility providers.

b. 1. If, at the end of the Initial Period, reasonable progress, as determined by the staff of the Planning Commission, has not been realized in the design and preparation of the Infrastructure Plans, then the Preliminary Approval shall be deemed terminated. If the applicant opposes the termination of Preliminary Approval under this subparagraph, the decision of the staff of the Planning Commission shall be a tentative finding which shall be submitted to the Planning Commission at its next regularly scheduled meeting for final review and action.

2. If, at the end of the Initial Period, reasonable progress, as determined by PZD has been realized in the design and preparation of the Infrastructure Plans, but the Infrastructure Plans are not complete, then the Preliminary Approval can be extended by PZD for the time necessary to complete the design, preparation and approval of the Infrastructure Plans, but in no event greater than 180 days from the last day of the Initial Period ("**Extended Initial Period**").

3. For purposes of this subparagraph, reasonable progress shall mean progress toward the recordation of a final plat of subdivision. A finding of reasonable progress shall require, at a minimum, the submission of Infrastructure Plans to the appropriate LCG department(s), together with proof that the applicant is diligently pursuing all necessary permits and approvals but has been unable to secure the same because of conditions beyond the applicant's control.

4. For purposes of this subsection, reasonable progress may be confirmed by the applicant providing to PZD evidence of delays caused by agencies having jurisdiction over the property and not as a result of any action or inaction of the applicant.

c. If, at the end of the Extended Initial Period, the Infrastructure Plans are not fully approved by LCG, then, in such event, the Preliminary Approval Shall terminate.

d. If, at the end of the Initial Period or Extended Initial Period, the Infrastructure Plans are fully approved by LCG, then, in such event, the Preliminary Approval shall be automatically extended for the time necessary to complete the construction of the infrastructure improvements, but in no event greater than twelve (12) months from the date of the approval of the Infrastructure Plans ("**Construction Period**").

e. If, at the end of the Construction Period, the final plat of subdivision has not been recorded, then the applicant shall apply to the Planning Commission for an extension of the Construction Period for the time necessary to record the final plat of subdivision. The determination set forth in this subparagraph shall be made solely by the Lafayette Planning Commission.

f. In the event that any proposed subdivision receives Preliminary Approval and there is no requirement of the approval for any construction of infrastructure improvements, the Preliminary Approval shall remain valid for a period of twelve (12) months from the date of approval by the Lafayette Planning Commission, during which twelve (12) month period a final plat of subdivision shall be recorded. In the event the final plat of subdivision is not recorded within such twelve (12) month period, the Preliminary Approval shall automatically terminate.

(j) How are records of the decision kept?

A preliminary plat application is not recorded. The Administrator will maintain a record of approved preliminary plats. The applicant must maintain a copy of the approved preliminary plat, including any attachments.

89-58 Final Plat

(a) When does this process apply?

(1) Final plat approval is required before a plat is recorded or filed in the office of the clerk of court of the Lafayette Parish.

(2) Final plat is filed after the preliminary plat is approved.

(b) How do I start the process?

(1) The proposed final plat for approval is filed with the Administrator.

(2) The final plat may represent all or part of a subdivision, in the case of phase development, which has received preliminary approval.

(c) How do I know if my application is complete?

See § 89-48.

(d) What kind of public notice is required?

None required.

(e) How are decisions made?

(1) The Administrator (acting on behalf the Planning and Zoning Commission) will act on the final plat as provided below and in LRSA 33:113.

(2) The Administrator, on behalf of the Planning and Zoning Commission, will determine whether the final plat complies with the preliminary plat and is suitable for recording.

(3) The approved final plat shall have the signature of the PZD Director or his/her designee.

(f) What are the criteria for approval?

The Administrator or Planning and Zoning Commission shall approve the final plat if –

(1) The final plat is consistent with all applicable requirements of this Chapter, including –

a. Within the City of Lafayette, the applicable zoning regulations, and

b. Any applicable development standards in Article 3, and

(2) The final plat meets all requirements established during the preliminary plat approval process, and

(3) The necessary improvements are constructed in accordance with the approved plans, or a satisfactory improvement agreement guarantee is submitted assuring their construction in accordance with the approved plans,

(g) After a decision is made, is there a limit on subsequent applications?

There is no limit on subsequent applications.

(h) How is a decision appealed?

Not applicable.

(i) What are my next steps?

(1) A final plat does not authorize construction, except for the installation of improvements as provided above.

(2) The final plat approval shall include an Act of Dedication of any dedicated streets, alleys, utility improvements or other public lands.

(3) No building permit shall be issued or granted for the development or use of any land until a plat of the lot, parcel, or site of the proposed development is approved. Once the final plat is recorded the lots of the development are approved and a building permit can be obtained.

(j) How are records of the decision kept?

(1) The Administrator shall record an approved and endorsed final plat in the Office of the Clerk of Court of Lafayette Parish by Administrator upon submittal of the approved final plat and appropriate recording fee.

(2) If the applicant fails to present the final plat for recording within 6 months following the date of approval, the final plat is deemed void.

89-59 Acceptance of Improvements for Perpetual Maintenance

(a) When does this process apply?

(1) These procedures apply to all subdivision applications with public improvements or right-of-way relative to land which the LCG has jurisdiction.

(2) For purposes of this section, a "dedication" means the appropriation of land by the owner to some public use.

(3) This section establishes the procedures to transfer the maintenance of the development's improvements as granted to the public from the developer to LCG.

(4) A public and/or private street, utility or other servitude, right-of-way or other right granted to the public, is established when designated on a final plat. The recorded plat does not establish an obligation of perpetual maintenance by the governing body.

(b) How do I start the process?

(1) An Act of Dedication shall be submitted to the Administrator in compliance with appropriate submission requirements.

(2) Property is to be dedicated at the time of plat approval, the dedicated public or private property shall be shown on the plat submitted for recordation.

(3) The plat shall contain the information required for final plats generally, and, with regard to the areas dedicated, shall contain the additional data required by Article 10.

(c) How do I know if the Act of Dedication is complete?

See § 89-48. No application is required.

(d) What kind of public notice is required?

Formal public notice is not required.

(e) How are decisions made?

(1) Water, Sewer, and Electricity

a. The Administrator will forward the proposal to the LUS, for the approval authority for utilities under its jurisdiction.

b. The LUS shall either accept or reject the offer of dedication.

(2) Streets and Drainage

a. Prior to completion of the one-year warranty period, the developer shall notify the PW, in writing and request an inspection.

b. The PW shall inspect the improvements and shall provide the developer a list of items to be completed or corrected. The PW will then reinspect the improvements and, when the items are completed, provide a letter to the PZD that they are accepting maintenance of the improvements, and a report to the Planning and Zoning Commission.

c. The Planning and Zoning Commission will consider the report and render a decision as to whether to accept the improvements.

(3) Until the developer has obtained written acceptance for perpetual maintenance of the improvements, the developer is responsible for all maintenance and repair to the improvements. The Planning and Zoning Commission will not consider perpetual maintenance by LCG until 1 year has elapsed since the plat is recorded, and then only if the improvements pass inspection and are accepted in writing by the PW.

(4) If public infrastructure failure or deficiency occurs within one year of the date that the plat is recorded (the warranty period), the developer shall perform satisfactory repairs prior to acceptance for perpetual maintenance. Acceptance for perpetual maintenance will not be considered for any development with an outstanding letter of credit associated with the public infrastructure (i.e. roadway, drainage, sidewalks, street lights, etc.)

(5) After LCG accepts the improvements for perpetual maintenance, a certificate identifying the public street(s) or other improvement which have been accepted for perpetual maintenance shall be recorded with the Clerk of Court of Lafayette Parish.

(f) What are the criteria for approval?

(1) Acceptance by LUS for the perpetual maintenance of utilities systems requires certification of the Engineer that all improvements are complete and in compliance with LUS standards. This requirement applies to all subdivisions and commercial building sites.

(2) **Construction quality control**. For a subdivision to be recommended for acceptance by PW, certification must be received from the design engineers that the subdivision and the commercial building site was constructed according to the approved construction plans.

a. The latest edition of LCG's "Standard Specifications for Roads, Drainage, Bridges and Other Infrastructure Improvements" shall be used as a guide for construction quality. However, since LCG does not inspect the construction of developments, the construction tolerances stated in the standard specifications do not apply. The design engineers must certify the completeness and acceptance of the improvements.

b. The developer shall retain the inspection service of the design engineering firm or independent testing laboratory to assure compliance with construction plans and specifications and standard construction practices for the following nonexclusive particulars:

1. Back-fill of culverts or utility lines crossing roadway;

2. Compaction of roadway sub-grade;

3. Processing of road base, including application of lime if deemed necessary;

4. Installation of storm sewers, especially line and grade;

5. Roadway surface construction;

6. Post-construction testing of water and sewerage collection system;

7. Resident inspection of water, wastewater, and electrical systems for the acceptance of LUS.

c. The cost of inspection services shall be borne by the developer. All test results shall be reported to PW and LUS with copies to the developer and/or his representative.

d. A certified inspector shall be present at the asphalt or concrete batch plants whenever material is prepared for use in construction of the development infrastructure and shall certify that the material used was of approved quality and in conformity with the specifications.

e. PW shall be notified when construction of a subdivision commences and when base course (if asphaltic concrete is used) construction is to be done.

f. The developer's design engineer shall submit the geotechnical reports and recommendations for the roadway typical section(s) to PW before construction of the soil cement base course.

g. Laboratory testing reports shall be approved by the developer's design engineer and provided to Public Works. Required reports are as follows:

1. Atterberg limits of soil at the base course grade; Lime and/or cement determination for base course;

2. Compaction tests of road sub-grade and base course;

3. Design mix for asphaltic concrete;

4. Design mix for Portland cement concrete;

5. Compressive strength testing for structural concrete and concrete pavement;

6. Coring of roadways.

(3) The design engineer shall certify as acceptable and submit to the City-Parish Engineer for approval of materials to be used for storm sewers.

(g) What are my next steps?

(1) A dedication shall irrevocably vest the public with title to the items so dedicated, subject to the right of the governing authority to abandon, revoke or dispose of any public property or dedication. This is done at final plat recordation when the Act of Dedication is recorded.

(1) When a private street is established in a subdivision, the designated private street shall be owned by the developer or another private entity or entities.

(2) Nothing contained herein shall operate to negate or alter the provisions of R.S. 33:5051, or any other statutory provisions relative to dedication or the jurisprudence interpreting same.

89-60 Minor Plat (Hearing Examiner)

(a) When does this process apply?

(1) A plat that meets the following criteria shall be submitted to the Hearing Examiner for examination and review:

a. The development creates no more than 5 lots and does not exceed 5 acres; and

b. The proposed plat does not create new public or private streets or involve private streets that were not previously approved by the Planning and Zoning Commission; and

c. The Applicant –

1. Owns no property adjacent to the proposed development, or

2. the Applicant has not submitted any other application for a subdivision of adjacent property owned by the applicant from the total property owned by the applicant within 1 year prior to the current application (note: applications for lot line adjustments are not considered applications for a subdivision of property as provided here).

(2) If subsection (1) applies, the Hearing Examiner may approve both the preliminary plat and final plat.

(b) How do I start the process?

The applicant files an application for minor plat approval with the Planning Administrator.

(c) How do I know if my application is complete?

See § 89-48.

(d) What kind of public notice is required?

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 Hearing Examiner meetings notice by publication in the official journal of LCG shall be within five days of the hearing.

(e) How are decisions made?

(1) Prior to the hearing, the hearing examiner shall obtain consultation, comments and input from appropriate City-Parish departments and public agencies.

(2) The Hearing Examiner shall schedule regular meetings at specific times and dates at least 2 times per month. The Hearing Examiner may cancel a meeting if no items are submitted for review. The Hearing Examiner will meet with the subdivision applicant and any interested party the specific times and dates set for the regular meetings.

(3) At this meeting, the Hearing Examiner shall:

a. Render a tentative decision, subject to approval, modification or rejection by the Planning and Zoning Commission.

b. Issue a written decision with the official tentative decision.

c. Advise the applicant of the date when the Planning and Zoning Commission will consider the plat application.

(4) If there is no opposition to the Hearing Examiner's decision, that decision is considered final for purposes of issuance of a building permit only, subject to approval on a consent agenda at the next available Planning and Zoning Commission meeting.

(5) If a party with standing requests review, the Planning and Zoning Commission will review the Hearing Examiner's decision and render a final decision. The Planning and Zoning Commission may approve, modify or reverse the Hearing Examiner's decision.

(6) The Hearing Examiner may, tentatively, make the same requirements, conditions and approvals, and use the same procedures relative to staff review that are used for any other subdivision plat application. The Hearing Examiner will conduct the review on an expedited basis to insure timely and quick response within the time limits provided above.

(7) The Hearing Examiner renders its decision; the Planning and Zoning Commission will consider the application at its next available regularly scheduled meeting. The Hearing Examiner shall include in the package regularly prepared for the Planning and Zoning Commission a special section that includes all subdivision applications considered by the Hearing Examiner. The Planning and Zoning Commission may elect to consider without public hearing any matters that qualify for consideration without public hearing under R.S. 33:113 at its regularly scheduled public hearing.

(8) The Planning and Zoning Commission will create a consent agenda for approval of Hearing Examiner decisions that are without opposition. The Commission may approve those items at the public hearing. The Commission may remove any item from the consent agenda and place it upon the regular agenda and conduct a public hearing on that item.

(f) What are the standards for approval?

See § Article 1.Division 4.89-57(f) (Preliminary Plat).

(g) After a decision is made, is there a limit on subsequent applications?

The Applicant shall not submit another minor plat application for the subject property within 1 year after a minor plat application is approved or denied. The applicant may submit a preliminary plat during this time period.

(h) How is a decision appealed?

The decision can be appealed to the Planning and Zoning Commission as provided in subsection (e) (5) above.

(i) What are my next steps?

(1) After final approval is issued, the applicant may apply for a building permit.

(2) Final approval shall be issued by the same entity having authority to issue the preliminary subdivision approval.

(j) How are records of the decision kept?

See § 89-58 (Final Plat).

89-61 Plat Vacation

(a) When does this process apply?

This process applies to –

(1) The reversion of platted lots to unplatted land, or

(2) A change to a prior version of an approved plat on the property.

(b) How do I start the process?

The lot owners initiate the process by filing an application to vacate the subdivision with the Planning Administrator.

(c) How do I know if my application is complete?

See § 89-48.

(d) What kind of public notice is required?

Type	When provided
Publication	• 10 days before the scheduled hearing
Regular Mail	• 5 days before the scheduled hearing • 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. • 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.
Signs	In addition to the information required by 89-46, signs shall state- The total number of proposed lots; and The statement "A plat vacation is proposed for this site"

(e) How are decisions made?

(1) The Planning and Zoning Commission shall determine whether the request, complies with subsection (f), below.

(2) The Planning and Zoning Commission shall make its decision within 60 days after receipt of the required information.

(f) What are the standards for approval?

The Planning and Zoning Commission may approve a plat vacation if:

(1) The plat to be vacated is a legal plat of record; and

(2) Vacation of the subdivision will not interfere with development of, nor deny access via public thoroughfare to, adjoining properties, utility services or other improvements; and

(3) Vacation of the subdivision is not contrary to the LCG Comprehensive Plan.

(g) After a decision is made, is there a limit on subsequent applications?

No.

(h) How is a decision appealed?

See § 89-67

(i) What are my next steps?

(1) If the application is approved, the PZD shall record it in the office of the Clerk of Court. All fees for recording the vacation shall be paid by the applicant or land owner.

(2) After a plat is vacated, the applicant may initiate the subdivision or resubdivison process, or initiate processes that do not require plat approval.

(j) How are records of the decision kept?

See § 89-58 (Final Plat).

89-62 Re-Subdivision

[RESERVED]

89-63 Boundary Adjustment

(a) When does this process apply?

This section establishes a process to approve minor modifications to existing parcels approved by the Planning and Zoning Commission, as provided in LRSA § 33:113.1.

(b) How do I start the process?

The applicant shall file an application for a boundary adjustment with the Planning Administrator.

(c) How do I know if my application is complete?

See § 89-48.

(d) What kind of public notice is required?

No public notice is required.

(e) How are decisions made?

(1) Where a plat meets the criteria in subsection (f), the plat shall be submitted to the Hearing Examiner for examination and review.

(2) The Hearing Examiner shall, within 2 weeks from receipt of the plat, approve, with or without conditions, or deny approval of the plat, after consultation and input from departments and public agencies as may be appropriate for adequate consideration of the plat.

(3) The public hearing is not required for applications meeting the criteria of this section.

(4) After all input is received by the appropriate departments and public agencies the Hearing Examiner shall render to the applicant a written decision setting forth the official decision of the hearing examiner.

(f) What are the standards for approval?

A plat qualifies for administrative approval under this section if it involves:

(1) The realignment or shifting of lot boundary lines, including removal, alignment, or shifting of the interior lot boundary lines or the re-designation of lot numbers if the application meets the following requirements.

a. Does not involve the creation of any new street or other public improvement;

b. Does not involve more than five lots of record;

c. Does not reduce a lot size below the minimum area or frontage requirements established by ordinance;

d. Otherwise meets all the requirements of the subdivision regulations and zoning ordinances; or

(2) Parcels of land where a portion has been expropriated or has been dedicated, sold or otherwise transferred to the parish or municipality, leaving a severed portion of the original property which requires a redesignation of lot number and establishment of new lot boundary lines.

(3) In connection with the review of subdivision applications, the Hearing Examiner may waive any minimum setback otherwise reviewed by the subdivision regulations.

(g) After a decision is made, is there a limit on subsequent applications?
There is no limit on subsequent applications.

(h) How is a decision appealed?
Not applicable.

(i) What are my next steps?
See § 89-58 (Final Plat).

(j) How are records of the decision kept?
See § 89-58 (Final Plat).

Division 5. Administrative Processes

89-64 Building Permit

(a) The PZD issues building permits after approval is received from all appropriate departments.

(b) No building or structure shall be demolished, erected, altered, repaired, or relocated until a building permit is issued by the PZD.

(c) The PZD Department establishes the procedures to apply for building permits.

89-65 Certificate of Occupancy

(a) When does this process apply?
A certificate of occupancy is required for –

(1) a change in the use or occupant of land, or

(2) a change in an existing building or structure, or

(3) the use or change in use of a new building or structure.

(b) How do I start the process?
The applicant files an application for a Certificate of Occupancy with:

(1) The Building Official, or

(2) The Administrator, when a change in occupancy of an existing building involves no construction. The Administrator will then forward the application to the Fire Department for review.

(c) How do I know if my application is complete?

See § 89-48.

(d) How are decisions made?

The Fire Department will review the application and issue a Certificate of Occupancy, or the Codes Division of PZD will issue a building permit and a Certificate of Occupancy after all reviews and inspections are approved.

(e) 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

89-66 Abandonment

(a) When does this process apply?

This section applies to all request to abandon any alley, right-of-way, street, servitude or easement in favor of the City of Lafayette, Parish of Lafayette or Lafayette City-Parish Consolidated Government.

(b) How do I start the process?

(1) If the abandonment is not initiated by the LCG, the applicant shall file an application for abandonment with the Administrator.

(2) Abandonment requests **initiated by the LCG** shall be submitted first to the PZD for review and consultation with other pertinent departments in order to confirm that the abandonment is of property or rights not actually being used or needed by the government.

(c) How do I know if my application is complete?

See § 89-48.

(d) What kind of public notice is required?

No public notice is required.

(e) How are decisions made?

(1) If the abandonment is **not initiated by the LCG**:

a. Upon receipt of an application, the PZD will circulate the requested abandonment to the Utilities Department, Public Works Department-Traffic Division, Public Works Department-Engineering Division, the Lafayette Fire Department and other appropriate governmental departments, based upon the nature of the requested abandonment.

b. Each department shall submit its recommendations, objections or comments relative to the abandonment to the PZD.

c. The PZD shall submit to the Lafayette City-Parish Council:

1. The abandonment request in ordinance format the proposed abandonment request,

2. The recommendations, objections or comments of other departments (see subsection (2) above), and s

3. other relevant information.

d. The proposed abandonment shall be placed upon the agenda of the Lafayette City-Parish Council for review as any other ordinance. If approved, the ordinance is forwarded to the Office of the Lafayette City-Parish President for action.

(2) If the abandonment is **initiated by the LCG:**

a. The PZD shall submit its response within 30 days of any governmental request for abandonment.

b. If the PZD finds that the abandonment is inappropriate, it shall submit its report within the 30-day period explaining the basis for its objection to the abandonment.

c. If the PZD finds that the abandonment is inappropriate, it shall prepare the abandonment in ordinance format.

(f) What are the standards for approval?

An abandonment is a legislative decision that is rendered at the LCG's discretion.

(g) After a decision is made, is there a limit on subsequent applications?

Not applicable.

(h) How is a decision appealed?

Not applicable.

(i) What is the effect of abandonment?

An abandonment issued by the LCG is exclusive of the rights of the government in the item abandoned, and does not affect any easements, servitudes or other rights vested in or acquired by other utility providers (such as gas companies, pipeline companies, electricity providers, telephone companies, or cable companies).

(j) How are records of the decision kept?

Upon passage of an abandonment ordinance by the Council and its subsequent approval or the lack of a veto by the City-Parish President, the PZD shall record the abandonment ordinance in the office of the clerk of court and will provide a copy of the ordinance to the applicant.

Division 6. Administrative Relief

89-67 Modification

(a) When does this process apply?

This section applies to a request to modify any requirement of Division 4 of this Article, or of Article 3 as they relate to subdivision plats.

(b) How do I start the process?

A request for modification is filed with the application for subdivision plat approval.

(c) How do I know if my application is complete?

Completeness review occurs as part of the plat application process (see § 89-48).

(d) How are decisions made?

(1) The approving agency will process the modification as part of the subdivision application.

(2) If the approving agency finds that the standards in subsection (e) apply, it may vary, modify, or waive the requirements so that substantial justice may be done and the public interest secured.

(e) What are the standards for approval?

(1) The approving agency may approve a modification if the applicant demonstrates that strict compliance with the requirements would result in extraordinary hardship to the subdivider because of unusual topography, or other such conditions, thus retarding the achievement of the objectives of these regulations.

(2) The modification shall not have the effect of nullifying the intent and purpose of these regulations, or of the comprehensive plan.

(3) The modification shall –

a. Be the minimum needed to provide the relief the applicant is requesting, and

b. Not reduce the traffic capacity of any arterial, collector or minor streets; and

c. Not conflict with the zoning regulations.

(4) The approving agency may require conditions that will, in its judgment, secure substantially the objectives of the standards and regulations affected.

(f) After a decision is made, is there a limit on subsequent applications?

No.

(g) How is a decision appealed?

See § 89-67

(h) What are my next steps?

See § Division 4.89-58 (Final Plat).

(i) How are records of the decision kept?

See § Division 4.89-58 (Final Plat). All waivers granted by the Planning and Zoning Commission are documented in the Action Letter that is set out to the owner/applicant/Developer.

89-68 Variances and Appeals to Board of Zoning Adjustment (BOZA)

(a) When does this process apply?

This section applies to –

(1) Variance - application to vary the zoning requirements of this Chapter, or

(2) Appeal - an appeal of a decision by the Zoning Administrator under this Chapter. Appeals to the Board of Zoning Adjustment may be taken by any person, affected by any decision of the Zoning Administrator.

(b) How do I start the process?

(1) An application for variance or appeal, in the form provided by the PZD, shall be filed with the Zoning Administrator. Applications shall be taken within a reasonable time, as provided by the rules of the BOZA.

(2) The Zoning Administrator shall prepare a report and forward the application and supporting documents to the BOZA.

(c) How do I know if my application is complete?

See § 89-48.

(d) What kind of public notice is required?

The following notice is required:

Type	When provided
Publication	• 10 days before the scheduled hearing
Regular Mail	• 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	• 7 days before the scheduled hearing, signs are erected by LCG

(e) How are decisions made?

(1) The BOZA shall fix a reasonable time for the public hearing , give public notice thereof, as due notice to the interested parties, and render a decision within a reasonable time.

(2) The applicant or agent must appear in person at the hearing.

(3) In exercising the above mentioned powers, the BOZA may reverse or affirm, wholly or partly, or may modify the order, requirement, decision, or determination and make such order, requirement, decision, or determination as ought to be made.

(4) An affirmative vote of 3 members is necessary to reverse any order, requirement, decision, or determination of the Zoning Administrator, or to decide in favor of the applicant on any matter upon which it is required to pass under any ordinance, or to effect any variation in the Comprehensive Zoning Ordinance.

(f) What are the standards for approval?

(1) The BOZA may grant a variance if there are practical difficulties or unnecessary hardships in compliance with the strict letter of this Chapter. If these standards apply, the BOZA may vary or modify the application of any of the regulations or provisions of the ordinance relating to the use, construction, or alteration of buildings or structures or the use of land so that the spirit of the ordinance shall be observed, public safety and welfare secured, and substantial justice done.

(2) The BOZA may reverse or modify a decision of the Zoning Administrator if –

a. The underlying decision was based on an erroneous interpretation of this Chapter, or

b. The decision is needed to avoid a violation of constitutional rights, or to provide a reasonable accommodation of rights granted under federal law.

(g) How is a decision appealed?

(1) Any person or persons jointly or severally aggrieved by any decision of the BOZA may present to the District Court in Lafayette Parish, Louisiana a petition, duly verified, setting forth that the decision is illegal, in whole or in part, specifying the grounds of the illegality. The petition shall be presented to the court within 30 days after filing of the decision in the office of the Board. All cost shall be borne by the applicant.

(2) Upon the presentation of such petition, the court may allow a writ of certiorari directed to the Board of Zoning Adjustment to review the decision of the Board of Zoning Adjustment and shall prescribe therein the time within which a return may be made and served upon the relater's attorney, that shall not be less than ten days but which may be extended by the court.

(3) The BOZA shall not be required to return the original papers acted upon by it, but may return certified or sworn copies thereof or such portions thereof as may be called for by the writ. The return shall concisely set forth such other facts as may be pertinent and material to show the grounds of the decision appealed from and shall be verified.

(4) The court may reverse or affirm, wholly or in part, or may modify the decision brought up for review. Cost shall not be allowed against the Board unless it appears to the court that it acted with gross negligence, in bad faith, or with malice in making the decision appealed from. All issues in any proceeding under this section shall have preference over all other civil actions and proceedings in accordance with La. R.S. 33:4727.

89-69 Appeal of Planning and Zoning Commission Determinations

(a) When does this process apply?

(1) This section applies to any appeal of any **Planning and Zoning Commission action** concerning the approval or denial of a proposed subdivision.

(2) **Standing**. Only parties with standing are eligible to file an appeal.

a. **Definition of standing**: A right to appeal is based on the determination that a person has a substantial stake or interest in the decision or its impact.

b. All appeals by non-applicants/parties with standing shall be **submitted, after filing, to legal counsel of the Planning and Zoning Commission**. Legal counsel will review the appeal and issue an opinion as to the standing of the appellant, based upon the facts submitted in the appeal. Within 5 days, exclusive of legal holidays, legal counsel shall issue in writing an opinion relative to standing. Failure to issue an opinion is deemed a determination that standing exists.

c. Standing is presumed to exist for the owner and applicant (if not the owner) and Consolidated Government empowered ADRC members (i.e., Atmos Energy, Board of Health).

d. Within five days, exclusive of legal holidays, of receipt of the opinion of legal counsel relative to standing, the Administrator shall, in the event that standing is not found to exist, notify the appellant, who shall have five days to advise the Administrator of appellant's desire to have the issue of standing decided by the Council. The Administrator shall take the necessary steps to set the issue of standing on the agenda of the next available Council meeting. Failure to timely request that the Council decide the issue of standing shall cause the appeal to be rejected based on a lack of standing. The Council shall preliminarily rule on the issue of standing only.

(b) How do I start the process?

(1) All appeals shall be received by the office of the PZD's Administrator, by hand delivery, within the following time period (exclusive of legal holidays as defined in the Louisiana Code of Civil Procedure):

a. within 5 days from the approval, denial or other final action of the Planning and Zoning Commission with respect to an application; or

b. within 5 days of distribution of an action letter, but in no event more than 10 days from the approval, denial or other final action of the Planning and Zoning Commission with respect to an application.

(2) The date set forth on the Commission's action letter is presumed to be the actual date of distribution of the letter.

(3) Failure to file an appeal within the above referenced time frame precludes any subsequent appeal.

(c) How do I know if my application is complete?

See § 89-48.

(d) What kind of public notice is required?

The following notice is required for a hearing:

Type	When provided
Publication	• 5 days before the scheduled hearing
Regular Mail	• 5 days before the scheduled hearing • 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. • 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.

(e) How are decisions made?

(1) If the appellant has standing, the Administrator, within 5 days exclusive of legal holidays, shall have the actual appeal placed on the agenda of the Council to be set at either a regular or special Council meeting, as may be determined by the chairman of the Council considering the complexity of the issues, anticipated time to review and such other considerations as are appropriate.

(2) The Council shall review the appeal and, after public hearing, shall, by motion, second and a vote of a majority of the Council members present, if a quorum of the authorized membership is present, approve, disapprove, or modify the action of Planning and Zoning Commission.

(f) What are the standards for approval?

(1) The Council shall only consider those issues specifically raised by the appellant.

(2) To the extent that there is no disagreement between the appellant, the commission and/or any opponents to the subdivision application, those matters shall not be before the Council.

(g) How is a decision appealed?

Appeal of any Council action is to the appropriate district court.

Division 7. Enforcement

89-70 Enforcement Procedures

(a) PZD shall enforce this ordinance.

(b) All officers and employees of the City-Parish Government, members of the Police Department, and the general public may assist the Department by reporting new construction, alterations, relocations, repairs, land uses, or seeming violations.

(c) An appeal from a decision of the Department shall be made to the appropriate body as provided in this Article.

(d) Enforcement of these regulations and penalties for the unapproved recordation or transfer of land is provided by state law in the authority granted by LRSA 33.114.

89-71 Violations and penalties

(a) Generally

(1) Any persons, firm or corporation violating any provision of this Chapter (except as provided below), is subject to a fine of not more than $500.00, or imprisonment for not more than 30 days or both, for each offense. A separate offense shall be deemed committed on each day during or on which a violation occurs or continues.

(2) Whoever, being the owner or agent of the owner of land located within a subdivision, transfers or sells or agrees to sell any land by reference to or exhibition of or by other use of a plat of a subdivision before such plat has been approved by the Planning and Zoning Commission and recorded and filed in the office of the clerk of court shall pay a penalty of $100.00 for each lot or parcel so transferred or sold or agreed or negotiated to be sold; and the description of such lot or parcel by metes and bounds in the instrument of transfer or other document used in the process of selling or transferring shall not exempt the transaction from such penalties or from the remedies herein provided.

(3) The Department may enjoin a transfer or sale or agreement by suit for injunction brought in any court of competent jurisdiction or may recover the penalty by a civil action in any court of competent jurisdiction.

(4) The Department may resort to other remedies that are provided by state law or local ordinance.

(b) Notice to abate. When a violation of these regulations is found to exist, the Department shall take such actions as necessary to bring the development into compliance including, but not limited to, the provisions of Ordinance Number O-050-2008 (Cease and Desist) (LCG Code § Sec. 1-14).

(c) Responsibility for violations by firms. Each of the owners or partners of a partnership, joint venture or other legal entity shall be held individually responsible and punishable for any violation by the entity of the provisions of these regulations.

(d) Responsibility for violations by corporations. For the purpose of enforcing the provisions of these regulations, a corporation shall be deemed to be represented by its president or in his absence by its vice president, or in the absence of both, by the officer or individual in charge of the affairs of the corporation. Any such representative shall be held responsible and punished for any violation by the corporation of the provisions of these regulations.

(Ord. No. O-166-2012, § 2, 8-28-12)

Amended March 2016

Lafayette Consolidated Government

Unified

Development Code

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Article 5. Use Standards

89-72 Generally

(a) This Article establishes standards for certain uses. These standards may –

(1) Supplement the standards in the applicable zoning district (Article 2) or development standards (Article 3), or

(2) Supersede the standards in Articles 2 or 3, where indicated.

(b) This Article applies regardless of the zoning district where the use is located or whether the use is permitted by right or as a conditional use, unless otherwise indicated in this Article.

(c) This Article applies only to the City of Lafayette, unless otherwise indicated. The following summarizes the applicability of each section to the City and the unincorporated Parish:

	Applicability of Sections	City	Unincorporated Parish
89-73	Accessory Buildings & Uses	■	
89-74	Accessory Apartments	■	
89-75	Adaptive Reuse	■	
89-76	Auto and Truck Repair	■	
89-77	Bed & Breakfast	■	
89-78	Car Wash	■	
89-79	Cemeteries	■	
89-80	Drive-Through Facilities	■	
89-81	Garages / Carports	■	■
89-82	Gasoline or Diesel Fuel Sales	■	
89-83	Home Occupations	■	
89-84	Housing Types	■	
89-85	Junkyards	■	■
89-86	Manufactured Homes / Mobile Homes / Trailers	■	■
89-87	Pipelines / Railroad Rights of Way	■	■
89-88	Swimming Pools	■	■
89-89	Self-Service Storage	■	
89-90	Signs	■	
89-91	Solid Waste	■	■
89-92	Temporary Uses	■	
89-93	Truck Stop	■	
89-94	Wireless Communications	■	
89-95	Nursery/Horticulture/Farm Supply	■	

(d) The uses listed in this Article are defined in § 89-21 (Use Table), unless otherwise indicated. Each section applies to the use listed in the section heading, and as described in the cross-

reference or applicability section (for uses or situations not listed in the Use Table). Each use has a cross-reference to the Use Table as follows:

⇔ ***Use Category (§ 89-21 Use Table):*** *Category 1 – Category 2*

Where: Category 1 = The main category in the Use Table (e.g., Residential, Commercial / Mixed Use, etc.)

Category 2 = The secondary category in the Use Table (for example, "Vehicles/Equipment" under the "Commercial / Mixed Use" main heading

Category 3 = the specific listed use (for example, "Car Wash" under "Vehicles/Equipment")

If only a Category 1 or Category 2 use is listed, the section applies to all uses in that category. For example, ⇔ ***Use Category (§ 89-21 Use Table): Accessory*** *means that the section applies to all uses listed under the "Accessory" category in the Use Table.*

(e) Some sections in this Article apply to development situation or building / site features that are not a "use." Examples are Adaptive Reuse (0), Garages (0), or Drive-Through Facilities (89-79(e)). These apply to any use, unless otherwise indicated.

89-73 Accessory Buildings & Uses

⇔ ***Use Category (§ 89-21 Use Table): Accessory***

(a) Applicability.

(1) This section applies to the City of Lafayette.

(2) This section applies generally to all accessory buildings or uses on a site.

(3) Other Sections of this Article also regulate accessory buildings or uses (such as accessory apartments (89-74), drive-through facilities (89-79(e)), garages (0), home occupations (89-83), pools (89-88), and signs (89-90)). Those sections supersede this section, but only to the extent that they are inconsistent with this section.

(4) Article 3, § 89-38(e)(4)(allowing projections into required setbacks) supersedes this section to the extent of any inconsistency.

(b) Detached Accessory Buildings

(1) Detached buildings accessory to residential use have **no maximum area** if they are setback at least:

a. 20 feet from the front property line and no closer to the front property line than the front wall(s) of the principal structure;

b. At least 5 feet from the side lot line; and

c. On corner lots, the distance of the principal structure from any street; and

d. 10 feet from the rear property line.

(2) Only 1 detached accessory building may encroach on the setbacks established in subsection (1) above, if that building:

a. Is located no closer to the front property line than the rear wall of the principal structure;

b. Does not exceed the gross floor area of either 1 or 2 below, whichever is less:

1. Rear lot width x required rear setback x 40% =
maximum allowable area of the detached accessory building, or

2. 600 square feet.

c. Is located at least 3 feet from either property line.

d. On corner lots, is located no closer to any street than the principal structure.

(c) Attached Accessory Uses or Building. A building or use that is attached to the principal building is considered part of the principal building for purposes of applying the setback requirements.

89-74 Accessory Apartments

⇔ ***Use Category (§ 89-21 Use Table): Residential –*** *Residences – Accessory Apartment*

(a) Applicability. This section applies to the City of Lafayette.

(b) Only **1 accessory apartment** is allowed per lot.

(c) Maximum area is the lesser of –

a. 25 percent of the gross floor area of the principal dwelling unit, or

b. 1,000 square feet.

(d) An accessory apartment may **not be sold separately** from the principal dwelling unit but may be rented.

(e) An accessory apartment must meet the **minimum setback requirements of the principal structure**.

(f) An accessory apartment located in a detached structure constructed after the effective date of this section requires a **building permit**. The building permit application shall include a scaled site plan showing the lot, the gross floor area and dimensions of the principal building, and the location, setbacks, gross floor area, and floor plan of the accessory apartment.

89-75 Adaptive Reuse

⇔ *Use Category: Any*

Purpose: This section implements Policy 4.2 of the Comprehensive Plan by providing flexibility in adapting existing structures to new uses over time, in recognition that neighborhoods and land uses do not remain static.

(a) Applicability

(1) This section applies to the City of Lafayette.

(2) For purposes of this section, "adaptive reuse" means the rehabilitation or expansion of an existing building (as qualified by subsection (3) below) in a manner that complies with current building code standards.

(3) This section applies the use or occupancy of a building that lawfully existed before the effective date of this Code, if the building –

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

b. Was constructed at least 50 years before the effective date of this Chapter, or

c. Is vacant, uninhabitable, and hazardous to persons and property because of its physical condition, as determined by the Administrator, or

d. Has been declared or certified blighted pursuant to a redevelopment plan, or is listed on a blighted housing list as provided in RS 40:600:34 or 40:600:35, or

e. Has been declared to be a public nuisance by a court of competent jurisdiction.

(4) This Section does not apply to:

a. New construction.

b. Change of non-conforming uses, unless the existing use is located in a structure that qualifies under subsection (3) and was lawful when it was established.

(b) Standards.

(1) In order to qualify for the regulatory incentives established in subsection (c) below, an adaptive reuse must either –

a. Retain the existing bulk, height and lot configurations of the existing structure and lot, or

b. If the building is expanded or relocated on the lot:

1. Meet the rear and side setback requirements of the district;

2. Meet up to 50% of the off-street parking requirements;

3. If the existing building is set back at least 20 feet from the front property line, meet the frontage landscaping requirements; and

4. The building footprint and height may expand –

   A. by up to 20%, or

   B. by up to 50% if authorized by a conditional use permit.

(2) If the building is located in the RS, RM, MN, MX, D, or CM districts, the front façade shall at least maintain the percentage of windows and entryways after the building is rehabilitated.

(3) The building subject to adaptive reuse must obtain a building permit under the standards in effect at the time of application, including any reduced standards adopted by LCG for existing buildings.

(c) Incentives

An adaptive reuse qualifies for the following regulatory incentives:

(A) Incentive	(B) Existing Building Rehab *(see subsection (b)(1)a above)*	(C) Expansion *(see subsection (b)(1)b above)*
Building Height *(§ 89-27)*	Existing building height considered permitted and not nonconforming.	In addition to Column (B), any expansion must comply with subsection (b)(1)4 above.
Landscaping *(§ 89-36)*	No additional landscaping is required. Additional landscaping is maintained.	Frontage landscaping is required. No additional landscaping is required.
Parking and Loading *(§ 89-39)*	Existing parking and loading spaces shall be maintained, or may decrease where allowed by Article 3. No additional spaces are required.	For existing building space, Column (B) applies. Parking space requirements are reduced by 50% for any expansion, provided the total number of parking spaces existing prior to the expansion is not reduced.
Common Open Spaces and Civic Spaces *(§ 89-40)*	No common open spaces or or civic spaces are required.	No common open spaces or civic spaces are required.
Stormwater management *(§ 89-43)*	If impervious surfaces on the site do not increase, no additional stormwater improvements are required.	Same as Column (B). The stormwater management requirements of Article 3 apply to any expansion of impervious surfaces.

89-76 Auto and Truck Repair

⇔ ***Use Category (§ 89-21 Use Table): Commercial / Mixed Use*** *– Vehicles/Equipment – Auto and truck repair*

(a) Applicability. This section applies to the City of Lafayette.

(b) No Auto and truck repair use is permitted within **50 feet of a**n **"RS" or "RM"** zoning district.

89-77 Bed & Breakfast

⇔ *Use Category (§ 89-21 Use Table): Lodging / Short-Term Rental – Bed and breakfast*

(a) Applicability. This section applies to the City of Lafayette. The owner/proprietor must live in the principal structure and the Bed and Breakfast facility use shall be secondary to the principal use of the dwelling for residential purposes.

(b) 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.

⇔ *See Article 3, § 89-34 (Historic Preservation)*

(c) Guest Rooms Limited to Existing Structures. Only existing structures on the lot that have historic significance may be renovated to provide guest rooms.

(d) Parking. One parking space for each guest room shall be placed in the rear of the property and shall be screened from adjacent properties with a sight proof fence or dense vegetation providing adequate screening.

(e) Signs. Only 1 attached non-illuminated sign of up to 1 square foot in area is permitted. The sign shall be attached to the building.

(f) Meals.

(1) Meals shall be served to overnight guests only.

(2) Guest rooms shall not contain cooking facilities.

(g) Events. Receptions or private parties for a fee on the premises of a bed and breakfast facility –

(1) Are not allowed in an "RS" zoning district, and

(2) Are allowed in any other zoning district.

(h) Guests

(1) The owner shall maintain an accurate guest register showing the name, address, dates, and lengths of stay of guests. The guest register is subject to inspection by the Zoning Administrator.

(2) The maximum length of stay for any guest is 14 days per calendar year.

89-78 Car Wash

⇔ ***Use Category (§ 89-21 Use Table): Commercial / Mixed Use –*** *Vehicles/Equipment – Car Wash*

(a) Applicability. This section applies to the City of Lafayette.

(b) Any open side of a car wash must be at least **25 feet** from any property line.

89-79 Cemeteries

⇔ ***Use Category (§ 89-21 Use Table): Public/Civic/Institutional*** *– Assembly- Cemetery / mausoleum*

(a) Applicability. This section applies to the City of Lafayette.

(b) Generally

(1) The property must be dedicated as a cemetery or mausoleum in accordance with state regulations.

(2) Cemeteries and mausoleums are not considered accessory to churches or worship centers, and are therefore not allowed, in the "RS" and "MX" districts.

(c) Fencing

(1) A sight-proof fence shall be constructed around the entire site.

(2) The fence shall be between 5 and 7 feet in height and made of masonry, wrought iron, or other durable material.

(3) Sight-proof requirements may be replaced with different forms of fencing (i.e., wrought iron), if a minimum buffer yard type "A" is located between the fence and the property line.

⇔ *see Art. 3, § 89-36(g) for buffer requirements*

(d) Required landscape strip. A landscape strip is required within any required setback as follows:

Location	Minimum width
Front setback	20 feet
Side setback	5 feet
Rear setback	10 feet

(1) The landscape strip shall consist only of lawns, trees, or shrubbery, and any driveways required for access to the property.

(2) No structure of any kind is permitted within the required landscape strip.

(e) Circulation. The site shall have direct access to an arterial or collector street.

89-80 Drive-Through Facilities

⇔ *Use Category (§ 89-21 Use Table): Any*

(a) Applicability.

(1) This section applies to the City of Lafayette.

(2) This section applies to any drive-through facility. A "drive-through facility" is a building or site feature designed to allow patrons to purchase goods or services from an automobile, and where the consumption or use may occur off premises.

(3) This section applies to both –

a. **drive-in** service, where patrons may remain in their motor vehicles while being served, or

b. **drive-through** service, where customers are served through a window or other wall opening, door, or mechanical device while remaining in their motor vehicles, and may consume the products off the premises

(b) Generally

(1) Drive-through facilities are subject to all applicable requirements of this Chapter *(⇔ See Article 2; Article 3, § 89-26).*

(2) The requirements or permissions for drive-through facilities do not supersede any requirements of this Chapter relating to minimum or maximum setbacks, landscaping or buffers, and building design.

(c) Where Permitted.

(1) Drive-through facilities are allowed in the "MN," "MX," "D," "CM," "CH," "IL," "IH," and "PD" districts in accordance with this section.

(2) Drive-thru service windows for drug stores are permitted in "MN" zoning districts to dispense pharmaceutical products only.

(d) Noise

The following standards apply to drive-through facilities with a menu board:

(1) Menu boards shall be located at least 50 feet from property zoned RS.

(2) Speakers associated with menu boards shall be directed away from property zoned RS.

(3) An opaque fence or Type A buffer shall be provided along adjacent property lines between order stations and property zoned RS.

(e) Stacking Distance

(1) Drive-through facilities shall provide a minimum stacking length as provided in Table 89-80-1 (Drive-Through Stacking Length), below. The stacking lengths provided below are in addition to any aisle or parking space.

Table 89-80-1 Drive-Through Stacking Length

Type of Operation	Minimum Stacking Length
Car wash - self service, automatic	80 feet/bay at entrance, 20 feet/bay at exit
Dry cleaning	40 feet/window
Restaurant	80 feet to the menu board, 160 feet to first window
Financial Institution with drive-up ATM	40 feet/window or kiosk
Financial Institution with drive-up teller	80 feet/window or kiosk
Gasoline or diesel fuel sales	40 feet/pump
Gated parking lot entrance	20 feet/gate
Pharmacy	80 feet/window
Other	20 feet/window

(2) The Administrator may waive or modify the standards above if the applicant presents a traffic study from a professional traffic engineer that justifies an alternative minimum stacking length.

(f) Urban Settings

The following conditions apply to the MN, MX, D and CM districts (a check mark [✓] indicates that the condition applies to the district; a blank cell indicates that the condition does not apply) –

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 -	✓	✓	✓	✓
• The additional vehicle lanes and service windows are located entirely behind the principal building and are not visible from the sidewalk.	✓	✓	✓	
• 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 -				
• The drive-through facility is located on an interior lot, with all service windows located behind or to the side of the principal building.				✓
• 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.	✓	✓	✓	✓

89-81 Garages / Carports

⇔ *Use Category (§ 89-21 Use Table): Any*

(a) Applicability.

(1) This subsection applies to garages and carports in the City of Lafayette and the unincorporated areas of the Parish that are not zoned.

(2) These terms are defined below:

Carport	A permanent roofed structure open on at least two sides, designed for or occupied by private passenger vehicles.
Garage	An enclosed building or structure used or designed to be used to park and store vehicles.

(b) Setbacks

(1) Minimum setbacks from a property line along a public street are:

Garage / Carport Orientation	Setback *(minimum)*	
	Garage / Carport	**Dwelling Unit**
Perpendicular to the public street	20 feet 20 feet S (MX, D districts only)	10 feet or as determined by applicable zoning district, whichever is less
Parallel to the public street	10 feet 5 feet S (MX, D only)	As determined by zoning district, if applicable

S = setback from front plane of the principal structure.

(2) In all districts other than MX or D, the primary garage or carport may be detached and located in front of the principal structure subject to all minimum setback requirements.

89-82 Gasoline or Diesel Fuel Sales

⇔ *Use Category (§ 89-21 Use Table): **Commercial / Mixed Use** – Vehicles/Equipment – Gasoline or diesel fuel sales*

(a) Applicability. This section applies to Gasoline or Fuel Sales Uses (⇔ *§ 89-21 Use Table)*, in the City of Lafayette.

(b) Canopies. Open, unenclosed canopies located in the RM, MN, and CM zoning districts shall be setback at least 10 feet from all property lines.

(c) Gas pumps and/or **fuel dispensers** shall be setback at least –

(1) 20 feet from front property lines,

(2) 10 feet from all side and rear property lines, and

(3) On a corner lot, 20 feet from all property lines.

(d) Fuel Sales. The following standards apply to the sale of gasoline or diesel fuel in the "CM" district:

(1) The following are required along the property line of any RS or RM district:

a. A buffer, where required by Article 3, or

b. If a buffer is not required, a sight-proof fence 6 feet in height and made of masonry or other durable material, including low maintenance wood.

(2) Servicing of vehicles is prohibited within 50 feet of an "RS" or "RM" district.

89-83 Home Occupations

⇔ ***Use Category (§ 89-21 Use Table): Accessory*** – *Home occupation*

☝ *Purpose: this section protects and maintains the residential character of established neighborhoods while recognizing that particular professional and limited business activities are traditionally and inoffensively carried on in the home.*

(a) Applicability. This section applies to –

(1) any home occupation in the City of Lafayette,

(2) that is located in the "A," "RS," or "RM" districts. Any permitted non-residential use is allowed in any other zoning district.

(b) Permitted Home Occupations.

(1) Permitted home occupations are limited to those established in Table 89-82-1 below.

(2) Uses allowed as a principal or accessory use in the applicable district in the Use Table (§ 89-21), other than residential child care facilities, are not subject to the requirements of this section.

Table 89-83-1 Permitted Home Occupations
(see § 89-21 for definition of permitted [P] and conditional [C] uses)

Use Category	"A" Agricultural	"RS" Single-Family Residential	"RM" Mixed Residential
Commercial / Mixed Use			
Animal Services:			
Animal hospital (indoor)	P		
Animal services, generally	P		
Office, Business & Professional:			
Office (includes any - • Studio or laboratory of an artist, craftsman, musician, photographer, seamstress, tailor, writer, or similar person, or • Office for an accountant, architect, attorney, broker, doctor, engineer,	P	P	P

Table 89-83-1 Permitted Home Occupations
(see § 89-21 for definition of permitted [P] and conditional [C] uses)

Use Category	"A" Agricultural	"RS" Single-Family Residential	"RM" Mixed Residential
insurance agent, manufacturer's representative, realtor, sales representative, or similar profession.			
Personal / Business services:			
Courier, messenger and delivery services	P	P	P
Personal services	P	P	P
Retail sales:			
Nonstore retailers	P	P	P
Vehicles / Equipment:			
Auto and truck repair	C		
Public/Civic/Institutional			
Day Care:			
Child care facility, residential	P	P	P
Educational:			
Personal instructional services	P	P	P
Medical:			
Medical office or clinic	P	C	P
Industrial / Production			
Manufacturing & Employment:			
Manufacturing, Light	P		

(c) Location

(1) A home occupation, including any related equipment, materials, and supplies, shall be conducted solely within the dwelling unit.

(2) No exterior storage of equipment, materials, or supplies is allowed in connection with the home occupation.

(d) Area. Home occupations, with the exception of residential child-care facilities, may occupy up to 10% of the gross floor area of the dwelling unit (excluding attached or detached garages and accessory buildings.)

(e) Signs

(1) No advertising, display, or other exterior indications of a home occupation is allowed on the premises, other than one sign attached to the dwelling unit itself.

(2) The sign shall be flat, non-illuminated, and shall not exceed one square foot in area.

(f) Sales. No sale of goods is allowed on the premises in connection with the home occupation.

(g) Operations / Site Visits

(1) No more than 1 home occupation or business shall be conducted within any dwelling unit.

(2) Services are limited to 1 client at a time.

(3) No more than 10 customer or service visits are allowed per day.

(4) No business shall be conducted and/or a home occupation open to the public earlier than 8:00 a.m. or later than 10:00 p.m.

(5) No additional parking area shall be created as a result of the home occupation.

(6) No vehicles larger than a three-quarter-ton truck shall be used in conjunction with the home occupation.

(h) Operators / Employees

(1) The home occupation shall only be conducted by a resident of the dwelling where the home occupation takes place.

(2) Nor more than 2 persons shall be engaged or employed in a home occupation, one of which may be a person not living in the dwelling unit.

(i) Nuisance Factors

(1) The equipment or process related to the home occupation shall not create or contribute to the creation of offensive noise, vibrations, smoke, dust, fumes, odors, heat glare, x-ray, electrical disturbance, or interference to radio and/or television.

(2) No mechanical equipment is allowed except that which is necessarily, customarily, or ordinarily used for household or leisure purposes.

(3) No materials classified by state or federal law as toxic, explosive, flammable, combustible, corrosive, etiologic, or radioactive shall be used or stored on the site.

(j) Procedures

(1) As part of the certificate of occupancy application process, the applicant shall complete a "Home Occupation Affidavit" form.

(2) The Home Occupation Affidavit form shall include a site plan showing:

a. Street address

b. Dimensions of the house

c. Location and dimensions of the area where the home occupation will be conducted

d. Location of the sign

(3) A certificate of occupancy shall not be issued unless all of the above required information is provided on the site plan.

89-84 Housing Types

⇔ *Use Category (§ 89-21 Use Table): Residential – Residences & Commercial / Mixed Use = Mixed Use*

(a) Applicability

(1) This section applies to the City of Lafayette.

(2) This section applies to the following housing types –

- Apartment House
- Apartment Hotel
- Cottage Courts
- Zero lot line home
- Mixed Use Building (with Dwelling Units)
- Multi-family
- Live/Work Dwelling
- Townhouse / Row house

(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).

(b) Building Design.

Building design requirements for the housing types regulated by this section are as follows:

Table 89-84-1 Housing Type Building Design

	Minimum Frontage Buildout *(see § 89-29(d))*						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	--

Note: “Z” = refer to zoning district regulations (see Art. 2) | “— = not applicable / not regulated

If the front façade is narrower than the required spacing or spacing is not regulated, only one entrance is required.

(c) Access

(1) A reciprocal access servitude shall be recorded for all lots and attached dwellings.

(2) If utility servitudes are required, the minimum setback shall be behind the said servitude (including niches).

(d) Cottage Courts

(1) Density. No minimum lot size applies to Cottage Courts. The maximum permitted density is:

Zoning District	Dwelling Units Per Acre
RS-1	5
RS-2	9
RM-1	15
RM-2	35

(2) The **minimum site area** for a Cottage Court is **20,000** square feet.

(3) Height. Cottages shall not exceed 2 stories in height.

(4) Lot Coverage and Floor Area.

a. The maximum first floor or principal floor area for an individual principal structure in a Cottage Court shall not exceed eight hundred (800) square feet.

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

(5) Open Space

a. See subsection (c) above for general requirements.

b. At least 50% of the cottages shall abut the common open space.

c. All of the cottage units shall be within 60 feet walking distance of the common open space.

d. The common open space shall have cottages abutting at 2 sides.

e. The open space shall in all other respects conform to the open space standards in Article 3.

(6) Parking

a. The amount of parking spaces shall be as provided in Article 3.

b. The parking shall be screened from direct street view by one (1) or more building facades, by garage doors, or by a fence and landscaping.

c. Parking between structures is only allowed when it is located to the rear of the principal structure and is served by an alley or private driveway.

d. Parking may not be located in the front setback.

e. Parking may be located between any structure and the rear lot line of the lot or between any structure and a side lot line, which is not a street side lot line.

(e) Restrictions on Housing Types within MN Zoning District

(1) Notwithstanding the foregoing, no Apartment House, Apartment Hotel, Multi-family, Live/Work Dwelling, or Townhouse/Row House housing types shall be permitted in the "MN" zoning district on a lot abutting or within 100 feet of property zoned "RS."

(2) Further provided, the maximum density (dwelling units per gross acre) for any Mixed Use Building housing type in the "MN" zoning district on a lot abutting or within 100 feet of property zoned "RS" shall be one-half of the maximum density for dwelling units in the "MN" zoning district.

89-85 Junkyards

⇔ ***Use Category (§ 89-21 Use Table): Infrastructure*** – *Waste-related – Junk yards*

(a) Applicability

(1) "Junkyard" means any establishment or place of business which is maintained, operated or used for storing, keeping, buying or selling junk, and the term shall include garbage dumps and sanitary fills. For purposes of this section, a "storage area" shall refer to any area where junk or dismantled automobiles are stored.

a. "Junk" means old or scrap copper, brass, rope, rags, batteries, paper, trash, rubber debris, waste, or junked, dismantled, or wrecked automobiles, or parts thereof, iron, steel, and other old or scrap ferrous or nonferrous material.

b. A junkyard shall not include a facility that is in operation as of the effective date of this Chapter as an establishment primarily used for the retail sale of used automobile parts that are removed from the automobiles by the customer. As of the effective date of this Title, any such facility shall:

i. drain automotive fluids and remove CFC containing refrigerants, convenience lighting mercury switches, and lead-acid batteries before vehicles are made available to customers for parts removal;

ii. maintain a valid National Pollution Discharge Elimination System (NPDES) permit;

iii. maintain both a current Storm Water Pollution Prevention Plan (SWPPP), and a Spill Prevention Control and Countermeasure (SPCC) Plan;

iv. have a National Motor Vehicle Title Information System (NMVTIS) reporting identification number;

v. comply with the reporting requirements of the NMVTIS; and

vi. maintain any documentation required to determine compliance with this subsection, and to make the same available for review by the appropriate designee of LCG.

c. A junkyard shall not include a facility that is in operation as of the effective date of this Chapter and, as of the effective date, was subject to the provisions of La. R.S. 37:1961, *et seq.*

(2) This section applies to the City of Lafayette and the unincorporated parts of Lafayette Parish.

(3) This section applies additional regulations to junkyards where they are allowed or not regulated through zoning. Nothing in this section allows a junkyard in any area or district where junkyards are not allowed.

(4) Junkyards are not an allowed use within the City of Lafayette.

(b) Buffer (⇔ *see § 89-36*)

(1) A minimum **Class "F" buffer** is required along the side and rear setbacks. No structures, storage, or internal roadway may be placed within the buffer.

(2) A Class **"F" buffer** is required along a street right-of-way and includes lots with multiple frontage.

(c) Fence

(1) A fence is required around all areas where junk or dismantled automobiles are stored.

(2) The fence shall be 10 feet in height, of a constructed of masonry or other durable solid material including low maintenance wood construction, and have a uniform height above grade along its entire length.

(3) The fence shall be of uniform design and construction materials, color, and decorative pattern.

(4) Salvage materials or junk shall not be used in the construction of fences.

(5) The fence shall be built and maintained at a 90 degree angle from the ground and shall completely enclose the storage area.

(6) Fences which are a threat to public health and safety shall be repaired or replaced in accordance with this subsection.

(d) Access. All driveways from the street to 20 feet inside the fenced enclosure shall be covered by a hard surface including but not limited to concrete, asphalt, gravel, or shells.

(e) Operation

(1) All junkyards shall be maintained in a manner that does not cause a public or private nuisance, offensive or noxious odors, or the breeding or harboring of rodents or insects.

(2) Junkyards shall not operate between the hours of 8:00 p.m. and 8:00 a.m. .

(3) No automobile bodies shall be compacted or reduced on the site.

(4) Automobiles, other vehicles, other debris or materials shall not be stacked higher than the height of the fence.

(5) No offensive materials or wastes shall be deposited upon a lot in such form or manner that they may be transferred off the lot by normal, natural causes or forces (i.e., rain, wind).

(6) No substance which can contaminate a stream or watercourse or otherwise render the stream or watercourse undesirable as a source water supply or recreation shall be deposited upon a lot in a form or manner that allows it to be transferred off the lot by normal, natural causes or forces.

(7) All materials or wastes which may cause fumes or dust, constitute a fire hazard, or be edible or otherwise attractive to rodents and insects shall be stored outdoors only if enclosed in containers which are adequate to eliminate such hazards.

89-86 Manufactured Homes / Mobile Homes / Trailers

⇔ ***Use Category (§ 89-21 Use Table): Residential*** – *Residences – Manufactured homes*

(a) Applicability & Definitions

(1) This section applies to any Manufactured Home, Manufactured Home Land Lease Community, or Trailer Park in the City of Lafayette (*only where permitted in the applicable zoning district*) or unincorporated Lafayette Parish.

(2) The following definitions apply to this section:

Access Road	Any road or drive that (1) provides access to a Manufactured Home Land Lease Community or Trailer Park, or (2) provides access to any Manufactured Home Lot.
Accessory structure	Any structure on the same space as the Unit which includes awning, cabanas, carports, porches, storage cabinets and similar appurtenant structures.
Building	Any structure having a roof supported by columns or by walls and intended for the shelter, housing or enclosure of persons, animals, or property of any kind.
Common area	Any area or space designed for joint use of tenants occupying a Community.
Community	Any Manufactured Home Land Lease Community, Manufactured Home Subdivision, or Trailer Park.
Driveway	A minor private way used by vehicles and pedestrians on a Lot or for common access to a small group of lots or common facilities.
HUD Code	The regulations promulgated by the United States Department of Housing and Urban Development pursuant to the National Manufactured Home Construction and Safety Standards Act (42 U.S.C. § 5401 et seq,).
Living Unit	A living unit consists of one or more rooms, including a bathroom and complete kitchen facilities, which are arranged, designed, or used as living quarters for one family.
Lot	A subdivided parcel of land for the placement of a Unit.
Lot area	The total area reserved for exclusive use of the occupants of a Unit.
Lot line	A line bounding a Lot or Space as shown on the subdivision plat.
Manufactured home	A factory-built dwelling unit constructed to the standards and codes promulgated by the United States Department of Housing and Urban Development (HUD), under the National Manufactured Housing Construction and Safety Standards Act of 1974, 42 U.S.C. §5401 et seq., as amended ((See LRSA 51:911.22). A manufactured home complies with the HUD Code as indicated by a red certification label displayed on the exterior

	of each transportable section.. A manufactured home is not considered a single-family dwelling.
Manufactured home land lease community	A parcel or tract of land where the principal use is the rental, leasing or occupancy of space by two or more manufactured homes on a permanent or semi-permanent basis, and customary accessory buildings or uses such as clubhouses, laundries, or management and sales units.
Manufactured home subdivision	Any tract of land developed or used for the purpose of accommodating more than 4 homes occupied for dwelling or sleeping purposes, where a space is subdivided as a lot to be sold to the occupants.
Mobile home	A dwelling unit that was constructed in a factory before June 15, 1976, and that does not comply with the HUD Code or the LCG's Building Code. A mobile home is not considered a single-family dwelling.
Occupant	Any person who owns, leases, occupies and/or uses a space in a Community.
Occupied area	That area of a Lot which is covered by a Unit and its accessory structures.
Parking area	The off-street area available within the S pace used to park motor vehicles, and that accesses a street or alley.
Person	Any individual, firm, trust partnership public or private association or corporation and/or other artificial entity.
Private street	A private way, which affords principal means of access to abutting individual sites, common areas, other private ways and/or parts of a Community.
Service building	A building housing a toilet, lavatory and such other facilities as may be required by this regulation.
Single-family dwelling	A residential dwelling built, constructed and built to International Residential Code (IRC) standards and/or erected as a permanent structure on immovable property (a lot and/or land) with a permanent foundation for year-round living.
Space	A plot of ground within a Community designed for accommodation of one Unit. This term includes the term "lot", "stand", and "stall".
Stand	That part of a lot reserved for the placement of a Unit.
Trailer	A trailer type structure that is primarily designed to provide temporary living quarters for recreational, camping, travel or seasonal use, that: • Is built on a single chassis mounted on wheels, and • Has a gross trailer area not exceeding 400 square feet after set-up, and • Is certified by the manufacturer as complying with the American National Standard Institute Standard A119.5 for Recreational Park Trailers (ANSI A119.5), which is incorporated by reference. The term includes park models, campers, and house cars. A trailer is not considered a single-family dwelling.
Trailer Park	An area where spaces are rented, sold or leased as trailer space. The term does not apply to any persons who merely park their own personal trailer on property they own.
Unit	Any Mobile Home, Manufactured Home or trailer.

(3) Mobile or Manufactured Homes not in Communities

Up to 4 manufactured homes may be placed on property without meeting the standards in this section for streets or recreation, if –

a. Each manufactured home is located at least 30 feet from the nearest existing structure, building or other mobile home, manufactured home, or trailer except carports, patios or storage buildings that are accessory structures, and

b. Each space includes at least 12,000 square feet.

c. An appeal of the requirements for spacing between mobile homes may be made to the hearing examiner subject to provisions of Section 89-60 of these regulations.

(b) Submittal Requirements

The following minimum information shall be submitted to the PZD in the form of a site plan (24 x 36 inches minimum size) for any subdivision plat application or other approval required for any Community:

(1) All existing and/or proposed physical features such as streets, unit location on each lot, watercourses easements, parking spaces, sidewalks and location of recreation areas.

(2) The proposed setbacks for any building, Unit or other structure.

(3) The location of the community waste water treatment system.

(4) Rendering of proposed Units to be placed on any Lot or Space, indicating required skirting.

(5) Rendering of required fencing around the Community.

(c) Dimensional Standards

(1) Minimum Area. Any proposed Community shall be at least 10 acres in area.

(2) Density

a. A Community may include up to 5.5 Lots or Spaces per gross acre.

b. No more than 1 unit is allowed per Lot or Space.

c. No Unit shall be located closer than 30 feet from any other Unit or permanent building within the Community.

(3) Setbacks and Open Areas

a. At least 30 feet shall separate any Unit and any permanent building. Covered patios, carports or individual storage buildings are not considered permanent buildings.

b. No patio, roof, carport or storage building shall be located closer than 3 feet to any lot line.

c. The minimum front setback for a Unit from a public or private street is 20 feet.

d. Coverage. Units together with accessory structures such as storage buildings and roofed-over patios or carports shall not cover more than 75% of a Lot or Space.

(d) Common Areas

(1) At least 1,500 square feet per Unit shall be devoted to recreational facilities or open space ("common areas").

(2) Common areas shall be provided in a central location within the community.

(3) Common areas may include open space or landscaping that complies with Article 3, community buildings, and community use facilities such as indoor recreation areas, swimming pools, parks and/or subdivision offices, and service buildings.

(4) Drainage, detention/retention facilities, and setback areas do not count as common areas.

(e) Streets

(1) Generally

a. Local Streets providing access to any lot or space in any Community shall comply with the Street Design standards in Article 3 (⇔ *§ 89-44*).

b. All Communities shall include safe and convenient vehicular access from abutting public or private streets to each Lot or Space. All streets within the Community shall be paved streets.

c. Entrance streets shall have a direct connection to a public street and shall be designed to allow free movement of traffic on the adjacent public street. The entrance street must be approved by the Public Works Director or his/her designee.

(2) Design. See Section 89-44 for additional information.

a. The street shall be capable of supporting anticipated traffic loading and be designed by Registered Professional Louisiana Engineer.

b. Surface materials are limited to concrete or asphalt. Aggregate surfaces consisting of gravel, limestone or shell are not allowed. All pavement sections shall be based on the design/construction requirements of the site-specific soil conditions.

(3) Driveways: Paved driveways shall be provided on spaces for convenient access to living units. The minimum width is 20 feet.

(f) Parking areas. At least 2 parking slots shall be provided for each space. Each space shall have an area of at least 400 square feet and 20 feet in width and depth, in addition to ay passageways and driveways on the Space.

(g) Spacing. The boundary line of any Community shall be at least 300 feet from any recorded and approved residential subdivision of at least 5 lots.

(h) Screening

(1) Each Community shall be enclosed on all boundary lines with –

a. A fence at least 6 feet high constructed of masonry or other durable solid material, including low maintenance wood; or

b. A minimum Class "B" buffer (⇔ *see § 89-36*).

(2) Along public or private streets abutting the Community a combination of any one of the following may be provided:

a. A 6 feet high fence constructed of masonry or other durable solid material, including low maintenance wood.

b. A row of evergreen trees a minimum of 8 feet tall (planted height) and a maximum of 10 feet apart.

(i) Utilities

(1) Water. Each Community shall meet the requirements of the respective water provider and the requirements of the Louisiana Department of Health and Hospitals.

(2) Sewer. Each Community shall provide a community sewer treatment system in compliance with the requirements of the Louisiana Department of Health and Hospitals. Oxidation ponds are not allowed.

(3) Electrical Requirements. Each mobile home park/subdivision shall meet the requirements of the respective utility provider.

(j) Skirting. Skirting shall be installed around the perimeter of each Unit. Skirting shall be made of a durable solid material.

(Ord. No. O-151-2008, § 2, 8-26-08)

89-87 Pipelines / Railroad Rights of Way

⇔ ***Use Category (§ 89-21 Use Table): Infrastructure** – Transportation / Parking – Railroad right-of-way & **Infrastructure** – Utilities*

(a) Applicability. This section applies to the City of Lafayette or the unincorporated Parish, where –

(1) underground pipelines carry flammable products under pressure through properties within a plat boundary, or

(2) properties within the plat adjoin a railroad right-of-way.

(b) Setback. A building setback restriction must be provided adjacent to the pipeline easement or reserve strip (or the center line of the pipeline facility if no easement is defined) or railroad right-of-way line in accordance with the pipeline or railroad company's policy.

89-88 Swimming Pools

⇔ ***Use Category (§ 89-21 Use Table): Accessory*** – *Accessory use (generally)*

⇔ Refer to Chapter 26, Art. IX (the "Swimming Pool Regulations").

Pool discharge shall not be released in an uncontrolled manner. The discharge shall be connected to a publically maintained outfall or a private drainage servitude provided the servitude permits such discharge.

(a) No pool or any portion of the pool structure itself shall be allowed in any easement. The decking surrounding the pool may be allowed in an easement, provided that any relocation or replacement of decking necessitated by utilization of the easement by the City-Parish, or any entity authorized to utilize said easement, shall be at the expense of the property owner.

(b) The edge of the pool shall be set back one foot from the adjoining property line for every foot of pool depth at that point, plus one additional foot, up to a maximum setback from any particular property line of ten feet.

(c) No pool shall be constructed closer than 21 feet from the front property line.

(d) No pool shall be permitted in any required sight triangle area.

(e) Pool decking may be constructed to the property line, provided the decking is constructed in such a fashion as to so divert water inward toward the pool and/or property upon which it is located.

(f) For good cause shown, variances from the hereinafter set forth setback provisions may be granted by the Hearing Examiner for any pool situated outside the corporate limits of the City of Lafayette and by the Board of Zoning Adjustment for any pool situated within the corporate limits of the City of Lafayette.

89-89 Self-Service Storage

⇔ ***Use Category (§ 89-21 Use Table): Industrial / Production*** – *Warehousing, Storage & Distribution – Self-service storage facility*

(a) Applicability. This section applies to Self-Service Storage Facilities located in the City of Lafayette.

(b) Lot Size. The **maximum** lot size for a self-service storage facility in the "CM" or "MN" zoning district is **3 acres**.

(c) Height. All buildings in any self-service storage facility in a "CM" or "MN" zoning district are limited to 1 story.

(d) Orientation. No doors to access individual rental units shall face adjacent "RS" or "RM" zoned property.

(e) Buffers & Screening. ⇔ *See Article 3, § 89-36*.

(f) Hazardous Materials Prohibited. The storage of hazardous materials, such as toxic or explosive substances, is prohibited.

(g) Lighting. ⇔ *See Article 3, § 89-37*.

89-90 Signs

⇔ ***Use Category (§ 89-21 Use Table): Accessory*** – *Signs*

Purpose: This Section –

- *protects the health, safety, and welfare of the citizens of the City of Lafayette,*
- *facilitates the creation of an attractive and harmonious community by establishing standards for the construction of signs,*
- *allows free expression of ideas in a uniform manner, without regulating sign content, and*
- *allows businesses to clearly identify themselves while avoiding and eliminating visual clutter.*

(a) Applicability & Definitions

(1) This section applies to all signs located within the City of Lafayette.

(2) The following definitions apply to this section:

Abandoned sign	Any – • sign that no longer identifies a bona fide business, service, owner, product, activity, or event, or • sign structure which no longer supports the sign for which it was designed.
Attached sign	A building sign, wall sign or projecting sign.
Banner	A sign made of fabric, flexible plastic, or other non-rigid material. A banner is considered a temporary sign.
Billboard/off-premises advertising sign	An advertising sign that directs the attention of the public to a business activity conducted, or product sold or offered for sale at a location not on the same premises where the sign is located. This does not include: (1) any sign erected and maintained by the State of Louisiana, Department of Transportation and Development, or any other entity authorized by the state, oriented to and visible from a street, or (2) any sign permitted, authorized or contracted for by a state, parish or municipal governing authority pursuant to RS 32:236.C, or (3) an approved sign located on the site of an integrated business center, and owned and operated by a tenant of the business center.
Billboard/off-premises advertising sign, digital	A billboard or off-premise sign capable of displaying words, symbols, figures or images that can be electronically changed by remote or automatic means.
Building sign	A sign that is attached to a building.
Business/on-premises sign	A sign that directs attention to a business or profession or to a commodity, service, or entertainment sold or offered upon the premises where the sign is

	located.
Directional sign	An on-site sign that is designed and erected solely to direct vehicular and/or pedestrian traffic.
Flashing sign	A sign illuminated by an intermittent light source.
Freestanding sign	A sign permanently attached to the ground and independent of a building.
Historic sign	See Landmark sign.
Illuminated sign	A sign illuminated by a lighting device.
Integrated business center	A development with two or more attached or detached businesses, on one or more lots, designed as a unit with identifiable boundaries, and served by common features such as shared access and/or parking facilities and signs. Configuration and design shall include such features as: identification by a single name or consistent architectural style, and the appearance or public impression that the center acts as a single facility. When separated by public or private streets, the Administrator may declare a group of lots to be an integrated business center.
Landmark sign	A sign designated as a landmark or having historic value as determined by the Lafayette Preservation Commission. A sign may be designated as a landmark sign when it is associated with historic figures, events, or places, or is considered significant as evidence of the history of the product, business, or service advertised.
Mobile billboard	An off-premises advertising sign mounted on a vehicle or trailer that can become part of traffic flow or be parked at specific locations. A vehicle which advertises the company of its primary use is not considered a mobile billboard.
Monument sign	An independent sign affixed to the ground and supported from grade to the bottom of the sign with the appearance of having a solid base. A monument sign is not a pole sign. The width of any portion of the base of a monument sign is a least 80% of the width of the sign.
Nameplate sign	A sign, attached to a building, which states the name and/or address of the profession or business on the lot where the sign is located.
Opinion Sign	A temporary sign that does not advertise products, goods, businesses or services and that expresses an opinion or other point of view.
Pole sign	A freestanding sign attached to a pole or poles erected directly into the ground.
Political sign	A temporary sign which advocates a position on an issue or the candidacy of a person or a party on an upcoming ballot.
Projecting sign	A sign attached to the wall of a building and extending out between 15 and 72 inches. This includes a sign hanging from a projecting roof for a distance of up to 72 inches and within the bounds of the roof projection.
Readerboard	A sign designed to have changeable copy, either manually or electronically. A readerboard may be freestanding or attached to a building.
Refacing	Repainting or replacing the advertising surface of a sign without making mechanical, electrical, size or structural changes.
Sign	All or part of an object, device, display, or structure, located outside of a building, used to advertise, identify, display, direct or attract attention to an

	object, person, institution, organization, business, product, service, event, or location by any means, including words, letters, figures, designs, symbols, fixtures, colors, or illuminated or projected images. Signs do not include the flag or emblem of any nation, organization of nations, state, or city, or any fraternal, religious, or civic organization; merchandise, pictures, or models of products or services incorporated in a window display; works of art which in no way identify a product; or scoreboards located on athletic fields.
Snipe sign	A sign, made of any material, which is attached to a tree, pole, stake, fence, or other object, and which contains advertising matter that is not applicable to the use of the premises upon which it is located.
Stacking of a sign	The placement of more than one sign face on a structure that is intended for the attachment of one face per side.
Surface area of a sign	The entire area within a single continuous perimeter enclosing the extreme limits of the actual sign surface. It does not include any structural elements outside the limits of the sign that do not form an integral part of the display. Only one side of a double-face or V-type sign structure is used to compute total surface area. A V-type sign is a double-faced sign where the interior angle formed by the display does not exceed 60 degrees.
Temporary sign	A sign that is constructed of cloth, canvas, cardboard, wallboard, or other light temporary materials, with or without a structural frame, intended for a temporary period of display. Examples include placards for public demonstrations, real estate signs, election signs, construction signs, or signs that advertise a grand opening, festival, state or local fair, or cattle or horse show.
Wall sign	A sign affixed flat against the wall of a building and which is no more than 15 inches in thickness.

(3) Message Neutrality

a. This Section regulates signs in a manner which is consistent with the speech freedoms of both the United States and Louisiana Constitutions and the Louisiana Revised Statutes, and is content neutral.

b. Notwithstanding any other provision of this Section, no sign is subject to any limitation based on the content of the message contained on the sign. Any sign authorized in this Section may contain any non-commercial copy in lieu of any other copy.

(b) Permit Required

(1) A sign permit issued by the PZD is required before the installation, structural alteration, repair, reconstruction, or refacing of a sign.

(c) General Requirements

(1) Building Code. The sign shall be constructed and erected in accordance with the applicable building code (⇔ see Chapter 26, Art. III).

(2) Unsafe sign. Whenever a sign becomes structurally unsafe or endangers the safety of a building or premises, or endangers the public safety, the PZD shall give written notice to the owner of the sign

or the owner of the premises on which the sign is located. Upon receipt of the notice, the sign or property owner shall repair or restore the sign to a safe condition, or remove the sign.

(d) Measurements

(1) Size. The maximum allowed surface area of a sign is calculated using the lot or building dimension (depending on the zoning district) along the street on which a freestanding sign is located, or a building or wall sign faces.

(2) Height

a. For **freestanding** signs, sign height is measured as the vertical distance from grade adjacent to the sign footing, to the top of the sign, including the support structure and any design elements.

b. For building signs, sign height is the vertical distance from the furthest points along the top and the bottom of the sign area.

(e) Location

(1) Private property

a. Signs must be attached to or located on private property.

b. No sign may be located in a public right-of-way or attached to a utility pole, tree or other vegetative matter, fence, highway marker or regulatory sign, or other public property.

(2) Safety. No sign shall be –

a. Be erected so as to prevent free ingress or egress from any door, window, or fire escape; or

b. Be attached to a standpipe or fire escape, or

c. Create a public safety hazard.

(3) No sign shall be located within the **line of sight**. (⇔ See Art. 3 § 89-44).

(4) Easements

a. Except as provided below, a sign shall not encroach on any easement or the vertical plane of an easement, or interfere with power lines or other utility systems.

b. A sign which meets all other requirements of the zoning district in which it is located may be placed in an easement, if the specific location of the sign is agreed to by the easement's owner. Written agreement to the proposed location must be provided to PZD, in writing and in the form required by the owner of the easement, prior to the issuance of a permit for construction of the sign.

(f) Illumination

(1) The illumination of a sign within 100 feet of and facing a residential zoning district shall be diffused or indirect and designed to prevent direct rays of light from shining into the adjoining residential district. A neon or plastic face sign with interior lighting is considered a diffused or indirectly lighted sign.

(2) Exposed lighting sources, except as provided for above, are prohibited.

(3) **Revolving, flashing or intermittent illumination** is not allowed.

(4) An external lighting device may not extend more than 72" over private property.

(5) **On-premise signs**. Where digital readerboards are allowed, a message shall be displayed a minimum of 5 seconds. Transition from one message to the next shall be instantaneous and shall not contain visual effects such as fading, dissolves, flashing, etc. A digital sign face shall not exceed 32 square feet in area.

(6) **Off-premises signs**. See regulations included in subsection (g)(Non-Conforming Signs), below.

(g) Freestanding Signs

(1) **Multi-Tenant Signs** A business that advertises on a multi-tenant sign may not construct an individual freestanding sign.

(2) **Pole Signs**

a. The following apply to individual sites or integrated business centers in the "CH," "IL," and "IH" districts.

b. A pole sign with a maximum height of 75 feet above grade is allowed on property adjacent to the right-of-way of one of the following roadways if the sign is erected within 1,000 feet of the right-of-way:

1. Interstate Highway 10

2. Interstate Highway 49 north of Interstate Highway 10

3. U.S. Highway 90 south of its intersection with East University Avenue and Surrey Street

(h) Attached Signs

(1) The sign may be painted, attached flat against the building, or may project out from the building.

(2) A sign projection may not exceed 48 inches in "CM" and 72 inches in the "CH," "IL" and "IH" districts.

(3) A sign projection must be over private property.

(4) For projecting signs, an 8-foot minimum clearance from the sidewalk or public way to the lowest extremity of the sign is required. The sign may not be located closer than 2 feet from the curb line.

(i) Nonconforming Signs

(1) Applicability. This subsection applies to a sign (a "nonconforming sign") that –

a. Legally existed prior September 25, 2007, and does not conform to this Section, or

b. Is legally established after September 25, 2007, and subsequently fails to conform to this section due to a rezoning or a change in regulations that apply to the sign.

(2) Generally. The following provisions apply to nonconforming on-site signs:

a. A nonconforming sign shall not be changed in overall **dimensions**, or type of illumination, or altered, except to conform to this Section.

b. A nonconforming sign on an **individual business site** or an **out parcel of an integrated business center** may not be enlarged, reworded (other than readerboards), redesigned or altered in any way, except to conform to this Section. An existing business may reword or reface the sign unless the ownership or name of the business changes. The conversion of a sign to a digital sign or readerboard shall constitute a structural change and not a refacing.

c. Change of Occupancy. When occupancy of an individual business site or an **out parcel of an integrated business center** changes, all nonconforming signs on the site must be modified to fully comply with this Section prior to the issuance of a certificate of occupancy.

d. Destruction, Damage, Deterioration of Sign. A sign that is destroyed, damaged or deteriorated to such an extent that the cost of restoration would exceed 50% of the replacement cost, shall not be repaired, rebuilt or altered except to conform to this Section.

e. Damage or destruction of building. A nonconforming sign shall be removed if the building to which it is accessory is damaged or destroyed to the extent of 50% or more of the area of the principal building.

f. Replacement. A sign replacing a nonconforming sign shall conform to this section, and the nonconforming sign shall no longer be displayed.

g. A sign **requiring removal by the LCG** as a result of this section shall be assessed a standard fee of at least $100 as determined by the Planning and Zoning Commission for the removal.

h. A permit **fee** shall **not be charged** when a **nonconforming** sign is **replaced with a conforming** sign.

(3) Off-premises. The following provisions apply to nonconforming billboard / off-premise signs:

a. Applicability. This subsection (3) applies to all signs located in the City of Lafayette and the unincorporated areas of Lafayette Parish.

b. Dimensions Not to Increase. No dimension of the sign may increase.

c. Destruction, damage, deterioration

1. A nonconforming sign may be reconstructed in its existing location only if damaged by vandalism, fire, storm or other act of God or the public enemy. The reconstruction must take place within 6 months of the damage.

2. If a sign is structurally altered, repaired or refaced, no increase in any dimension, surface area, the number of faces or the height of the sign from that which existed immediately prior to the occurrence of the damage is allowed.

3. If the sign is not repaired within 6 months after the occurrence of the damage, no repair is allowed and the sign shall be removed sign owner's expense.

4. If damaged or destroyed by vandalism, fire, storm or other acts of God or other public enemy, the sign may be repaired only if the cost of repair to the structure is less than 50% of its replacement cost.

d. Digital Billboard/Off-Premises Advertising Sign Face Conversions

1. A nonconforming billboard/off-premises sign face may be converted to 1 static, intermittently changeable, digital display with the following conditions.

2. **Removal** of billboard/off-premises advertising signs.

   A. For each digital sign face conversion, signs located within the jurisdiction of LCG totaling at least 2 times the surface area of the proposed digital sign face being converted shall be permanently removed.

   B. If a billboard owner who proposes to convert a billboard to a digital face did not as of September 28, 2007 own sufficient signs to meet the removal requirement in subsection A above, then 1 digital face conversion is allowed.

   C. The digital conversion of any sign acquired after September 28, 2007 is not allowed.

3. **Distance**. The converted digital structure may be located no closer than 300 feet to a residential zoning district. Measurement is from the residential zoning district boundary to the outermost portion of each sign.

4. **Spacing**. No sign proposed for conversion may be closer than 1,500 feet to another digital billboard/off-premise advertising sign. A billboard converted under subsection (g)(4)d.2.B above is not subject to this spacing requirement. Measurement is from the outermost portion of each sign.

5. **Message Display Intervals**. Each message appearing on a digital billboard face shall remain fixed for at least 8 seconds, and message changes shall be instantaneous and not contain such visual effects as fading, dissolves, flashing, etc.

6. **Illumination**. Display brightness shall be adjusted as ambient light levels change.

7. **Malfunction Display Lock**. Digital billboards shall contain a default design that will freeze the sign in one position if a malfunction occurs, or in the alternative, shut the sign down.

8. **Emergency information**. The operator of a digital billboard shall at the request of LCG or the Lafayette Emergency Communications District make every effort to display emergency messages, such as Amber Alerts, road closures and evacuation information, as a public service and at no cost to the requesting authority. The messages shall be displayed in appropriate locations and with appropriate frequency until the emergency no longer exists or the authority requests termination.

9. **Inventory required**. A company that converts an existing billboard/off-premises advertising sign to a digital display must provide, with each permit application, a complete current inventory of its signs located within the jurisdiction of LCG. The inventory shall include location, size and number of faces, and means of illumination.

(4) Reversion Prohibited. Once changed to a conforming sign, no sign shall revert to a nonconforming sign.

(5) Maintenance. This subsection does not prevent normal maintenance, repairs, repainting, or posting of business or billboard/off-premises advertising signs.

(j) Landmark Sign. A sign existing prior to November 25, 2008, 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.

(k) Temporary sign

(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 category 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	Initiation upon the actual availability of the property or premises for sale or

sale or lease	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.
Charitable Event	Initiation 30 days prior to the event.

(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.

(l) Abandoned sign. An abandoned sign shall be removed by its owner or persons otherwise responsible within 180 days from the time the activity ceases.

(m) Prohibited Signs. The following signs are prohibited:

(1) Signs installed or erected without a sign permit, unless otherwise allowed (temporary signs with no permit required).

(2) Off-premises advertising signs, except as allowed for integrated business centers.

(3) Signs extending into, or placed within, the public right-of-way or affixed to any public property.

(4) Mobile billboards or portable trailer signs.

(5) Signs with lasers or lights that blink, flash, revolve, or strobe, including animation or video.

(6) Signs that contain mirror-like surfaces.

(7) Signs that emit smoke, vapor, particles, sound, or odor.

(8) Wind or fan blown signs.

(9) Snipe signs.

(10) Temporary product-specific signs.

(11) On-site signs placed on off-site signs.

(12) Off-premises advertising signs in the unincorporated areas of Lafayette Parish.

(n) Signs in "RS," "RM" or "A" zoning districts. In residential zoning districts, only the following signs are allowed:

(1) The following regulations apply to individual lots or spaces for the following uses: single-family detached dwellings, Cottage Courts, two-family (duplex) dwellings, Zero lot line homes, or Manufactured homes:

a. One sign is allowed, not to exceed 2 square feet in surface area.

b. Non-illuminated temporary signs are allowed in addition to subsection a (see subsection (k) above).

(2) The following regulations apply to any Multi-Family, Apartment House, Apartment Hotel, Townhouse / Row house, Group Living, or non-residential use allowed in an "RS" or "RM" district:

a. **Freestanding sign**. One freestanding sign is allowed per street frontage. It may be illuminated, but not flashing.

1. **Height and type**. The sign shall not exceed 10 feet in height and must be a monument sign.

2. **Size**. The surface area of the sign shall not exceed 50 square feet.

b. **Wall sign**. Each building may be include no more than one wall sign. The surface area of the sign shall not exceed 32 square feet.

(3) For a subdivision or development, one **on-premises** directional sign, not to exceed 8 square feet in surface area and 4 feet in height, is allowed for each entrance and each exit onto or from a public or private street.

(4) One sign per **building**, not to exceed 5 square feet in surface area, for a group of dwelling units.

(5) **Setback**. Each sign shall be setback at least 1 foot from each property line and not in a utility easement unless approved from 89-38(e).

(o) Signs in "MN" zoning districts. Signs are allowed subject to the following regulations:

(1) **Freestanding sign**. Each lot may have one freestanding sign per street frontage.

a. **Height and type**. The sign shall not exceed four feet in height and must be a monument sign.

b. **Size**. The sign shall not exceed eight square feet in surface area.

c. **Setback**. The sign shall be set back a minimum of 1 foot from each property line and not in a utility easement unless approved from Section 89-38.

(2) **Building or wall sign**. Each building may include 1 building or wall sign per street frontage. The surface area of the sign shall not exceed 8 square feet in area.

(3) **Illuminated** signs are prohibited.

(4) A **readerboard** is prohibited.

(p) **Signs in "CM" and "MX" zoning districts**. Signs are allowed subject to the following regulations:

(1) All signs permitted in the "RS," "RM" and "A" zoning districts are allowed, a **readerboard** is allowed. The readerboard may not exceed 32 square feet in area.

(2) **Illuminated** signs are allowed.

(3) **Individual business site or out parcel of integrated business center**:

a. **Freestanding sign**. One freestanding business sign is allowed per street frontage on an individual business site or out parcel of an integrated business center.

1. **Height and type**. The sign shall not exceed 10 feet in height and shall be a monument sign.

2. **Size**. The surface area of the sign shall not exceed 1 square foot for each linear foot of lot frontage of the business site. The maximum allowed surface area of the sign shall be calculated using the lot dimension along the street on which the sign is located.

3. **Setback**. The sign shall be set back a minimum of 1 foot from each property line and not in a utility easement unless approved from 89-38(e).

4. **Building, wall or projecting sign**. An individual business site or out parcel of an integrated business center include one attached sign per street frontage. The surface area of the sign shall not exceed 32 square feet.

(4) **Integrated business center**:

a. **Freestanding sign**. One freestanding business sign is allowed per street frontage of an integrated business center. A business that advertises on a multi-tenant sign may not construct an individual freestanding sign. The type of sign allowed depends on its height and setback from the right-of-way. Only one of the following two options may be used.

1. **Option 1**.

A. **Height and type**. The sign shall not exceed 20 feet in height and shall be a monument sign.

B. **Setback**. The sign shall be setback a minimum of 15 feet from each property line along a public or private street, and a minimum of 1 foot from each other property line.

2. **Option 2**.

A. **Height and type**. The sign shall not exceed 10 feet in height and shall be a monument sign.

B. Setback. The sign shall be set back a minimum of 1 foot from each property line and not in a utility easement unless approved in 89.38(e).

b. Building, wall or projecting sign. In addition to the freestanding sign above, each business or use within the integrated business center may be identified by one (1) wall or projecting sign per street frontage subject to the following:

1. Size. The surface area of the sign shall not exceed 32 square feet.

2. Installation. The sign may be painted on or attached flat against the building, or may project out from the building, but such projection may not exceed 48 inches and must be over private property. In the case of projecting signs, an eight-foot minimum clearance from the sidewalk or public way to the lowest extremity of the sign is required. In no event may the sign be located closer than 2 feet to the curb line.

(q) Signs in "CH" zoning districts. Signs are allowed subject to the following regulations:

(1) All signs permitted in the "CM" zoning district are allowed. A **readerboard** is allowed. The readerboard may not exceed 32 square feet in area.

(2) Illuminated signs are allowed.

(3) Size. The total surface area of all business signs on a building and/or lot shall not exceed the sum of three square feet for each linear foot of lot frontage. The maximum allowed surface area of a sign shall be calculated using the lot dimension along the street on which the sign is located or faces.

(4) Individual business site or out parcel of an integrated business center:

a. Freestanding sign. One freestanding business sign is allowed per street frontage on an individual business site.

1. Height and type. The sign shall not exceed 14 feet in height and must be a monument sign. A pole sign with a maximum height of 75 feet above grade is allowed on property adjacent to the right-of-way of one of the following roadways if the sign is erected within 100 feet of the right-of-way:

A. Interstate Highway 10

B. Interstate Highway 49 north of Interstate Highway 10

C. U.S. Highway 90 south of its intersection with East University Avenue and Surrey Street

b. Setback. The sign shall be setback a minimum of 1 foot from each property line.

c. Building, wall or projecting sign. The sign, or signs, may be painted on or attached flat against the building, or may project out from the building, but such projection may not exceed 72 inches and must be over private property. In the case of projecting signs, an eight-foot minimum clearance from the sidewalk or public way to the lowest extremity of the sign is required. In no event may the sign be located closer than 2 feet from the curb line. A building sign may face the rear or side property line without street frontage so long as it does not exceed 32 square feet.

(5) Integrated business center

a. **Freestanding sign**. One freestanding business sign is allowed per street frontage of an integrated business center. A business that advertises on a multi-tenant sign may not construct an individual freestanding sign. The type of sign allowed depends on its height and setback from the right-of-way. Only one of the following two options may be used.

1. **Option 1**.

A. **Height and type**. The sign shall not exceed 45 feet in height and may be a monument or pole sign. A pole sign with a maximum height of 75 feet above grade is allowed on property adjacent to the right-of-way of one of the following roadways if the sign is erected within 100 feet of the right-of-way:

i. *Interstate Highway 10*

ii. *Interstate Highway 49 north of Interstate Highway 10*

iii. *U.S. Highway 90 south of its intersection with East University Avenue and Surrey Street.*

B. **Setback**. The sign shall be setback a minimum of 20 feet from each property line along a public or private street, and a minimum of one foot from each other property line.

2. **Option 2**.

A. **Height and type**. The sign shall not exceed 14 feet in height and must be a monument sign.

B. **Setback**. The sign shall be set back a minimum of 1 foot from each property line and not in a utility easement unless approved from Section 89-38.

b. **Building, wall or projecting sign**. The sign, or signs, may be painted on or attached flat against the building, or may project out from the building but such projection may not exceed 72 inches and must be over private property. In the case of projecting signs, an 8-foot minimum clearance from the sidewalk or public way to the lowest extremity of the sign is required. The sign shall not be located closer than 2 feet to the curb line.

(r) Signs in "D" and "PI" zoning district. Signs are allowed subject to the following regulations:

(1) All signs permitted in the "RS," "RM" and "A" zoning districts are allowed. A **readerboard** is allowed. The readerboard may not exceed 32 square feet in area.

(2) Illuminated signs are allowed.

(3) Size. The total surface area of all signs on a lot shall not exceed the sum of 3 square feet for each linear foot of building width. The maximum allowed surface area of a sign is calculated using the building dimension along the street on which the sign is located or faces.

(4) Individual business site or out parcel of integrated business center:

a. **Freestanding sign**. One freestanding business sign is allowed per street frontage on an individual business site.

1. **Height and type**. The sign shall not exceed 14 feet in height and shall be a monument sign.

2. **Setback**. The sign shall be set back a minimum of 1 foot from each property line.

b. **Building, wall or projecting sign**. An individual business site or out parcel of an integrated business center may include 1 building or wall sign and 1 projecting sign per street frontage. The sign, or signs, may be painted on or attached flat against the building, or may project out from the building but such projection may not exceed 48 inches and may be over public or private property. In the case of projecting signs, an 8-foot minimum clearance from the sidewalk or public way to the lowest extremity of the sign is required. The sign shall not be located closer than 2 feet from the curb line.

(5) Integrated business center

a. **Freestanding sign.** One freestanding sign is allowed per street frontage of an integrated business center. A business that advertises on a multi-tenant sign may not construct an individual freestanding sign. The type of sign allowed depends on its height and setback from the right-of-way. Only one of the following two options may be used.

1. **Option 1**.

A. **Height and type**. The sign shall not exceed 20 feet in height and shall be a monument sign.

B. **Setback**. The sign shall be set back a minimum of 15 feet from each property line along a public or private street, and a minimum of one foot from each other property line.

2. **Option 2**.

A. **Height and type**. The sign shall not exceed 14 feet in height and shall be a monument sign.

B. **Setback**. The sign shall be set back a minimum of one foot from each property line.

b. **Building, wall or projecting sign**. Each business or use within the integrated business center may be identified by one building or wall sign and one projecting sign per street frontage. The sign, or signs, may be painted on or attached flat against the building, or may project out from the building, but the projection may not exceed 48 inches and may be over public or private property. In the case of projecting signs, an 8-foot minimum clearance from the sidewalk or public way to the lowest extremity of the sign is required. In no event may the sign be located closer than 2 feet from the curb line.

(s) Signs in "IL" and "IH" zoning districts. Signs are allowed subject to the following regulations:

(1) All signs permitted in the "A," "RS" and "RM" zoning districts are allowed. A **readerboard** is allowed. The readerboard may not exceed 32 square feet in area.

(2) Size. The total surface area of all signs on a lot shall not exceed 6 square feet for each linear foot of lot frontage. The maximum allowed surface area of a sign is calculated using the lot dimension along the street on which the sign is located or faces.

(3) Individual business site. Not part of an integrated business center.

a. **Freestanding sign**. One freestanding sign is allowed per street frontage on an individual business site.

b. **Height and type**. The sign shall not exceed 14 feet in height and must be a monument sign. A pole sign with a maximum height of 75 feet above grade is allowed on property adjacent to the right-of-way of one of the following roadways if the sign is erected within 100 feet of the right-of-way:

1. Interstate Highway 10

2. Interstate Highway 49 north of Interstate Highway 10

3. U.S. Highway 90 south of its intersection with East University Avenue and Surrey Street

c. **Setback**. The sign shall be located a minimum of 1 foot from each property line and not in a utility easement unless approved from Section 89-38.

d. **Building, wall or projecting sign**. The sign, or signs, may be painted on or attached flat against the building, or may project out from the building, but the projection may not exceed 72 inches and must be over private property. In the case of projecting signs, an 8-foot minimum clearance from the sidewalk or public way to the lowest extremity of the sign is required. The sign shall not be located closer than 2 feet from the curb line. A building sign may face the rear or side property line without street frontage as long as it does not exceed 32 square feet.

(4) Out parcel of integrated business center.

a. **Freestanding sign**. One freestanding sign is allowed per street frontage on an out parcel of an integrated business center.

b. **Height and type**. The sign shall not exceed 14 feet in height and must be a monument sign. A pole sign with a maximum height of 75 feet above grade is allowed on property adjacent to the right-of-way of one of the following roadways if he sign is erected within 100 feet of the right-of-way:

A. Interstate Highway 10

B. Interstate Highway 49 north of Interstate Highway 10

C. U.S. Highway 90 south of its intersection with East University Avenue and Surrey Street

c. **Setback**. The sign may be located within 1 foot of the property line and not in a utility easement unless approved from Section 89-38.

d. **Building, wall or projecting sign**. The sign, or signs, may be painted on or attached flat against the building, or may project out from the building, but such projection may not exceed 72 inches and must be over private property. In the case of projecting signs, an eight-foot minimum clearance from the sidewalk or public way to the lowest extremity of the sign is required. In no event may the sign be located closer than two feet from the curb line. A building sign may face the rear or side property line without street frontage as long as it does not exceed 32 square feet.

(5) Integrated business center.

a. Freestanding sign. One freestanding business sign is allowed per street frontage of an integrated business center. A business that advertises on a multi-tenant sign may not construct an individual freestanding sign. The type of sign allowed depends on its height and setback from the right-of-way. Only one of the following two options may be used.

1. Option 1.

A. Height and type. The sign shall not exceed 45 feet in height and may be a monument or pole sign. A pole sign with a maximum height of 75 feet above grade is allowed on property adjacent to the right-of-way of one of the following roadways provided that such sign is erected within 100 feet of said right-of-way:

i. *Interstate Highway 10*

ii. *Interstate Highway 49 north of Interstate Highway 10*

iii. *U.S. Highway 90 south of its intersection with East University Avenue and Surrey Street.*

B. Setback. The sign shall be setback a minimum of 20 feet from each property line along a public or private street, and a minimum of one foot from each other property line and not in a utility easement unless approved from Section 89-38.

2. Option 2.

A. Height and type. The sign shall not exceed 14 feet in height and must be a monument sign.

B. Setback. The sign shall be set back a minimum of 1 foot from each property line.

b. Building, wall or projecting sign. The sign, or signs, may be painted on or attached flat against the building, or may project out from the building but the projection may not exceed 72 inches and must be over private property. In the case of projecting signs, an 8-foot minimum clearance from the sidewalk or public way to the lowest extremity of the sign is required. The sign shall not be located closer than two feet from the curb line. A building sign may face the rear or side property line without street frontage as long as it does not exceed 32 square feet.

(t) Signs in "PD" zoning districts. Sign standards for a PD are designated in the ordinance approving the PD.

(Ord. No. O-221-2008, § 2, 11-25-08; Ord. No. O-040-2010, § 2, 3-30-10; Ord. No. O-252-2010, §§ 2—4, 11-23-10)

89-91 Solid Waste

⇔ *Use Category (§ 89-21 Use Table): Infrastructure – Waste-related – Solid waste*

(a) Applicability

(1) This section applies to the City of Lafayette and the unincorporated portions of Lafayette Parish.

(2) This section applies additional regulations to Solid Waste Facilities where they are allowed or not regulated through zoning. Nothing in this section allows a Solid Waste Facility in any area or district where it is not allowed.

(3) This applies to the following activities, as defined below:

Disposal facilities	The physical components of the disposal system, such as transfer conveyances, processing plants and landfill. In addition, waste tire processing plants, waste tire collection centers, and solid waste management facilities, as those terms are defined in R.S. 30:2412.
Dumping Pit	A land site where solid waste is disposed of in a manner that does not protect the environment.
Incinerator	A furnace designed for the volume reduction of solid waste by burning in a firebox with proper controls and temperature range with stack emissions which do not exceed air pollution control limits established by local, state or federal laws and regulations.
Landfill, Construction/Demolition Debris	Nonhazardous waste generally considered not water-soluble including, but not limited to, metal, concrete, brick, asphalt, roofing materials (shingles, sheet rock, plaster), or lumber from a construction or demolition project, but excluding asbestos contaminated waste, white goods, furniture, trash or treated lumber. As defined in the current Environmental Regulatory Code, LAC 33:VII.115, LAC 33:VII.719, LAC 33:VII.721 and subsequent Louisiana Department of Environmental Quality guidelines.
Landfills, Sanitary	A facility for the disposal of solid waste involving the placement of solid waste on or into the land surface, and usually involving compaction and covering of the disposed solid waste, and which is not a land-spreading or surface impoundment facility.
Scrap and salvage yard	A facility for discarded or rejected material or parts of material that result from manufacturing operations and are suitable for reprocessing or recycling.
Waste pickup station	A site at which solid waste is temporarily placed and from which it is transported to a different location for processing and/or disposal.
Waste transfer station	A Solid Waste processing facility where Solid Waste is transferred from Collection Vehicles and placed in other vehicles for transportation.
Wrecker yard	A site at which damaged vehicles are stored and whose purpose is to sell vehicle parts, or whose primary business is to store damaged vehicles.

(b) Separation Distances

(1) Owners and developers of the activities listed below are prohibited from constructing and operating their developments within the following distances from a school, approved residential development and/or residence.

(2) The distance is measured from property line to property line.

Table 89-91-2 Solid Waste Separation Distances

Adjoining Development (see § 89-36(g))	Separation Distance

SF, MF	1,320
NB, GB, CV, AG	600
ID	200

(c) Fences. The developer must provide a sightproof eight-foot-tall fence at the inside perimeter of the required buffer.

(d) Waste Tire Disposal. Any disposal facility which contains more than 150 waste tires shall, in addition to the buffer and separation distance required by this section, establish an area within the separation distance of 100 feet, with no trees and including access roads. This area shall include with no flammable substance and shall completely surround the disposal facility.
(Ord. No. O-59-93 (Par.), § 3, 10-21-93; Ord. No. O-102-94 (Par.), § 2, 12-1-94)

89-92 Temporary Uses

⇔ *Use Category (§ 89-21 Use Table): Miscellaneous*

(a) Applicability

(1) This section applies to certain temporary uses or activities in the City of Lafayette.

(2) This section does not apply to the special events, outdoor dining, or outdoor merchandise activities that are regulated separately by the LCG (⇔ *LCG Code § 6-37 (special event permits), 82-677(a)(4) (circuses, concerts, carnivals and special events); Chapter 78, Art. VII (Pushcarts, Outdoor Dining and Outdoor Merchandise Display)*).

(b) Temporary Sales Activities

(1) Approval. The Administrator may approve the following temporary sales activities in any "A" (Agricultural), , "MN" (Neighborhood Mixed Use), "MX" (Mixed-Use Center), "D" (Downtown), "CM" (Commercial Mixed), "CH" (Commercial Heavy), "PI" (Public/Institution), "IL" (Industrial Light) or "IH" (Heavy Industrial) district:

a. Christmas tree sales.

b. Seasonal sale of farm produce.

c. Seasonal sale of landscape plantings, materials, and lawn and garden supplies (as accessory sales to a business with other commercial activities).

(2) The operator of the temporary sales activity shall submit an **application** containing:

a. A description of the land proposed to be used.

b. A site plan showing setbacks, property lines and adjoining structures and the proposed location of the temporary sales and event.

c. A description of the proposed use.

d. Hours of operation.

e. Estimates of accumulated automobiles and persons per hour.

f. Proposed sanitary facilities.

g. Proposed parking facilities.

(3) Standards

a. Hours. The temporary sales activity shall not be operated **after 12:00 midnight and before 8:00 a.m**.

b. Setback from Residential Districts. The temporary sales activity shall not be located closer than **100 feet** from property zoned "**RS**" or "**RM**".

c. Public Right-of-Way

1. 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.

d. Sanitation. The proposed site contain at least 1 temporary restroom facility per one hundred 100 estimated people in attendance per hour. However, no sanitation facilities are required for Christmas tree sales lots or seasonal sale of farm produce. This section does not supersede, and is subordinate to, any requirements of the State Sanitary Code.

(4) Term of Permit. The maximum length of a temporary sales activity is provided below. The owner or operator may extend this time period by applying for a conditional use permit (see Art. 4).

Temporary Sales Activity	Maximum Duration
Christmas tree sales	60 days
Seasonal sale of farm produce	5 months
Seasonal sale of landscape plantings, materials, and lawn and garden supplies *(as accessory sales to a business with other commercial activities)*	4 months

(c) Temporary construction yard

(1) Applicability. This subsection applies to any temporary construction yard. A "temporary construction yard" is a temporary area used to store construction materials, supplies, equipment, tools, stock piling and recycling of useable construction materials and other permitted items, including temporary storage containers, construction trailers and temporary office trailers and located on the same lot with building activity.

(2) Establishment. Proposed construction yards shall be associated to a specific project with an approved building permit issued for grading, construction, remodel and/or demolition.

(3) Supervision. Construction yards shall be supervised by a contractor, who shall enforce compliance with these standards. The contractor is responsible for compliance of the construction yard with all applicable codes. The contractor shall designate to the Administrator a project contact person

responsible/authorized to correct problems regarding the project on a 24-hour/7-days a week basis. This shall occur prior to issuance of a grading permit for the project.

(4) **Removal**. Construction yards shall be removed prior to a final inspection of the last building in a non-residential project and for the last structure in a residential project or final approval for the project.

(5) **Access**. The contractor shall provide curb cuts for all egress / ingress areas onto a paved street.

(6) **Surfacing**. To prevent mud / dirt from transferring from trucks, vehicles and equipment onto the paved street, the contractor shall install pavement or a surface treatment at all egress / ingress points from the yard at least 50 feet to the street access.

(7) **Alternative Off-Site Location**. For a project site with physical constraints, the Administrator may approve an alternative off site property for a construction yard. The contractor shall reclaim the alternative off site property to its original condition prior to final inspection / issuance of a certificate of occupancy for the associated project. Site reclamation may include site clean-up and/or revegetation with temporary irrigation. Bonding may also be required to verify revegetation within three (3) years.

(d) Temporary Offices at Construction Sites

(1) Temporary offices for construction may be used on the site of a construction project, if they are removed upon completion of the project.

(2) In the "RS" district, any temporary offices may only be located in a model home and must cease upon the issuance of a certificate of occupancy for –

a. The last residential dwelling unit for the subdivision or project, or

b. In the case of a subdivision or project for which approval has been given for phased development, for the last dwelling unit for that phase.

(3) Temporary construction trailers may be used for temporary construction offices, but only until a model home is completed. These trailers shall only be used by the contractor and subcontractors, and shall not be used as a real estate sales trailer. All trailers shall be removed when the model home is completed and ready for use.

(e) Portable Storage Containers. Portable storage containers for temporary on-site storage shall comply with the following:

(1) Up to 2 portable storage containers may be located in the "RS" or "RM" districts, if the container is placed on the drive or personal parking area and does not obstruct any public right-of-way or interfere with any vehicular or pedestrian circulation.

(2) Portable storage containers shall not be used as permanent accessory structures in any residential district.

(3) Portable storage containers are allowed for up to 60 days in a calendar year and on no more than 2 separate occurrences. The Administrator may grant additional time if needed to avoid hardship, and if the applicant has no other alternative for storage.

(f) Garage or Yard Sales

A garage or yard sale in a residential district is permitted subject to the following conditions:

(1) The sale may not exceed 72 hours and may not occur in the same location more than twice in any 6-month period.

(2) The sale or advertisement for the sale shall not occupy any public property or right-of-way or obstruct the passage of pedestrians or vehicles on any public sidewalk or street.

89-93 Truck Stop

⇔ ***Use Category (§ 89-21 Use Table): Commercial / Mixed Use*** – *Vehicles/equipment – Truck stop*

(a) Applicability. This section applies to any truck stop in the City of Lafayette.

(b) Location. The property on which a truck stop is located must have frontage on or within 1,000 feet of Interstate 10 or Interstate 49 or their service roads.

(c) Site Design. Truck stops must provide the following at the site:

(1) Minimum lot area is 5 acres.

(2) Parking must be provided for at least for 10 trucks.

(3) Required amenities include –

a. A minimum 50-seat restaurant.

b. Showers.

c. Scales to weigh trucks.

89-94 Wireless Communications

⇔ ***Use Category (§ 89-21 Use Table): Infrastructure*** – *Communications facilities*

(a) This ordinance governs only communication antennae located on lands used residentially and does not impose any regulations on commercially used antennae.

(b) This ordinance shall not apply to those communication antennae in place or operational on or before the effective date of this ordinance. Any subsequent relocation of the communication antennae or support(s) shall be in compliance with this ordinance. Additions or reductions in the height of communication antennae shall not be governed by this ordinance.

(1) A communication antenna may be located in the front yard on presentation of an affidavit that, in order to utilize the communication antenna correctly, its geographical location must be in the front yard; or, upon presentation of an affidavit that the cost of locating the communication antenna in the side or rear yard, because of geographical considerations, would exceed ten percent of the cost of the communication antenna.

(2) Communication antennae shall be allowed in the rear and side yards provided the construction is no closer than the front sill of the main dwelling to the front lot line. No portion of any antennae (excluding wires, cables, etc. necessary for support, which may be located to the rear and side property lines) shall be located closer than three feet to any lot line. Guy wires and anchors may be located in front yards.

(3) In addition, on corner lots, no communication antennae shall be located closer than ten feet to the side street property line. No construction shall be allowed in the 30-foot sight triangle of a street intersection.

89-95 Nursery/Horticulture/Farm Supply

⇔ ***Use Category (§ 89-21 Use Table): Commercial/Mixed Use*** – *Retail*

(a) This section applies to any nursery/horticulture/farm supply use in the City of Lafayette.

(b) A conditional use may be granted in the RS District for retail nurseries, horticulture sales and farm supply sales, provided that:

(1) The use covers an area no greater than 2,000 square feet;

(2) All structures and uses which are part of the conditional use including parking, driveways, storage, and areas open to retail customers, shall be at least 50 feet from lot lines, unless it is determined that a lesser setback is more appropriate and will not adversely affect neighboring properties due to visual impact, activity, noise, dust, fumes, or other cause.

(3) The location and design of the operation shall be such that the use will not be a nuisance to neighboring properties due to noise, dust or fumes.

(4) Buildings used for sales, storage or offices will be screened or compatible in scale and character with other residential or agricultural structures in the vicinity. If new structures or additions to structures are proposed, architectural elevations or renderings must be submitted with the petition.

(5) Adequate landscaping shall be provided to screen parking, storage, display and other activity areas related to the conditional use from residential properties.

(6) Only products grown on the premises may be sold on site.

Amended March 2016

Lafayette Consolidated Government

Unified Development Code

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Article 6. Nonconformities

Purpose: Applying new regulations to existing development can create situations where existing lot dimensions, development density or intensity, land uses, buildings, structures, landscaping, parking areas, signs, or other conditions do not strictly comply with the new requirements. This Article protects and regulates nonconforming uses, buildings, structures, and lots (referred to collectively as "nonconformities"), and specifies the circumstances and conditions under which those nonconformities may continue. The City finds that nonconformities that adversely affect the orderly development and value of other property in the neighborhood or district should not continue unless restricted. At the same time, reinvestment in some properties that do not strictly comply with current regulations can maintain existing neighborhood assets and economic growth, and is allowed with appropriate conditions. For existing lots or development (including uses, buildings, structures, and signs) that are "legally nonconforming," this Article sets out fair rules for whether, when, and how the regulations of this UDC apply.

89-96 Applicability

(a) Generally. This article **applies to** –

(1) A lawful nonconformity that exists as of the effective date of this Title, and

(2) Any nonconformity created by an amendment to this Title, such as a change to an area's zoning district classification.

(b) Interpretation. Nonconformities are inconsistent with the objectives of this Chapter, are viewed narrowly and have all doubts resolved against the continuation or expansion of the nonconformity in order to preserve the property rights of adjacent property owners.

(c) Determination

(1) An applicant shall assert the existence of a nonconformity at the time an application under Article 4 is filed, or at the Administrator's request. The failure to assert a nonconformity at the time of application or within the time period for appealing a determination by the Administrator as to the existence of a nonconformity waives the applicant's right to assert it at a later point in time, unless an additional nonconformity is created after that time.

(2) The Administrator shall determine the existence of the nonconforming use based on information provided by the property owner. The applicant or property owner has the burden of proving the existence of a nonconformity, and shall produce acceptable evidence attesting to the legal nonconforming status such as documents, rent receipts, affidavits, documentation of utility services, or other information deemed necessary in a particular case.

(d) Unlawful Uses. This Article does not authorize or legitimize uses, buildings, structures, parcels, or signs that were used, erected or maintained in violation of any previous zoning, subdivision or building regulation or otherwise not legally established or constructed. Those uses, buildings, structures, or signs are not "legally" nonconforming, but instead remain unlawful and subject to all requirements of this Chapter (including enforcement provisions) and any other applicable law.

89-97 Types of Nonconformities

There are 5 types of nonconformities addressed by this Article:

Nonconforming Use	See § 89-98
Nonconforming Lot	See § 89-99
Nonconforming Structure	See § 89-100
Nonconforming Site Improvement	See § 89-101
Projects in Process	See § 89-102

89-98 Nonconforming Use

(a) Applicability. This section applies to any nonconforming use. A "nonconforming use" means a lawfully established use that is not permitted in the zoning district. This applies where:

- the use is no longer allowed in the district, or
- the zoning district classification changes (either by applying a new classification to the area, or extending another zoning district to the area), and the new district does not allow the use.

(b) Establishment and Scope.

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

(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.

(c) Displacement. No nonconforming use shall be extended to displace a conforming use.

(d) Change of Use

(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.

(2) If no structural alterations are made, a nonconforming use of a building may change to another nonconforming use of the same or more restricted classification.

(e) Relocation

(1) For purposes of this subsection, "relocate" or "relocation" means to move a nonconforming use to occupy an area of land or a building that was not occupied on the effective date of this Chapter or any amendment that created the nonconformity

(2) Nonconforming uses shall not relocate, except as provided in subsection (3) below.

(3) The Board of Zoning Adjustment may approve the relocation of a nonconforming use, subject to the following:

a. The relocation shall either –

1. Reduce the extent or intensity of the nonconformity, or

2. Extinguish another nonconforming use of at least the same extent or intensity.

b. The relocation shall not occupy any open space or landscaped area that is required by this Chapter;

c. The relocation shall comply with the dimensional regulations, including setback and height regulations, of the zoning district in which the use is located;

d. The relocation shall not occupy any land beyond the boundaries of the property or lot as it existed on the effective date of this Chapter; or

e. Displace any conforming use in the same building or on the same parcel.

(f) Extension or Expansion

(1) Applicability. This subsection applies to any extension or expansion of a nonconforming use, defined as follows:

Expansion *(or "expand")*	An increase in the land area covered by the nonconforming use, except as provided in the definition of "extension" below.
Extension *(or "extend")*	An increase in square footage or volume of a nonconforming use. The following are not considered an extension or expansion of a nonconforming use if they do not increase the square footage or volume of the use: • Attachment of signs that comply with requirements of this Chapter at the time of attachment, • Awnings, racks, balconies, or other projections from the building or structure that houses the use, • Display materials, • Lights, or • Similar extensions. For purposes of this definition – • "square footage" means the structure's gross floor area as determined by the building code, and • "volume" means the volume of the structure that houses the use measured inside the exterior faces of all exterior walls.

(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.

(3) 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

(g) Resuming Use of Vacant Buildings or Parcels

(1) Applicability

a. This subsection applies to any nonconforming use that becomes vacant. For purposes of this subsection, "vacant" means that a building or land is not occupied or used in whole or in part, by a bona fide use or business.

b. The intent to use a building or parcel for any nonconforming use is not considered in interpreting and construing the word "vacant" as used in subsection "a." above.

c. The owner of the building or land claiming retention of the nonconforming use has the burden of proof to establish the existence and retention of a nonconforming use by clear and convincing evidence.

(2) Generally. A building or parcel on which a nonconforming use is located may only be used if it complies with all applicable requirements of the zoning district and this Title after it remains **vacant** for a continuous period of **12 calendar months**.

(3) Leases

a. Generally. If the lessee of any building or place where a nonconforming use is established under a bona fide lease ceases to occupy or use the building for nonconforming purposes before the lease expires, the building or land is not considered vacant until the owner of the buildings or land regains legal control of its occupancy and use. This exemption does not apply if the lessor, for any reason, is entitled legally to regain possession and does not attempt to do so by legal means.

b. Proof of lease. To prove the existence of a lease, the owner must provide the Administrator a copy of the lease before a certificate of occupancy is approved for the subject site. If an unwritten lease exists, the applicant must file a notarized affidavit on a form provided by the Administrator with the Administrator before a certificate of occupancy is approved for the subject site.

(4) Bankruptcy. If a building or place used for nonconforming purposes is part of an order of bankruptcy, it is not considered vacant until it is sold or its possession is returned to the owner by order of court or otherwise in the bankruptcy proceedings.

(5) Foreclosure. Any building or land used for nonconforming commercial or industrial purposes that is subject to a recorded mortgage is not considered vacant after foreclosure proceedings are instituted until the mortgagee or purchaser, at a foreclosure sale, takes possession and ownership is established by court procedure or until the mortgagee gains possession of the property by a recorded legal transfer.

89-99 Nonconforming Lot

(a) Applicability. This section applies to any nonconforming lot. A "nonconforming lot" means a lawfully platted or established lot that is below the required minimum lot size for the zoning district.

(b) Generally. A legal nonconforming lot may be built upon if:

(1) The lot is a lot of record; and

(2) The use is permitted in the district in which the lot is located; and

(3) The lot meets the minimum frontage requirements of the zoning district. If the frontage requirements cannot be met, the lot shall comply with the access requirements of Article 3; and

(4) All yards or height standards are complied with, except that the Administrator may approve a reduction of required yards of up to 10% if it does not allow a building that is larger than a building permitted on a conforming lot in the district.

(c) Residential Zoning Districts. A nonconforming lot that is a lot of record in a **residential** district may be used only for a single-family dwelling or public utilities.

(d) All Other Districts. A nonconforming lot that is a lot of record in **any other district** may be used for any use allowed in the district, subject to all other applicable requirements of Articles 2 (Zoning) and 3 (Development Standards).

89-100 Nonconforming Structure

(a) Applicability. This section applies to any nonconforming structure. A "nonconforming structure" means a lawfully established structure that does not conform to the zoning district regulations that govern size, setbacks, building height, or other dimensional requirements.

(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.

(c) Maintenance, Repairs and Alterations. Routine maintenance of nonconforming structures is permitted, including necessary non-structural repairs, paint, and incidental alterations which do not extend or intensify the non-conformity.

(d) Alteration, Extension or Expansion. A structural alteration, including an extension or expansion (as defined in § 89-98(f)(1)), of a nonconforming structure is allowed if it –

(1) Does not increase the nonconformity, and

(2) Does not involve or create a nonconforming use or nonconforming site improvement.

(e) Unsafe Structures. Any nonconforming structure declared unsafe by a proper authority shall be restored to a safe condition.

(f) Variance. Nonconforming structures may be made conforming with a variance (see Article 4).

(g) 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.

89-101 Nonconforming Site Improvements

(a) 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.

(b) Generally

On lots with nonconforming site improvements, no additions to, or repairs or alterations of any structure or site improvement are allowed unless:

(1) The nonconforming site improvements are brought into complete conformity with the regulations applicable to the area or zoning district, or

(2) The Administrator approves the activity as provided in subsection (c) below.

(c) Approved Nonconforming Site Improvements

Administrator may approve additions, repairs or alterations to any structure or site improvement on a lot with a nonconforming site improvement if:

(1) The nonconforming site improvement(s) will be the only nonconforming site improvements pertaining to the property.

(2) Compliance with the site improvement requirements applicable to the zoning district in which the property is located is not reasonably possible. Mere financial hardship does not constitute grounds for finding that compliance with the site improvement 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 or safety.

(4) The owner has committed to other site design measures to reduce the negative impacts associated with the nonconformity.

89-102 Projects in Process

(a) Applications in Progress

(1) This subsection applies to any **Application in Progress**, defined as applications for zoning, building permit, or subdivision plat approval that were filed before this Chapter, or an amendment to this Chapter that affects the application, became effective.

(2) **An Application in Progress is not considered legally nonconforming**, except as provided below. The application is subject to all applicable provisions of this Chapter when the application was filed and while it is being processed, unless otherwise provided in an ordinance amending this Chapter.

(3) **Effect on Existing Building Permits**. Nothing in this UDC requires a change in plans, construction, or designated use of any building or structure for which a building permit was lawfully

issued prior to the effective date of adoption or amendment of this Chapter, if construction was commenced and completed within the time period required by the building code. If the building code does not establish a time period for construction, construction must be commenced within 180 days and completed within 2 years after issuance of the building permit.

(4) The development approval process usually requires a series of steps, and applications are subject to any conditions provided in an earlier step in the approval process as set out in Article 4. An approved application normally does not create a legal nonconformity or vested rights. However, in consideration of existing, good faith investments in project approvals, the LCG will continue to process existing applications as follows:

Table 89-102-1 Conditions on Existing Approvals

	Type of Application	Conditions or Continuation
1	**Annexation** **Boundary Adjustment** **Rezoning or Annexation** **Zoning Assignment** **Subdivision, Sketch Plan** **Text Amendment**	An approved application is not considered legally nonconforming unless that applicant has obtained vested rights under Louisiana law, or to the extent provided in an enforceable development agreement (see LRSA Title 33, Chapter 14, Part G).
2	**Subdivision, Preliminary Plat** **Subdivision, Final Plat** **Acceptance of improvements**	• Subdivision plat may proceed in accordance with subdivision regulations in effect at time of approval • At time of building permit, all other regulations of this Chapter apply except for minimum lot size
3	**Appeal-Planning and Zoning Commission decision** **Conditional Use Permit** **Variance (Zoning)**	• All development consistent with the decision is subject to the regulations in effect at the time of the appeal if a building permit or certificate of occupancy (if no building permit is required) is issued within 1 year of the final decision, and development timely proceeds pursuant to the building permit or certificate of occupancy. If the decision involves a preliminary or final plat, the 1-year period described above applies to the next stage of the platting process, or • If development does not timely proceed as set out above, the rules in row 1 above apply.

(b) Buildings Under Construction

(1) A building legally under construction that does not comply with this Chapter becomes nonconforming when this Chapter or an amendment becomes effective.

(2) The applicant shall apply for a determination that the building is a nonconforming use by using the procedures in Article 4 for Variances and Appeals to Board of Zoning Adjustment (BOZA)(§ 89-67). In lieu of the standards provided in § 89-67(f), the Board of Zoning Adjustment may approve the nonconforming use determination if it finds that the construction represents a substantial investment.

89-103 Destruction

(a) Applicability. This section applies to any nonconforming use or structure that is destroyed by vandalism, fire, storms, or other acts of God or the public enemy.

(b) Continuation. The nonconforming use or structure may be restored if the restoration is accomplished with –

(1) no increase in building volume , and

(2) no increase in floor area over the building existing immediately prior to the damage.

(c) Registration

(1) The property owner shall file with the Administrator a registration indicating how the use or structure was destroyed and their intent to restore within 1 year of the destruction.

(2) Restoration shall be completed within 1 year from the date of the registration.

(3) The Administrator may approve up to 2 extensions for 1 year if the applicant files a request before the restoration period expires.

89-104 Nonconformity Created by Public Action

(a) Any nonconforming structure or land expressly created or caused by a conveyance of privately owned land to a federal, state or local government to serve a public purpose is conforming for the purposes of this Chapter, and is not subject to the limitations of this Article.

(b) The exemption in subsection (a) applies only to cases where private land is obtained by a governmental entity for a public purpose, through condemnation, threat of condemnation or otherwise, which creates a nonconformity in the remainder parcel in terms of setback, lot size, or other standards of this Chapter.

(c) The exemption in subsection (a) does not apply to right-of-way dedication or other public conveyances of land required by the City in the course of subdivision or other routine development plan approvals.

89-105 to 89-119 Reserved

Amended March 2016

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Article 7. Agencies

89-120 Administrator

(a) Designation

The Director of the PZD is the official charged with administering this Chapter.

(b) Authority and Duties

(1) Except where otherwise specifically provided in the UDC, the Administrator is charged with administering the UDC.

(2) The Administrator may promulgate and make public reasonable rules and regulations for the purpose of proper enforcement of the provisions of this Chapter, provided that the rules and regulations shall not be inconsistent with the provisions of this Chapter, the LCG Charter, or the Constitution of the State of Louisiana.

(3) The Administrator has the authority and duties established in Section 4-09 of the LCG Charter.

(4) The Administrator may delegate any of its authority or duties assigned by the UDC to any professional staff in the PZD. In that case, any reference to the Administrator in this Chapter refers to that staff member when acting within the scope of their delegated authority.

89-121 Planning and Zoning Commission

(a) Establishment

The Planning and Zoning Commission is established by Section 4-10 of the LCG Charter.

(b) Authority and Duties

(1) The Planning and Zoning Commission has the authority and duties assigned in Section 4-10 of the LCG Charter and this Chapter.

(2) The Planning and Zoning Commission may establish any policy, procedure, rule, and/or regulation concerning the conduct of its affairs, including, but not limited to, the conduct of its meetings as the Planning and Zoning Commission in its sole direction shall deem necessary for the conduct of its business.

89-122 Board of Zoning Adjustment

(a) Establishment

(1) As of the effective date of the Home Rule Charter, there was in existence the Board of Zoning Adjustment. The Lafayette City-Parish Council reorganizes that existing Board under the terms and conditions contained in this § 89-122.

(2) Pursuant to the Home Rule Charter for Lafayette City-Parish Consolidated Government, the Lafayette City-Parish Council may, by ordinance, reorganize any Board or commission in existence at the date the Charter becomes effective. By adopting Ordinance, O-180-96, as amended, the Lafayette City-Parish Council recognized and reorganized the Board of Zoning Adjustment previously established by Ordinance O-191 of the Code of Ordinances of the City of Lafayette, Louisiana.

(3) The Board shall continue to be known as the Board of Zoning Adjustment.

(b) Members

(1) The Board shall consist of five members and two alternate members.

(2) Any member or alternate member must a registered voter and domiciled within the corporate limits of the City of Lafayette, Louisiana, at the time of his/her appointment. He/she must remain a land owner and a registered voter and domiciled within the corporate limits of the City of Lafayette, Louisiana during his/her term of office.

(3) The two alternate members shall serve only when called upon to constitute a quorum. When serving, alternate members have all of the powers and duties of regular members.

(c) Appointment

(1) The **City-Parish President** shall directly appoint 1 member.

(2) The **Lafayette City-Parish Council** shall directly appoint 4 members. One of the 4 members shall be a minority as defined by La. R.S. 38:2233.2. The two alternate members shall be the direct appointments of the Lafayette City-Parish Council as a whole.

(3) **Initial appointments**. The initial Board, as reorganized, shall be appointed by resolution of the Lafayette City-Parish Council.

(d) Removal, Vacancies, and Subsequent Appointments

(1) All members are removable for cause by the appointing authority upon written charges and after public hearing as provided by La. R.S. 33:4727.

(2) Any vacancy shall be filled for the unexpired term of any member whose term becomes vacant.

(3) Subject to the foregoing, all of the above members shall continue to serve until the expiration date of their appointment.

(4) Any appointment made after these initial appointments are removable for cause by the appointing authority upon written charges and after public hearing.

(e) Term

(1) Members. Subject to the provisions established above, appointments of members are for a period of 5 years from the date of appointment as provided by La. R.S. 33:4727.

(2) Alternate Members. One alternate member shall be appointed for a term of 3 years and the second alternate shall be appointed for a term of 2 years. Thereafter, each alternate member will be appointed for a term of 3 years.

(3) Term Limits. The limitation of service is 3 consecutive terms but in no case to exceed 12 consecutive years. In the case of these initial appointments, prior service on the Board is counted toward this term limitation. Service of one-half or more of an unexpired term is considered a term within the meaning of this limitation.

(4) Reappointment after Term Limit Served. An individual may be reappointed to this Board after the term limit in subsection (3) expires only after 4 years elapses since the last day of service of that individual on this Board.

(5) Notification of Appointment. The appointing authority for any appointments shall communicate, in writing, to the Clerk of the City-Parish Council the name of the appointee, the name of this Board, and the date of the appointment. All appointments to this Board shall be memorialized by adoption of an ordinance or resolution of the Lafayette City-Parish Council.

(f) Authority and Duties

(1) The Board of Zoning Adjustment has the following powers:

a. To hear and decide variances and appeals pursuant to Article 4 of this Chapter. (⇔ *see § 89-68*)

b. To hear and decide all matters referred to it or upon which it is required to pass under this Chapter.

c. To adopt its rules and regulations, which become effective only after they are approved in writing by the Lafayette City-Parish Council.

(2) General policy. The Board shall be subject to the general policy for all Boards, commissions, and/or agencies established in any Resolution by the Lafayette City-Parish Council. The Board shall also be subject to all applicable provisions of Louisiana law, including, but not limited to, La. R.S. 33:4727.

(g) Meetings

(1) Meetings of the Board shall be held at the call of the chairman and at such other times as the Board may determine.

(2) The chairman or, in his absence, the acting chairman or vice-chairman may administer oaths and compel the attendance of witnesses.

(3) All meetings of the Board shall be open to the public.

(4) The Board shall keep minutes of its meetings showing the vote of each member upon each question or if absent or failing to vote indicating the fact, and shall keep records of the examination and other

official actions, all of which shall be filed immediately in the office of the Board and shall be public records.

(5) All testimony, objections thereto, and rulings thereon, shall be taken by an auditory recording or by a reporter employed by the Board for that purpose.

(h) Procedures

(1) The Board may establish any policy, procedure, rule, and/or regulation concerning the conduct of its affairs, including, but not limited to, the conduct of its meetings as the Board in its sole direction shall deem necessary for the conduct of its business.

(2) The Board shall elect, at its first meeting and annually thereafter, a chairman, a vice-chairman, and a secretary from its membership. The term of each office shall be for one year, with eligibility for reelection. Three members of the Board shall constitute a quorum for all purposes.

(i) Reports

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.

(j) Audit

If the City-Parish Council determines that this Board is an entity which must be audited, the Council shall have the right, by separate Council Resolution (1) to select and designate an auditor for the Board; (2) to determine the cost of any such audit; (3) to determine how the cost of such audit shall be paid. Furthermore, the Lafayette City-Parish Council will have the right to designate a private auditor to make any audit which it desires concerning the financial affairs of the Board.

(k) Budget

The annual proposed budget of the Board, if any exists, shall be submitted by the Board to the Lafayette City-Parish President no later than 60 days before the end of the Board's fiscal year. The city-parish president shall have the proposed budget reviewed and shall submit his/her findings, if any, to the Lafayette City-Parish Council, together with his/her recommendations, if any, within 30 days after his/her receipt of the proposed budget. The Lafayette City-Parish Council shall approve each annual budget for this Board and shall have the ability to approve and/or deny any part or portion of the proposed budget of this Board.

(l) Legal Representation

The Lafayette City-Parish Attorney, or his designee, shall serve as the legal advisor of this Board.

89-123 Hearing Examiner

(a) Establishment

(1) There is hereby created the Office of Hearing Examiner.

(2) The Hearing Examiner shall be the person who is serving as Director of the PZD.

(3) The Hearing Examiner may appoint a designee to perform their duties from time to time if they are unable to conduct certain hearings due to scheduling or other conflicts.

(b) Authority and Duties

The function of the Hearing Examiner is to:

(1) Review subdivision plat applications which qualify under either R.S. 33:113 or 33:113.1 for approval without public hearing or which qualify for consideration and administrative approval.

(2) When a plat application comes before the Hearing Examiner under Article 4 of this Chapter, approve or certify certain plats involving minor modifications of existing parcels, including boundary line adjustments.

(3) On a monthly basis, provide the Planning and Zoning Commission with a summary of all plats acted upon by the Hearing Examiner, so that the Planning and Zoning Commission may review, analyze and otherwise monitor the activities of the Hearing Examiner.

(4) Enforce the provisions of both state law and applicable subdivision regulations relative to the creation of illegal subdivisions and the territorial jurisdiction covered by the respective subdivision regulations. In that regard, the Hearing Examiner may take any one or more of the following actions:

a. Deny the granting of building permits for the construction of improvements upon property which are subdivided without compliance with these subdivision regulations.

b. Turn over to legal counsel for the LCG any found violations for purpose of prosecution under R.S. 33:114.

c. Resort to such other remedies as are provided by state law or local ordinance.

(5) Grant extensions of letters of credit as provided in Article 4 of this Chapter.

89-124 Areawide Development Review Committee

(a) Establishment

There is established an Areawide Development Review Committee ("ADRC") consisting of representatives of the various LCG departments and agencies, committees or boards width control over public facilities or services, or public or private utilities or franchises.

(b) Authority and Duties

(1) The ADRC may review plats is reviewed for compliance with drainage, transportation, zoning, utilities, and similar requirements of this Chapter, and

(2) Make a recommendation of approval, conditional approval or denial to the Hearing Examiner or Planning and Zoning Commission.

89-125 to 89-149 Reserved

Amended March 2016

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Article 8. Definitions & Rules of Interpretation

89-150 Rules of Interpretation

For purposes of interpreting this Chapter, the following rules of word use apply (⇔ *see also LCG Code § 1-2*):

(a) Interpretation

In interpreting and applying this Chapter –

(1) This Chapter establishes the minimum requirements to promote the public safety, health, convenience, comfort, morals, prosperity, and general welfare.

(2) This Chapter does not interfere with, abrogate or annul any ordinance, rules, regulations, or permits previously adopted or issued, and not in conflict with any provision of this Chapter, or which are adopted or issued pursuant to law relating to the use of buildings or premises and not in conflict with this Chapter.

(3) This Chapter does not interfere with, abrogate or annul any easements, covenants, or other pre-recorded agreements between parties. However, that where this Chapter imposes a greater restriction upon the use of buildings or land or upon the height of buildings, or requires larger open space or larger lot area than are imposed or required by those ordinances or agreements, this Chapter controls.

(b) General Rules of Interpretation

Except where specifically defined in this Chapter –

(1) All words used in this Chapter have their customary meanings unless otherwise defined in this Article or elsewhere in this Chapter.

(2) Words used in the present tense include the future.

(3) The plural includes the singular.

(4) The term "used for" includes "designed for," or "intended for," or "maintained for," and "occupied for."

(5) The words "shall" or "must" are mandatory. The words "may," "should" and "encouraged" are permissive.

(6) Unless the context clearly indicates a different meaning, "occupied" or "used" is considered as though followed by the words "or intended, arranged, or designed to be used or occupied." The term "used for" includes "designed for," or "intended for," or "maintained for," and "occupied for."

(7) Words importing the masculine gender include the feminine and neuter and vice versa.

(8) Unless specifically provided, in computing any period of time, refer to LCG Code § 1-2.

(9) Where this Chapter permits or requires an act on the part of an "owner" or "landowner," and a particular lot or tract of land is owned by several persons, whether in indivision, partnership, joint venture or other form of joint ownership, the act shall be taken on behalf of, and with the express consent of, all such persons.

(10) Any reference to a statute, provision of the LCG Code, other laws or regulations, reference documents, technical manuals, or other documents refer to the most recent versions of those documents, including any amendments or updates to the statute, LCG Code, law, regulation, or other document.

89-151 Definitions

(a) The words, terms and phrases used in this chapter are defined in Table 89-151-1 General Definitions below.

(b) Other parts of this chapter include specific definitions (See, for example, § 89-21 [defining uses], 89-86 [Manufactured Homes / Mobile Homes / Trailers], 89-90 [Signs], and Article 6 [Nonconformities]). Those definitions supersede the definitions in this section to the extent that they are inconsistent.

(c) Words not defined below are given their normal, customary meeting.

Table 89-151-1 General Definitions

"A" Street	Streets along which buildings are characterized by design elements that emphasize walkability, with buildings aligned close to streets and a high level of modulation and permeability, as defined in the MX and Downtown district regulations (⇔ *see Article 2*) and the Mixed Use Center Design Standards and Mixed Use Building Standards (⇔ *see Article 3*).
"B" Street	Streets that maintain minimum standards for walkability while allowing for some flexibility for uses and locations where meeting "A" Street standards may not be viable, as defined in the MX and Downtown district regulations (⇔ *see Article 2*) and the Mixed Use Center Design Standards and Mixed Use Building Standards (⇔ *see Article 3*).
Accessory Apartment	A secondary, independent living facility located in, or on the same lot as, a single-family residence.
Accessory Building	A subordinate building or a portion of the principal building on a lot, the use of which is customarily incidental, secondary, or minor to that of the principal building.
Accessory Use	A use customarily incidental and subordinate to the principal use or building and located on the same lot with the principal use or building.
Accessway	A paved area intended to provide ingress and egress of vehicular traffic from a public or private right-of-way to an off-street parking or loading area. Parking lot aisles are not considered accessways.
Adjacent	Adjoining, abutting, touching, and sharing a common boundary.
Administrator	Lafayette Consolidated Government Planning, Zoning and Development Department (PZD) Director, or their designee.
Agricultural	The cultivating of soil, producing crops, and raising livestock; farming.

Agricultural Land	For the purposes of this Chapter, Land designated by the Lafayette Parish Tax Assessor as agricultural in use.
Alley	A public or private Road which affords only a secondary means of access to the rear of abutting property fronting on another Road and not intended for general traffic circulation.
Alteration, Structural	Any change other than incidental repairs which would prolong the life of the supporting members of a building such as the addition, removal, or alteration of bearing walls, columns, beams, girders, or foundations.
Apartment	See "Multi-Family" as defined in the Use Table. (⇔ *§ 89-21*)
Apartment House	See "Apartment House" as defined in the Use Table. (⇔ *§ 89-21*)
Application	An application filed for a permit or land development decision referenced in Articles 4 or 10 of the UDC.
Arboricultural Specifications	For the purpose of compliance with this Chapter, those standards and specifications which govern the planting, trimming, bracing, pruning, spraying, fertilizing, removing, maintaining, and preservation of trees and shrubs in accordance with accepted practices of the Louisiana Department of Agriculture and Forestry and the International Society of Arborists (ISA).
Arterial	A major or minor arterial as designated by the most recently adopted Lafayette Transportation Plan.
Arterial Street	A general term denoting a highway primarily for through traffic, carrying heavy loads and large volumes of traffic, usually on a continuous route, and shown as such on the Lafayette Transportation Plan.
Arterial, Major	Those streets designated as major arterial streets on the Lafayette Transportation Plan.
Arterial, Minor	Those streets designated as minor arterial streets on the Lafayette Transportation Plan.
At Least	No less than; a minimum of.
Awning	An attached roof-like cover which projects from the wall of a building or roof overhang and supported by cantilevering or bracketing from the face of the building. An awning may provide shade to the public and private frontage. An awning may be retractable fabric, permanently fixed fabric, or fixed cantilever structure.
Balcony	Habitable covered or uncovered outdoor space extending from the upper stories of a Building Façade. This does not include a Gallery.
Behind	Between the structure or situation indicated and the rear property line. Example: "behind the principal building" means located between the principal building and the rear property line.
Best Management Practices (BMPs)	Schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to prevent or reduce the pollution of waters of the state. BMPs also include treatment requirements, operating procedures, and practices to control plant site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw material storage.
Billboard	See Article 5, § 89-90 (Signs).
Block	A tract of land bounded by streets, or by a combination of streets and other physical features such as public parks, cemeteries, railroad rights-of-way, or the shorelines of waterways.
Boulevard	A broad, often landscaped thoroughfare with lanes in each direction, separated by a median strip.
Buffer	Buffers provide distance between the development and another land use. (⇔ *See Article 3 ("Landscaping, Buffers & Screening") for buffer standards, improvement and planting requirements, and structures or improvements allowed within the required buffer.*

Buildable Area	The area of that part of the lot not included within the required setbacks or lot open space.
Building	Any structure having a roof supported by columns or by walls and intended for the shelter, housing, or enclosure of persons, animals, or property of any kind.
Building Area	See "Gross Floor Area."
Building Facade	The principal front of a building facing a Front Lot Line.
Building Footprint	The horizontal area of a Lot on which a building or structure is built.
Building Height	The height of a building as measured in stories. (⇔*See Article 3, "Building Height"*)
Building Scale	The relationship between the mass of a building and its surroundings, including the width of street, common open space, and mass of surrounding buildings. Mass is determined by the three-dimensional bulk of a structure height, width, and depth.
Building Setback Restriction	A defined area designated on a subdivision plat where buildings or structures may not be constructed.
Building Volume	The volume of a structure measured inside the exterior faces of all exterior walls.
Caliper	A trunk diameter measurement of nursery stock. For diameters of four inches or less, measurement is taken six inches above ground level. For larger than four inches, measurement is taken 12 inches above the ground.
Canopy *(Building)*	A canopy is a roof-like structure projecting from a wall that is cantilevered or supported in whole or in part by vertical supports to the ground and erected primarily to provide shelter from the weather.
Canopy *(Tree)*	In reference to trees, the main mass of branches of a tree, determined from the outer perimeter of the branches of a tree as projected vertically to the ground.
Carport	See Article 5. (⇔ *§ 89-81*)
Certificate Of Occupancy	See Article 4. (⇔ *§ 89-65*)
City	The City of Lafayette. This includes any agency, department or official of the City that has the duty or authority to act on a matter referred to in the UDC.
City-Parish	See "Lafayette Consolidated Government or 'LCG'."
Civic Space	A category of common open space that includes Plazas, Squares, Courtyards, Pedestrian Pathways, or Greens, as detailed in Article 3, § 89-40 (Open Space).
Collector	A road that primarily allows motorists, pedestrians, or transit vehicles to travel from local streets to arterial streets.
Collector, Major	Those streets designated as major collector streets on the Lafayette Transportation Plan.
Commercial	Any business, trade, industry, or other activity engaged in for profit. For purposes of this chapter, the "commercial" use refers to any use within the "Commercial / Mixed Use" and "Lodging / Short-Term Rental" land use categories of the Use Table (§ 89-21), and a "commercial" zoning district refers to any of the following zoning districts: "MN" Neighborhood Mixed Use, "MX" Mixed-Use Center, "CM" Commercial Mixed, and "CH" Commercial Heavy.
Commercial Building Site	Unless otherwise provided, any lot or parcel used for the construction of any commercial or non-residential use.
Commercial Frontage	As used in the Downtown District regulations (see Article 2, Article 3) and Mixed Use Building Standards (see Article 3), a general commercial frontage suitable for office, retail, institutional, and other commercial uses. This type of frontage is typically found in the urban setting of a downtown or main commercial main street, and may have an at-grade door built close to a sidewalk and substantial transparent glass, and may be combined with an Awning or Gallery frontage.
Commission	See Planning and Zoning Commission.

Common Open Space	A category of open space that includes land within or related to a development, not individually owned, that is designed, intended, and reserved primarily for the use or enjoyment of residents, occupants, owners of the development, or the public, as detailed in Article 3, § 89-40 (Open Space).
Compatible Use	A use which is capable of existing in harmony with other uses situated in its immediate vicinity. Includes the phrase "compatible with surrounding land uses."
Comprehensive Plan	The plan titled "PlanLafayette" dated May 5, 2014, and adopted by the Commission on June 10, 2014.
Conditional use	A use designated as a conditional use in the Use Table (⇔ *§ 89-21*) and that requires discretionary review by the Planning and Zoning Commission (see Article 4)(⇔ *§ 89-54*).
Condominium	The property regime under which portions of immovable property are subject to individual ownership and the remainder thereof is owned in indivision by such unit owners. (⇔*Louisiana Condominium Act*, *LRSA 1121.101, et seq.*))
Consolidated Thoroughfare Plan	The document adopted by the Lafayette Metropolitan Planning Organization titled "Consolidated Thoroughfare Plan" and dated November 11, 1997, as amended.
Corner Lot	A lot abutting upon two or more roads at their intersections.
Correction Plat	A plat, previously approved by the Planning and Zoning Commission and duly recorded, which is resubmitted to the Commission for re-approval and recording which contains dimensional or notational corrections of erroneous information contained on the originally approved and recorded plat. A correction plat is not considered as a replat or resubdivision and does not contain any changes or additions to the physical characteristics of the original subdivision, but is intended to correct errors or miscalculations.
Council	The Lafayette City-Parish Council.
Covenant	A written promise or pledge or contract commonly referred to in relation to subdivisions as restrictions.
Coverage	See "Lot Coverage."
Critical Root Zone	A circular region measured outward from a tree trunk representing the essential area of the roots that must be maintained or protected for the tree's survival. Critical root zone is one foot of radial distance for every inch DBH, for Live Oaks 1.5 feet for every inch DBH, with a minimum of eight feet.
Cul-De-Sac	A road with one end open to traffic and the other end terminated by a vehicular turn-around.
Curb Return And/Or Curb Radius	The curved edge of streets at an intersection or at a driveway measured at the outer edge of the street curb or of the parking lane, and which is rounded to from the connection between intersecting curb lines.
Dead-end street	A street open for vehicular traffic at one end only.
Dedication	The intentional appropriation of land by the owner to some public use.
Density	The number of dwelling units divided by the total land area subject to an Application, stated as dwelling units per gross acre.
Depth *(of Lot)*	The average distance from street right-of-way to the rear lot line, which is the lot line opposite and most distant from said right-of-way line.
Develop or Development	Any man-made change to improved or unimproved real estate, including, but not limited to, the construction of buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations, or storage of equipment or materials.
Developer	Any person, group, or corporation acting as a unit, or through an agent, developing or subdividing or proposing to develop or subdivide land.

Diameter At Breast Height (DBH)	The diameter of a tree's trunk measured at a height of 4.5 feet from the base of the tree. For trees having multiple trunks, separating below 4.5 feet from the base of the tree, the DBH is the sum of the trunks' DBH. (The diameter is determined by dividing the circumference by 3.14 [p]).
District	Any section of the City of Lafayette in which the zoning regulations are uniform, as designated in Article 2 of this Chapter.
Double Frontage Lot *(or Through Lot)*	A lot which runs the depth of the block with frontage on more than one street, and that is not a corner lot (see "reverse frontage lot").
Drainage Course	A natural or man-made area intended for the collection or distribution of rainfall or flood waters such as bayous, coulees, canals, swales, and flood water basins.
Drive Lane	A lane within a Road intended for moving vehicles, as opposed to a parking lane.
Dwelling	A building, or individual units within a mixed-use building, designed for or used exclusively for residential purposes. A dwelling includes any use designated as a "residence" in the Use Table. (⇔ *§ 89-21*)
Dwelling Unit	A dwelling unit consists of one or more rooms, including a bathroom and complete kitchen facilities, which are arranged, designed, or used as living quarters for one family.
Easement	See "Servitude."
Engineer	Any person registered by the State of Louisiana to practice professional engineering.
Evidence	Any map, table, chart, contract, or any other document or testimony, prepared or certified by a qualified person to attest to a specific claim or condition. The evidence must be relevant and competent and must support the position maintained by the person or party presenting it.
Family	A family is defined as one or more persons who are related by blood or marriage living together and occupying a single housekeeping unit, or a group of not more than four single persons living together by joint agreement and occupying a single housekeeping unit on a non-profit, cost-sharing basis. Domestic servants residing on the premises shall be considered as part of the family.
Fence	An opaque barrier constructed of solid, rigid material.
Final Subdivision Plat	The final plan of the plat, subdivision or dedication prepared for filing and recording in conformance with this Chapter.
Flex Frontage	A Frontage allowing both Residential and Commercial Uses to increase market flexibility where commercial uses may not always be viable on the ground floor.
Flood Hazard Area	An officially designated land area adjoining a river, stream, water course, or lake that is likely to be flooded by a storm equal to or greater in intensity than the storm event designated in Article 3 (Flood Damage Prevention).
Floor Area	Floor area is the sum of the gross horizontal areas of the several floors of the principal buildings but not including the area of roofed or unroofed porches, terraces, or breezeways. All dimensions are measured between the exterior faces of the walls.
Forest Cover	A biological community dominated by trees and other woody plants, excluding orchards or nursery stock, covering a land area of 10,000 square feet or greater. Forest includes: • Areas that have at least 100 live trees per acre with at least 50 percent of those trees having a two-inch or greater DBH. • Forest areas that have been thinned but not cleared.
Forestation	The establishment of forest or tree cover on an area from which it is presently absent, or the planting of open areas which are not presently in forest cover.

Freeway And Expressway	Any fully controlled access highway which is constructed in such a manner as to prohibit any traffic intersections at grade, with cross streets being built either under or over such highway or terminating before entering such highway.
Front Lot Line	The property line of any lot or parcel that abuts a street right-of-way (other than an alley). A corner lot has two Front Lot Lines.
Front Setback Area	For purposes of the Downtown District (⇔ *see Article 2*), the area between the Front Lot Line and the Maximum Setback.
Frontage or Street Frontage	That portion of any tract of land which abuts a public street right-of-way and where the primary access to said tract is derived. That portion of any property contiguous to a street property line. Frontage is measured as the total distance over which the street right-of-way line and the lot or property lines are congruent, and includes all lots or properties under the legal control of the applicant. For purposes of article 3, the term "frontage" refers to "Street frontage" unless otherwise indicated in the "building frontage" definition below.
Frontage, Building	The area composed of both the Private Frontage and the Public Frontage. For purposes of the Downtown District (⇔ *see Article 2*), Mixed Use Center Design Standards and Mixed Use Building Standards (⇔ *see Article 3*), the term "frontage" refers to "building frontage" in less otherwise indicated.
Frontage Buildout	The distance, measured as a percentage of lot width, that a building is required to be constructed within the Front Setback Area.
Frontage Road	See "Marginal Access Street."
Furnishing Zone	A component of the Public Frontage defined by a public sidewalk that is used for street light standards, utility poles, street furniture, outdoor dining, planting areas, and tree planting.
Gallery	An attached structure that typically overlaps the Public Frontage to provide shade, and provides outdoor Habitable Space that may or may not be covered with a roof. The structure extends from the facade and is supported by a colonnade.
Garage	See Article 5. (⇔ *§ 89-81*)
Gross Floor Area	See "Floor Area."
Ground Cover	Low growing plants planted in such a manner as to form a continuous cover over the ground, such as turf, liriope, ground cover jasmine, or like plants that can be maintained at or below two feet in height. Plant materials used as ground cover may consist of grasses, ornamental grasses, vines, and other herbaceous material.
Habitable Space	Interior space suitable for human habitation including but not limited to office, residential, and retail uses.
Half Street	A street parallel and contiguous to a property line, and of lesser right-of-way width than is required for a street.
HUD Code	The regulations promulgated by the United States Department of Housing and Urban Development pursuant to the 42 U.S.C. Sec.5401, the National Manufactured Home Construction and Safety Standards Act.)
Impervious Surface	A man-made structure or surface which prevents the infiltration of storm water into the ground below the structure or surface. Examples are buildings, roads, driveways, parking lots, decks swimming pools, or patios. Wooden slatted decks, gravel surfaces, lakes/ponds, and the water area of a swimming pool are not considered impervious surfaces.

Improvements	Street pavement or resurfacing, curbs, gutters, sidewalks, culverts, bridges, street lights, tree plantings, open space, parking, water lines, sewer lines, sanitary and storm sewers, flood control and drainage facilities, utility lines, landscaping, and other related matters normally associated with the development of raw land into building sites.
Improvements Agreement Guarantee	Any security which is acceptable to the City-Parish in lieu of a requirement that certain improvements be made by the subdivider before the plat is approved, including performance bonds, letters of credit, escrow agreements, and other similar collateral of surety agreements.
Interface Zone	A component of the Public Frontage defined by the area between the Walkway and the Building Facade available for outdoor dining, sidewalk signs, street furniture, non-affixed planters, and outdoor merchandising.
Interior Lot	A lot other than a corner lot with frontage on a single street.
Interior Street	Any public street within a subdivision designed to serve only those properties within the boundaries of the subdivision in which it is dedicated and established.
Lafayette Consolidated Government Or "LCG"	The Lafayette City-Parish Consolidated Government. This includes any agency, department or official of LCG that has the duty or authority to act on a matter referred to in the UDC.
Lafayette Transportation Plan	A financially constrained list of road projects, in map form, that is developed by staff, reviewed by the Planning and Zoning Commission, and adopted by the Council. The Lafayette Transportation Plan may include non-local streets. One purpose of the plan is to identify, for purposes of planning for enhanced setbacks, those corridors most likely to be built in a 20-year horizon. The plan should be regularly updated to reflect changing priorities, development patterns, available funding, and compliance with the tenants of the comprehensive plan.
Land Development Decision	A decision rendered pursuant to Article 4 of the UDC or state law that changes land development policy or regulations, establishes a condition of development approval, or sets similar parameters precedent to development of property. Land development decisions include: annexations, acceptance of improvements, appeals, boundary adjustments, modifications, comprehensive plan amendments, rezonings and annexation zoning assignments, plat vacations, sketch plans, text amendments, and variances.
Landscape Area	An unenclosed area of land in which landscape materials are placed, planted, and maintained. Landscape areas include: • Island—Completely surrounded by pavement • Peninsula—Partially surrounded by pavement and attached to a landscape strip • Strip—Provided around the perimeter of a property
Landscape Design	The preparation of graphic and written criteria, specifications, and detailed plans to arrange and modify the effects of natural features such as plantings, ground and water forms, circulation, walks, and other features to comply with the provisions of this Chapter.
Landscape Materials	Living trees, shrubs, vines, grasses, ground covers, and other plants. This includes rocks, pebbles, sand, wood mulch, and other non-living durable materials commonly used in landscaping. Landscape water features and artificial plants not considered landscape materials in determining compliance with minimum landscape requirements unless they are part of a landscape environment that includes living plants.

Landscape Plan	A scaled plan that clearly delineates vehicular use areas and displays and describes all landscaping, including methods of irrigation and maintenance of landscaped areas.
Letter Of Credit	An agreement by a subdivider or developer with the Lafayette Consolidated Government guaranteeing the completion of physical improvements according to plans and specifications within the time prescribed by the agreement. (⇔ *§ 89-59*).
Limited Access Or Controlled Access Highway	Every street or roadway in respect to which owners or occupants of abutting lands and other persons have no legal right of access to or from the street or roadway, except at such points only and in such manner as may be determined by the Council.
Line of Sight	The clear sight distance area at an intersection required by motorists, pedestrians, bicyclists and others to view a conflict, make a decision and react to that decision.
Line, Right-Of-Way	See "Right-of-Way Line."
Loading Area	An area used for trash collection, refuse containers, outdoor freight loading and unloading, docks, or outdoor shipping and receiving.
Local Road	A street or road with a low level of traffic mobility and a high level of land access, serving residential, commercial or industrial areas. LCG typically has jurisdiction for these streets, unless they are private streets.
Loop Street	A type of local curved street, each end of which terminates at an intersection with the same street or thoroughfare.
Lot *(or "Plot")*	An undivided tract, parcel or plot of land contained within a block and designated on a subdivision plat by numerical identification, commonly used for a building site. The following specific lot types are further identified: corner lot, interior lot, reversed frontage lot, and through lot, as defined in this section.
Lot Area	The area of a lot computed in accordance with Article 3. (⇔ *§ 89-38*)
Lot Coverage	The area of a lot occupied by all buildings and other structures (using the roof outline for all outer dimensions) and impervious surfaces. The following are not included in calculating lot coverage: • Uncovered, paved terraces or patios • Decks attached to single- family dwelling units, and located entirely in the year yard
Lot Line	Any of the property lines bounding a lot.
Lot Lines	Lot lines refer to the property lines bounding a lot as defined herein.
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.
Lot Width	The horizontal distance between side lot lines measured at the front setback. Where a maximum front setback is established, lot width is measured at the maximum front setback line.
Lot, Corner	A corner lot is a lot abutting two or more streets at their intersection.
Lot, Depth Of	The depth of a lot refers to the horizontal distance between the front and rear lot lines, measured in the general direction of its side lot lines.
Lot, Frontage Of	The frontage of a lot is the length of all the property of such lot fronting on a street and measured between the side lot lines.
Lot, Interior	An interior lot is a lot other than a corner lot.
Lot, Width Of	The width of a lot refers to the mean width measured at right angles to its depth.
Lot, Width Of	The width of a lot refers to the mean width measured at right angles to its depth.
Lounge	See "Bar."

Maintenance	In reference to maintenance of trees and shrubs, an activity, including trimming, bracing, pruning, watering, or fertilizing of trees or shrubs for the purpose of stabilizing, enhancing, protecting, or controlling their growth.
Major Collector	A road so designated by the most recently adopted Lafayette Parish Consolidated Thoroughfare Plan.
Major Street	A street shown as a major arterial, minor arterial, or major collector on the Lafayette Transportation Plan.
Major Thoroughfare	See "Major Street."
Manufactured Home	A moveable or portable dwelling built on a permanent chassis, designed without a permanent foundation for year-round living, which may or may not be titled through and/or with a state agency, division, department and/or unit. It may consist of one or more units that can be telescoped when towed and expanded later for additional capacity, or of two or more units, separately towable but designed to be joined into one integral unit bearing the permanently affixed seal of the United States Department of Housing and Urban Development.
Marginal Access Street ***(or Frontage Road, Service Road)***	A street which is parallel to and adjacent to a Major Street, and which provides access to abutting properties and the transfer of vehicular traffic between the Major Street and other streets.
Master Plan	See "comprehensive plan".
Minor Street	A street intended primarily to provide pedestrian and vehicular access to abutting properties and designed to carry vehicular traffic from one or more individual lots to or from a collector or arterial street. This includes any street not designated on the Lafayette Transportation Plan as a major arterial, minor arterial, or major collector.
Mitigation	The mandatory replacement of trees, as required by the Landscaping, Buffers & Screening standards of Article 3. (⇔ *§ 89-36*)
Mobile Home	See Article 5, "Manufactured Homes / Mobile Homes / Trailers." (⇔ *§ 89-86*)
Mobile Home Park	See "manufactured home land lease community" as defined in Article 5, "Manufactured Homes / Mobile Homes / Trailers." (⇔ *§ 89-86*).
Modular Home	A factory-built, single-family structure that conforms to the Building Code rather than to the HUD Code.
Monuments	Permanent concrete or iron markers used to establish definitely, all lines of the plat of a subdivision or parcel property lines, including all lot corners, boundary line corners, and points of change in street alignment.
Motor Vehicle	A vehicle which is self-propelled.
Nonconformity	Any application in progress, nonconforming use, nonconforming structure, nonconforming lot, or nonconforming situation, as defined below. See Article 6.
Open Space	Open Space may be required as part of approval of a building permit or subdivision application, depending on the applicable rules in (⇔ *§ 89-40*) and Article 2. Open Space may include landscaping, common open space, or civic space, depending on the zoning district. Open Space does not include driveways, parking, or open storage areas except as provided in Article 3, "Open Space." (⇔ *§ 89-40*).

Out Parcel	A parcel of land external to a larger main parcel (such as a shopping center or office park) except for its frontage, and that - • is located on the outside perimeter of the main parcel, and • has frontage on a public road, and • has cross-access with the main parcel, • may be under separate ownership, or subdivided from, the main parcel.
Owner	The person who owns a lot, parcel, building or facility, or their duly authorized agent.
Parcel	A division of land such as - • An area of land defined by a recorded legal description, that is not divided into separate lots, or • A subdivision that contains multiple lots.
Parish	The Parish of Lafayette.
Park	See Article 3, "Open Space." (⇔ *§ 89-40*).
Parking Garage	A multi-level structure for the temporary placement of operable motor vehicles.
Parking Lane	The portion of a Road dedicated to on-street parking.
Parking Lot	An open area which is used for temporary parking of operable motor vehicles.
Parking Screen	A low wall built to partially screen off-street parking viewable from the Sidewalk.
Parking Space	A space available for the parking of 1 motor vehicle.
Party Wall	A common wall adjoining two attached buildings, or assembly of two separate building walls achieving the outward appearance of attached buildings.
Pedestrian Passage	A pedestrian connector, open or roofed, that passes between buildings to provide shortcuts through long blocks and connect rear parking areas to the Sidewalk.
Permit	A land development decision that generally authorizes the use, construction or development of land. A permit includes any of the following: conditional use permit, final subdivision plat, minor subdivision plat, preliminary subdivision plat, re-subdivision, building permit, or certificate of occupancy.
Person	A human being or legal entity, whether public or private, including a partnership, corporation, company, firm, association, joint stock company, trust, estate, commission, board, institution, utility, cooperative, or governmental entity. This includes an employee or legal representative or agent of the entity.
Phase	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 utility 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.
Place of Business	Any commercial, business or revenue-producing establishment, and including apartments.
Planning and Zoning Commission	The Planning and Zoning Commission ("Commission") as established in the Home Rule Charter (Section 4-10). The Commission is a parish planning commission in that portion of the parish outside of the City of Lafayette and a city planning and zoning commission for the City of Lafayette.

Plat	A map and supporting materials of certain described land prepared, in accordance with Article 4, as an instrument for recording of real estate interests with the clerk of court. (⇔ Article 4, Division 4, *§ 89-55 to 89-63*)
Plaza	See Article 3, "Open Space." (⇔ *§ 89-40*).
Preliminary Plat	The map or maps of a proposed subdivision and specified supporting materials, drawn and submitted in accordance with the requirements of Article 4, to permit the evaluation of the proposal prior to detailed engineering and design. (⇔ *§ 89-57*)
Preservation	In reference to preservation of trees and shrubs, an activity, including trimming, bracing, pruning, fertilizing, protecting or controlling of trees or shrubs for the purpose of retaining such tree or shrub in its existing location.
Preserve	Common open space that preserves or protects an area of land (such as floodplains, wetlands, protected habitats, environmental or natural features) from development.
Principal Building	A building in which the primary use of the lot on which the building is located is conducted.
Principal Use	A principal use is the main use of land or buildings as distinguished from a subordinate or accessory use.
Private Building Interface	The interface of a Building Facade and the Public Frontage and Thoroughfare including but not limited to openings, building access, and attachments such as Balconies, Awnings, and Galleries.
Private Frontage	The area between the Front Lot Line up to and including the first story of the building facade.
Private Street or Private Road	A parcel or strip of land dedicated to vehicular use for ingress or egress to and from a public street or for traffic circulation on the site, and maintained by the private entity to which it is dedicated. This definition applies whether the private street is improved or unimproved. If a parcel is subdivided, a private street is designated on the preliminary and final subdivision plat.
Property Lines	The lines bounding a lot or parcel.
Public Frontage	The area between the Front Facade of a building and the face of curb.
Public Hearing	A hearing conducted on an application by a decision making or recommending agency (such as the Lafayette City-Parish Council or Planning and Zoning Commission) after public notice, where parties are allowed to present and challenge evidence relating to the application.
Public Land	Immovable property owned and/or maintained by a public entity.
Public Open Space	Common open space that is owned and maintained by the Lafayette Consolidated Government.
Public Right-Of-Way	A parcel or strip of land dedicated to public use and maintained by the LCG.
Public Road *(or Public Street)*	A road that is owned and maintained by at least one public entity, such as LCG, the State of Louisiana, or the Federal government.
Public Way	An alley, avenue, boulevard, bridge, easement, expressway, freeway, highway, parkway, right-of-way, sidewalk, street, tunnel, walk or other ways which are dedicated (whether or not improved) in which the general public, a utility, or a public entity have a right of use.
Public Works Director	The person appointed by the City-Parish President to the position of Public Works Director, or their designee.
Registered Land Surveyor	Any person registered by the State of Louisiana to practice land surveying.

Removal	An intentional or negligent act which will cause a tree or shrub to decline and die, including, but not limited to, excessive cutting, pruning, operation of machinery, application of toxic substances, girdling, damage to the root system, or change of natural grade above the root system.
Reserve	A tract of land kept in reserve for future development.
Reserve Strip	A strip of land adjacent to a street or proposed street in a way that denies access from adjacent property to the street.
Resubdivision	The changing of any existing lot or lots of a subdivision plat previously recorded with the Clerk of Court of the Parish of Lafayette. This term includes reassembly of lots, except as provided in § 89-62 (Re-Subdivision).
Reverse Frontage Lots	Lots which have frontage on two public streets, and have access denied to one frontage. (Compare "double frontage lot" or "through lot".) A reversed frontage lot may also be a corner lot.
Right-of-Way	A strip or area of land taken or dedicated for use as a public way, or the use set forth in the instrument establishing the right-of-way.
Right-of-Way Line	The boundary or dedication line of a Road.
Road	A travel way for vehicles and pedestrians, transit, or other travel modes that: (1) is owned and maintained exclusively or jointly by LCG, State of Louisiana or federal government; or (2) is shown upon a an approved subdivision plat; or (3) is approved by other official action, whether or not the road is in public or private ownership. The road includes the land between the street lines, whether improved or unimproved.
Roadway	See "Drive Lane."
Service Road	See "marginal access street."
Servitude	A designated portion of land reserved for public utilities, drainage, passage and/or other purposes, the title of which shall remain with the property owner, subject to the right of use designated in the reservation of the servitude.
Setback	The distance from a lot line, street right-of-way line, or edge of sidewalk to the closest point of the foundation of a building or building projection (see definitions of front setback, side setback and rear setback below). See Article 3 for the regulations pertaining to allowed structures within, or projections into a setback. (⇔ *see § 89-38(e))*
Setback, Front	The setback extending from the front lot line. (⇔ *see § 89-38(e))*
Setback, Maximum (or Front / corner street (*max*))	The area extending from the Front Lot Line within which building elevations are located. (⇔ *see also Frontage Buildout*).
Setback, Rear	The setback extending from the rear property line. (⇔ *see § 89-38(e))*
Setback, Side	The setback extending from a side lot line. (⇔ *see § 89-38(e))*
Sewers, Community (Public Or Private) Or Central	An approved sewage disposal system which provides a collection network and disposal system and central sewage treatment facility(ies) for a single development, community, or region.
Shopping Center	See Integrated Business Center in Article 5 "Signs". (⇔ *§ 89-90 (a)(2)*).
Shrub	A low, usually multi-stemmed, self-supporting, woody plant species.
Sidewalk	A component of the Public Frontage with a continuous, unobstructed, accessible, paved area dedicated to pedestrian movement along the private frontage.
Sight Triangle	The area of a corner lot, located on private and/or public streets, formed by the intersecting projections of the right-of-way lines (for public streets) or the edge of the pavement (for private streets), calculated as provided in article 3 "Street Design". (⇔ *§ 89-44(g)*)
Sign	For all definitions pertaining to sign regulations, see Article 5. (⇔ *§ 89-90*)

Site	The land or water area where any development, facility or activity is physically located or conducted, including adjacent land used in connection with the development, facility or activity. This includes any lot or group of contiguous lots owned or controlled by the same person or entity, assembled for the purpose of development.
Site Area	Site area is the area included within the rear, side and front lot lines of the site. Site area does not include existing or proposed right-of-way, whether dedicated or not dedicated to public use.
Site, Building	See "Building site."
Sketch Plan	A map of a proposed subdivision to evaluate general feasibility and design characteristics at an early stage in the planning process. (⇔ *§ 89-56*)
Square	See Article 3, "Open Space." (⇔ *§ 89-40*)
State	State of Louisiana.
Storm Water Management Facility	Any facility proposed for a development that controls the flow of storm water including, but not limited to, ponds and basins.
Street	See "Road."
Street Line	See "Line, street."
Street Right-Of-Way	That portion of land dedicated to public use for street and utility purposes. This includes all curbs, lawn strips, sidewalks, lighting, and drainage facilities, and may include special features (required by topography or treatment) such as grade separation, landscaped areas and bridges.
Street, Private	Any street, road, rights-of-way, alley or right of passage that is privately owned, located on privately owned property, not dedicated to the public use and not subject to public use, but limited to use by the owner or owners who privately share the ownership, use and maintenance of such street, road, right-of-way, alley or right of passage. Private streets are not maintained by LCG.
Street, Public	Any street, road, right-of-way, alley or right of passage that is dedicated to LCG and the general public and the general public has the right to use the street, road, right-of-way, alley or right of passage. Public streets can be maintained by LCG when accepted by LCG for perpetual maintenance.
Streetscape	The area within a street right-of-way that contains sidewalks, street furniture, landscaping, or trees.
Structure	A structure is that which is built or constructed, an edifice or building of any kind, or any piece of work artificially built up or composed of parts joined together in some definite manner, including among other things buildings, houses, stadiums, storage bins, display signs, and radio towers.
Stub Street	A public street not terminated by a circular turnaround ending adjacent to the undeveloped property or acreage and intended to be extended when the adjacent undeveloped property or acreage is subdivided. A "stub street" which is dedicated, but cannot be extended into the adjacent property or terminated with a circular turnaround or cul-de-sac can is considered a "dead-end street".
Subdivider	Any person dividing or proposing to divide land so as to constitute a subdivision.

Subdivision	Includes, unless exempted by state law: • The division of a lot, tract, or parcel of land into 2 or more lots, plats, sites, or other divisions of land for the purpose, whether immediate or future, of sale or of building development, and with regard to the unincorporated Parish, for purposes other than agricultural. • The dedication, granting, or constructing of a road, highway, street, alley or servitude through a tract of land regardless of the area. The term "subdivision" includes resubdivision and, when appropriate to the context, the process of subdividing or to the land or territory subdivided.
Subject Property	The property that is subject to an application.
Surveyor	See "Registered Land Surveyor."
Thoroughfare	See "Road."
Thoroughfare Plan	See "Consolidated Thoroughfare Plan."
Tree	An evergreen or deciduous upright perennial, planted in the earth, having a single main stem, or several main stems with few or no branches on its lowest part, generally attaining a height greater than 16 feet at maturity. • Class A - Normally growing to an overall height of approximately 50 feet. • Class B - Normally growing to an overall height of approximately 25 feet.
Tree Protection Devices, Permanent	Measures, such as retaining walls or aeration devices, that are designed to protect the tree and its root systems throughout its lifetime.
Tree Protection Devices, Temporary	Structural measures, such as fencing, barricades or berms, installed prior to construction for the purpose of preventing damage to trees during construction.
Up To	A maximum of. For example, a subdivision that is allowed "up to 5 lots per acre" may not include more than 5 lots per acre.
Urban Residential Frontage	A frontage that allows for ground floor residential in an urban setting, maintaining a vibrant interface and minimal setback from the public frontage while providing a sense of privacy through a raised ground story.
Use	The use of property is the purpose or activity for which the land or building thereon is designed, arranged, or intended, or for which it is occupied or maintained.
Use, Accessory	See "Accessory use".
Use, Conditional	See "conditional use."
Utility	A publicly, privately, or cooperatively owned line, facility or system for producing, transmitting or distributing communications, power, electricity, light, heat, gas, oil products, water, sewage, storm water drainage, transportation, communications, or similar services or commodities.
Vehicular Use Area	That area of a development subject to vehicular traffic, including Accessways, parking lot aisles, loading and service areas, areas used for the parking and storage of vehicles, boats, or portable equipment, and the land intended for vehicular use. A "vehicle use area" does not include landscaping, stormwater management facilities, or lawns.
Vicinity Map	A drawing located on a plat which sets forth by dimensions or other means, the relationship of the proposed subdivision, development or use to other nearby developments, landmarks and community facilities and services within Lafayette Parish in order to better locate and orient the area in question.
Walkway	See "sidewalk."

Wetland	An area that is inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and that under normal circumstances does support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, bottomland hardwood forest, and similar areas.
Yard	The area between the principal building and the front lot line (the "front yard"), side lot line (the "side yard"), and the rear lot line (the "rear yard"). A yard includes all required setbacks, and may include additional areas or distances between the lot line and the principal building.
Zoning District	See "District."

89-152 Zoning District Boundaries

(a) Interpretation of District Boundaries

Where uncertainty exists with respect to the boundaries of any zoning district as shown on the zoning map, the following rules apply:

(1) District boundaries indicated as following streets, highways, or alleys, the center line of those streets, highways, or alleys are considered the boundaries.

(2) District boundaries indicated to approximately follow the lot lines of land that has been or will be divided into blocks and lots are considered to be those lot lines.

(3) In subdivided property the district boundary lines on the Zoning Map are determined by the scale appearing on the map.

(4) District boundaries that follow a railroad line are deemed to be located midway between the main tracks of that railroad line.

(b) Regulations of Areas Under Water

All areas within the corporate limits of the City of Lafayette which are under water and not shown as included within any district are subject to all of the regulations of the district adjacent to the water area.

(c) Movement of Zoning Boundary

Where a lot is divided by a district boundary line, the Administrator may permit the less restricted portion of the lot to extend up to 30 feet into the more restricted portion if the lot has frontage on a street in the less restricted district.

89-153 Abbreviations

' (e.g., 5') or ft.	feet
BMPs	Best management practices
CFR	Code of Federal Regulations
CTP	Consolidated Transportation Plan
EPA	U.S. Environmental Protection Agency
LCG	Lafayette Consolidated Government or "LCG"
LUS	Lafayette Utility System

LDEQ	Louisiana Department of Environmental Quality
MPO	Lafayette Metropolitan Planning Organization
n/a or "-"	Not applicable – not regulated
PZD	Lafayette Planning, Zoning and Development Department
PW	Lafayette Public Works Department
sf	Square feet
SWPPP	Stormwater pollution prevention plan

89-154 Technical References

This Chapter refers to various technical resources and external documents or regulations. These references are noted specifically below, are incorporated into this Chapter by reference, and refer to the most recent version of the document or reference unless specifically noted otherwise.

Document / Regulation	Reference
AASHTO Green Book	American Association of State Highway and Transportation Officials (AASHTO), A Policy on the Geometric Design of Highways and Streets (6th Edition 2011)
AASHTO Guide for the Development of Bicycle Facilities	AASHTO, *Guide for the Development of Bicycle Facilities* (4th ed. 2012)
ADA Standards for Accessible Design	2010 ADA Standards for Accessible Design (United States Department of Justice, September 15, 2010), as amended.
American Standard for Nursery Stock	American Nursery and Landscape Association, *American Standard for Nursery Stock* (ANSI Z60.1-2004, Approved May 12, 2004)
Building Code	LCG Code, Chapter 26 Article III
Construction Specifications	LCG Specifications for Roads, Drainage, Bridges and Other Infrastructure Improvements, 2015
Electrical Service Specifications	LUS, Procedures and Specifications for Electric Services, January 2007
Fire Code	LCG Code, Chapter 38
Highway Capacity Manual	Transportation Research Board's Highway Capacity Manual, 2010
Hydraulics Manual	DOTD Hydraulic Manual, 2011
LAR	Louisiana Administrative Regulations. Any reference to a state administrative regulations refers to any amendment to that regulation, unless otherwise provided.
LRSA	Louisiana Revised Statutes Annotated. Any reference to a Louisiana Statute refers to any amendment to that statute, unless otherwise provided.
MUTCD	Federal Highway Administration, Manual of Uniform Traffic Control Devices (2009 & Revised 2012)

Document / Regulation	Reference
Public Infrastructure Design Standards	LCG Public Infrastructure Design Standards, 2015
Standards for Arterial Street Lighting	LUS, Street Lighting Standards, Rev. 01, July 19 2004
Transportation Plan	Lafayette Transportation Plan, 2015
Trip Generation Manual	Institute of Transportation Engineers Trip Generation Manual (ITE)

89-155 Tree and Shrub Species

Class A Trees	
Acer rubrum 'drummondii'	Swamp Red Maple
Fraxinus pennsylvanica	Green Ash
Ginko 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	

Class B Trees	
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	Oriental 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.

Shrubs	
*Ground Cover Shrubs 3' height***	
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 'Wheelers Dwarf'	Dwarf Pittosporum
Sabal Louisiana	Louisiana Palmetto
Sabal minor	Dwarf Palmetto
Sabal palmetto	Sabal Palm*
*Screening Shrubs 4' height***	
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
*Buffer Shrubs 12' height***	
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*
*Herbaceous Shrubs****	
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 Cavindish Banana
Musa acuminata 'Cavindish'	Cavindish 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
*Shrub Like Grasses & Irises ****	
Arundo donax	Giant Reed Grass
Cymbopogon citratus	Lemon Grass
Deschampsis caespitosa	Tufted Hair Grass
Eragrostis spectabilis	Purple Love Grass
Iris fulva	Copper Louisiana Iris
Iris giganticaerulea	Big Blue Louisiana Iris
Iris ' Louisiana'	Hybrid Louisiana Iris
Iris nelsonii	Abbeville Iris
Iris Pseudacorus	Yellow Flag or Evergreen Iris
Iris vinginica	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

89-156 to 89-169 Reserved

Amended March 2016

Lafayette Consolidated Government

Unified Development Code

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Article 9. Legal

89-170 Severability

If any section, subsection, paragraph, sentence, clause, provision, portion, or phrase of this Chapter shall, for any reason, be held to be invalid or unconstitutional by any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Chapter which shall continue in full force and effect.

89-171 Repeal of Conflicting Ordinances

(a) All zoning or subdivision ordinances or parts of zoning or subdivision ordinances, in conflict with this Chapter are hereby repealed provided, however, that all suits at law or in equity and/or prosecutions resulting from the violation of any zoning or subdivision ordinance heretofore in effect which are now pending in any of the courts of this state or of the United States shall not be abated or abandoned by reasons of the adoption of this Chapter but shall be prosecuted to their finality the same as if this Chapter had not been adopted.

(b) Any and all violations of existing zoning or subdivision ordinances, prosecutions for which have not yet been instituted, may be hereafter filed and prosecuted. Nothing in this ordinance shall be construed to abandon, abate, or dismiss any litigation or prosecution now pending and/or which may have heretofore been instituted or prosecuted.

89-172 Conflicts / Relation to Other Laws

(a) If the requirements of this Chapter vary from the requirements of any other lawfully adopted rules, regulations, ordinances, deed restrictions, or covenants, the most restrictive or that imposing the higher standards govern.

(b) All rules and regulations or parts thereof in conflict with this Chapter are hereby repealed.

⇔*Article 9, § 89-170*

89-173 Effective Date

This Chapter shall become effective two hundred and ten (210) days from the earlier of: (i) signature by the Lafayette City-Parish President of an Ordinance of the Council adopting this Chapter, (ii) the elapse of ten (10) days after receipt by the Lafayette City-Parish President of an Ordinance adopting this Chapter without signature or veto, or (iii) an override of a veto by the Council. Notwithstanding the foregoing, Article XI of this Chapter shall become effective upon signature of the Lafayette City-Parish President, the elapse of ten (10) days after receipt by the Lafayette City-Parish President without signature or veto, or an override of a veto by the Council.

89-174 to 89-199 Reserved

Amended March 2016

Lafayette Consolidated Government

Unified Development Code

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Article 10. Application/Submittal/Permit Checklists

89-300 Generally

(a) This section establishes the information that applications must include in order to be considered complete.

(b) All applications must be prepared by the owner of the subject property or the property owner's agent.

(c) The Administrator may prescribe forms and requirements for completing the information required by this Article. The forms may include –

1. filing instructions (such as mail, email, and website or internet upload locations),
2. number of physical copies,
3. certifications,
4. advisory notifications about private covenants, ex parte contacts, or other legal matters, and
5. related information.

(d) By filing an application, the applicant/owner consents to allow the appropriate LCG employees to enter the property described in the application for the purposes of installation, maintenance and removal of a public notification sign and to inspect and photograph the site.

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

89-301 Summary of Requirements

Applications for permits or land development decisions required by Article shall be filed upon forms prescribed by the Administrator. The following information is required for each application listed below:

(a) Amendments to Comprehensive Plan

Plan Amendment
Text Amendment

(b) Platting, Boundary Adjustment, and Re-Subdivision

■ **required**
❍ **required if requested by Administrator or approving agency to demonstrate compliance with the UDC**

		Subdivision, Sketch Plan	Subdivision, Preliminary Plat	Subdivision, Final Plat	Subdivision, Minor Plat	Boundary Adjustment	Subdivision, Re-subdivision
	General						
1	Names, addresses, and contact information of property owner, developer, applicant and agent.	■	■	■	■	■	■
2	Surveyor's name, address, stamp and signature		■	■	■	■	■
3	Date of preparation	■	■	■	■	■	■
4	Property owner/affidavit of ownership		■	■	■	■	■
5	General location and street address (if available) of property	■	■	■	■	■	■
6	An analysis of whether the application is consistent with *PlanLafayette,* including any potential internal inconsistencies and methods to resolve them.		■		■		■
7	Plat boundaries must be drawn with heavy lines to indicate the subdivided area; lines outside of the plat boundary shall be drawn as dashed lines	■	■	■	■	■	■
8	Area of subject property (in acres or square feet)	■	■	■	■	■	■
9	Minimum lot size	■	■	■	■	■	■
10	Legal description of the subject property.		■	■	■	■	■
11	Minimum Class A, B or C stamped survey (see La. Adm. Code tit. 43, § 2901 for survey classifications)		■	■	■	■	■
12	Section, Township and Range		■	■	■	■	■
13	Flood hazard area limits and zone, FIRM panel number and effective date	■	■	■	■	■	■
14	Zoning category requested and/or existing zoning	■	■	■	■	■	■
15	Proposed and/or existing use(s)	■	■	■	■	■	■
16	Proposed number of lots	■	■	■	■	■	■
17	Proposed number of dwelling units, by type	■	■	■	■		■
18	Proposed gross square footage by use category	■	■	■	■	■	■
19	Any request for modifications, including reasons		■	■	■	■	■
20	Adjacent Property Owners (within required notification distance) including property directly across a Public or Private Road from the platted boundary, which shall be treated as adjacent property.		■	■	■	■	■
21	Plat shall be submitted to a legible standard engineering scale to fit on a 24" x 36" sheet	■	■	■	■	■	■

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

		Subdivision, Sketch Plan	Subdivision, Preliminary Plat	Subdivision, Final Plat	Subdivision, Minor Plat	Boundary Adjustment	Subdivision, Re-subdivision
	Boundaries / Plats						
22	A title block which includes the subdivision or development name, type of subdivision or development (residential, commercial), scale and preparation date		■	■	■	■	■
23	North arrow (in the same orientation as the plat) and scale (written and graphic) for the plat and vicinity map (1" = 3,000') showing the location of the proposed subdivision or development and the entire subject property.	■	■	■	■	■	■
24	The names of abutting subdivisions and in the case of abutting unplatted property, the notation "Unplatted"		■	■	■	■	■
25	Block numbers or letters continuing consecutively without omission or duplication throughout the development.		■	■	■		■
26	Lot numbers beginning with the number "1" and numbered consecutively in each block.		■	■	■		■
27	Minimum lot frontage and area		■	■	■	■	■
28	Dimensions and bearings of lot lines (to the nearest foot) 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.		■	■	■	■	■
29	Lines of incorporated areas; if within 3,000 feet or less of the nearest corporate limits of the City of Lafayette, give exact distance	■	■	■	■	■	■
30	Easements showing width and purpose.		■	■	■	■	■
31	Certification for Subdivision Plat with applicant's and surveyor's signature		■	■	■	■	■
32	Act of Dedication of Streets and/or Servitudes		■	■	■		■
33	Signature blocks for certification of approval of the plat and acceptance of dedication. The typewritten or printed names of all such LCG officials shall appear below the signature of that person when executed.		■	■	■	■	■
34	Indicate public and private streets	■	❍	■	❍	■	❍
35	A copy of any applicable covenants or deed restrictions applicable to the property. The restrictions may appear on the face of the plat or site plan, or may be submitted separately.		■	■	■		■
36	Methods and assurances for the ownership and maintenance of any required common open space	■	■	■	■	■	■
37	Evidence of satisfaction of any conditions of conditional rezoning, conditional use permit, or plat approval			■	■	■	■
38	Utility legend, indicating source of water, sewer, electrical, etc.		■	■	■	■	■
39	Distance from the nearest intersection, for accurate addressing		■	■	■	■	■

■ **required**
❍ **required if requested by Administrator or approving agency to demonstrate compliance with the UDC**

		Subdivision, Sketch Plan	Subdivision, Preliminary Plat	Subdivision, Final Plat	Subdivision, Minor Plat	Boundary Adjustment	Subdivision, Re-subdivision
	Existing Conditions						
40	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.		■	■	■	■	■
41	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						
42	Proposed overall development, including dimensions.	■	■	■			
43	Existing and proposed grading and/or drainage plans			❍	❍	❍	
44	Drainage Impact Study			❍	❍	❍	
45	Location and footprint of any existing building or structures		■		■		
46	Status of structures on the site (i.e., vacant, to be removed; good condition, interior remodel only; new, as is; etc.).		■	■	■	■	■
	Infrastructure						
47	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		■	■	■		■
48	Cross sections for streets, roadways, and shoulders as determined by the Department of Public Works, Engineering Division.			■			■
49	List 3 names for each street.		❍		❍		❍
50	Indicate if streets are public or private	■	❍	■	❍	■	❍
51	Traffic impact analysis addressing the level of service (LOS)			❍	❍		❍
52	Proposed utility layouts for water and sewer.		■	■	■		■

(c) Zoning/Rezoning, Zoning Variance, Conditional Use Permit, and Commercial Building Permit

■ **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	Property owner/affidavit of ownership	■	■	■	■	
3	General location and street address (if available) of property	■	■	■	■	■
4	An analysis of whether the application is consistent with *PlanLafayette,* including any potential internal inconsistencies and methods to resolve them.	■	■	■	■	
5	Area of subject property (in acres or square feet)	■	■	■	■	■
6	Legal description of the subject property.	■	■	■	■	
7	Section, Township and Range	■	■	■	■	
8	Zoning category requested and/or existing zoning	■	■	■	■	
9	Proposed and/or existing use(s)	■	■	■	■	■
10	Proposed number of dwelling units, by type		■	■	■	■
11	Proposed gross square footage by use category		■	■	■	■
12	Adjacent Property Owners (within required notification distance) including property directly across a Public or Private Road from the platted boundary, which shall be treated as adjacent property.	■	■	■	■	
	Boundaries / Plats					
13	A title block which includes the subdivision or development name, type of subdivision or development (residential, commercial), scale and preparation date	■	■	■	■	
14	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	■	■	■	■	■
15	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.	■	■	■	■	■
16	Easements showing width and purpose.	■	■	■	■	■
17	Indicate public and private streets	■	■	■	■	■
20	Utility legend, indicating source of water, sewer, electrical, etc.	■	■	■	■	■

■ **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
	Existing Conditions					
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		■	❍	■	❍

■ 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
38	Traffic impact analysis addressing the level of service (LOS)	❍	■		■	

(d) Appeals

1. Planning**-** The appellant shall furnish the following items/information as the formal appeal to the PZD:

   a. Statement of the action of the Planning and Zoning Commission complained of;

   b. If nonapplicant, statement of the why and how appellant has standing;

   c. Appellants argument as to why the action of the Planning and Zoning Commission should be modified or revised;

   d. Appellants statement of the ramifications of the approval of the appeal;

   e. Filing fee

89-302 Digital Filing

The Administrator may require applicants to file applications on digital media in lieu of or in addition to filing in physical media. The Administrator will provide the format and instructions for filing an application in digital form on the application forms.

89-303 Fees

The Lafayette City-Parish Council will adopt the required application fees by ordinance. Applications are not processed or considered filed until all required fees are paid in full.

The fee to appeal a decision of the Planning Commission shall be $500.

(a) <u>ZONING DIVISION:</u>

<u>Zoning Commission:</u>

Rezoning Application $500.00

Conditional Use Permit Application..... $500.00

Text Amendment Application..... $500.00

Board of Zoning Adjustment:

Variance Application (BOZA)..... $200.00

Interpretations (BOZA)..... $200.00

Certificate of Occupancy:

Certificate of Occupancy Application..... $100.00

Temporary Certificate of Occupancy Application..... $25.00

Home Occupation Certificate of Occupancy $100.00

Miscellaneous:

Abandonment Application $500.00

Zoning Verification Letter $25.00

(b) DEVELOPMENT DIVISION

Planning Commission:

Residential $1,000.00

Commercial/Industrial $1,500.00

Per Lot/Unit $15.00

Revised Plat $550.00

Variance $300.00

Extension of Preliminary Plat Approval $350.00

Condo Conversions..... $600.00

Vacation of Plat $300.00

Hearing Cancellation at Request of Applicant..... $150.00

Hearing Cancellation or Rehearing Necessitated by
Lack of Required Public Notice due to Applicant's
Failure to Provide Correct Notification Information…..... $150.00

Reassembly of Land..... $300.00

Appeal to City Parish Council…….See section 89-301 (d) Appeals

Hearing Examiner:

Residential $500.00

Commercial..... $1,000.00

Boundary Line Adjustment (BLA) $500.00

Variance $300.00

Hearing Cancellation at Request of Applicant..... $150.00

Hearing Cancellation or Rehearing Necessitated by
Lack of Required Public Notice Due to Applicant's
Failure to Provide Correct Notification Information……... $150.00

Appeal to Planning Commission $300.00

Addressing/Street Naming:

Address Verification $25.00

Address Fee..... $10.00

Street Naming $350.00

Recording Fee:

In all instances, the Planning Commission and Hearing Examiner shall be entitled to receive actual recording costs charged by the Lafayette Parish Clerk of Court's Office or a minimum of $55.00, whichever is greater, to defray recording and processing expenses.

Miscellaneous:

Zoning Verification Letter $25.00

Land Use:

Application for Evaluation..... $500.00

Appeal/Variance $250.00

(c) The Platting Fee Schedule shall be published by the Planning, Zoning and Development Department and shall be made available to members of the public.

(d) The Platting Fee Schedule may be incorporated into and published in the Planning, Zoning and Development Department fee schedule.

(e) The Platting Fee Schedule may be amended at any time by action of the Lafayette City-Parish Council, which action may be upon request of the Planning, Zoning and Development Department or by initiation by the Lafayette City-Parish Council.

89-304 Permits and Forms

(a) The approval of developments and work within them may be subject to permits as required by LCG. Permits may be found at the applicable Departments, State agency and/or the LCG website.

89-305 Reserved

89-306 Reserved

Amended March 2016

Lafayette Consolidated Government

Unified Development Code

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Article 11. Transitional Provisions

89-400 Generally

(a) The Effective Date of this Chapter and the Comprehensive Amendment to the City of Lafayette Zoning Ordinance and Map associated therewith (the "Comprehensive Amendment" or "Zoning Map") is several months after the date on which this Chapter and the Comprehensive Amendment are adopted (the "Adoption Date"). During the period between the Adoption Date and the Effective Date (the "Transitional Period"), the regulations in effect at the time of adoption of this Chapter shall continue in full force and effect, except that an applicant may request that the regulations of this Chapter apply during the Transitional Period. In order to ensure a smooth conversion to this Chapter and the Comprehensive Amendment on the Effective Date, this Article establishes procedures which will supplement the existing regulations during the Transitional Period.

(b) Although this Chapter generally will not be effective until the Effective Date, this Article shall be effective as of the Adoption Date.

(c) The Administrator may prescribe forms and requirements for completing the information required by this Article. The forms may include, but shall not be limited to –

1. filing instructions (such as mail, email, and website or internet upload locations),

2. number of physical copies,

3. certifications,

4. advisory notifications about private covenants, ex parte contacts, or other legal matters, and

5. related information.

(d) By filing an application, the applicant/owner consents to allow the appropriate LCG employees to enter the property described in the application for the purposes of installation, maintenance and removal of a public notification sign, if necessary, and to inspect and photograph the site.

89-401 Comprehensive Amendment to Zoning Map

Purpose: Article 2 of this Chapter establishes new Zoning Districts within the City of Lafayette. As of the Effective Date, the Zoning Districts existing prior to the adoption of this Chapter will be superseded, and the Zoning Districts established by this Chapter will take effect. Consequently, all property within the City of Lafayette will be assigned a new Zoning District, as reflected on the Comprehensive Amendment, as may be further amended pursuant to this Section.

During the Transitional Period, property owners may request further amendment to the Comprehensive Amendment with respect to a property owner's property, which, if adopted by the Council, will be effective as of the Effective Date. The purpose of this process is to allow property owners who disagree with the Zoning District designated under this Chapter and the Comprehensive Amendment to request that the LCG Administration recommend a different Zoning District and an amendment to the Comprehensive Amendment. Nothing herein shall preclude property owners from petitioning for an individual amendment to the Zoning Map under the City of Lafayette Comprehensive Zoning Ordinance prior to the Effective Date, or under § 89-52 of this Chapter as of the Effective Date.

(a) When does this process apply?

(1) This section applies to any property owner who desires to change the Zoning District assigned to his or her property on the Zoning Map adopted as part of this Chapter. This section shall be available to property owners as of the date of adoption of this Chapter by the Council through the Effective Date, subject to the conditions set forth herein.

(b) How do I start the process?

(1) The owner of any any lot or parcel included in the Comprehensive Amendment to the Zoning Map may apply to PZD for review and possible amendment to the Comprehensive Amendment to change the designated Zoning District ("**Property Owner Application**").

(2) In order to be considered for inclusion in an amendment to the Comprehensive Amendment, all applications by property owners must be received by the Administrator no later than 90 days prior to the Effective Date.

(3) A property owner-initiated application to be included in an amendment to the Comprehensive Amendment shall be duly signed and acknowledged by the owner, or authorized agents of over 50% of the land area of land for which an amendment is requested. However, where any lot located in the proposed amendment area is owned in indivision, all co-owners must sign the petition for that lot to be included in the 50% area provision.

(c) How do I know if my application is complete?

See § 89-45.

(d) What kind of notice is required?

The following notice is required for the hearing on a Comprehensive Amendment to Zoning Map:

Type	When provided
Publication	• At least once a week in three different weeks in the official journal of LCG • At least 15 days between the first publication and the hearing
Telephonic Notice	• At least once within 10 days of the public hearing, LCG shall employ its telephonic notification system to notify citizens and businesses within the City of Lafayette who are registered in the system, and shall further provide such telephonic notice to members of the Council

(e) How are decisions made?

(1) Administrative Review. The Administrator shall review all Property Owner Applications for consideration as an amendment to the Comprehensive Amendment and determine whether such requested amendment (each a "Requested Amendment") substantially satisfies the following criteria:

a. That the uses permitted in the Zoning District assigned pursuant to this Chapter are substantially different from the current or potential uses of the property under the regulations superseded by this Chapter.

b. That amending the Zoning Map and assigning the requested Zoning District to the property would be consistent with the Comprehensive Plan.

c. That amending the Zoning Map and assigning the requested Zoning District to the property would be compatible with surrounding uses.

d. That amending the Zoning Map and assigning the requested Zoning District to the property would not adversely impact the neighboring properties.

e. That infrastructure and densities in the area would support the uses allowed in the requested Zoning District.

If the Administrator determines that the Requested Amendment satisfies these criteria, the Administrator shall recommend to the Planning and Zoning Commission inclusion of the property with the requested Zoning District in an amendment to the Comprehensive Amendment. In the event the Administrator determines that the Requested Amendment does not substantially satisfy the foregoing criteria, the Administrator shall recommend to the Planning and Zoning Commission that the property not be included with the requested Zoning District as an amendment to the Comprehensive Amendment.

(2) Planning and Zoning Commission Report and Recommendation.

a. The Planning and Zoning Commission shall hold one or more public hearings during the Transitional Period to consider Requested Amendments in accordance with subsection 89-401(d) of this Section after the required notice is provided pursuant to subsection 89-401(d) of this Section. All public hearings shall be held at least forty-five (45) days prior to the Effective Date.

b. The Planning and Zoning Commission shall submit a report to the Council with its recommendations relative to the Requested Amendments (referred to collectively as the "**Proposed Amendment(s) to the Zoning Map**") and its reasons for making the recommendations. The report shall be filed with the Council within 10 days after the date of the public hearing held by the Planning and Zoning Commission to consider the amendment(s).

(3) Council Action.

a. The Council shall not take action on the Proposed Amendment(s) to the Zoning Map, and any such action shall not be effective, until the Council has received the Planning and Zoning Commission's final report and recommendation.

b. After receiving the Planning and Zoning Commission's recommendations, and prior to the Effective Date, the Council will adopt, adopt with revisions, or deny the Proposed Amendment(s) to the Zoning Map.

c. A Council decision with respect to the Proposed Amendment(s) to the Zoning Map shall occur within 45 days from the date upon which the Planning and Zoning Commission files its report and recommendation to the Council or the time to file the report and recommendation expires, unless a motion is made to extend this time period.

d. Notwithstanding the foregoing, if the Planning and Zoning Commission fails to timely submit a report and recommendation within 35 days of the Effective Date, the Council shall take action with respect to the Proposed Amendment(s) to the Zoning Map without the report and recommendation.

(f) What are the standards for approval?

1. Approval of any Proposed Amendment(s) to the Zoning Map is a legislative decision that is committed to the discretion of the Council.

2. The Council will consider whether any Proposed Amendment(s) to the Zoning Map is reasonable, based on the following factors:

   a. **Consistency**. Whether the Proposed Amendment(s) to the Zoning Map is consistent with the Comprehensive Plan.

   b. **Mistake**. Whether there was a mistake in the Comprehensive Amendment adopted together with this Chapter or in the text of this Chapter.

   c. **Change**. Whether there are changes in conditions or densities in the area that justify the Proposed Comprehensive Amendment(s) to the Zoning Map. (Examples include new roads or road expansions, new development, closures, and demolitions.)

   d. **Health, Safety & General Welfare.** Whether the Proposed Amendment(s) to the Zoning Map promotes the community's public health, safety, morals or general welfare.

   e. **Compatibility.** Whether the Proposed Amendment(s) to the Zoning Map is –

      1. Compatible with surrounding land uses, and

      2. Would adversely impact the neighboring properties, or

      3. Cause a loss in property values.

   f. **Suitability as Presently Zoned**. Whether the property under consideration has a reasonable economic use as currently zoned.

   g. **Other Factors.** The Council may consider any other factors relevant under Louisiana to an amendment to the Zoning Map.

(g) After a decision is made, is there a limit on subsequent applications?

No subsequent applications may be made under this section. However, a property owner may petition for an individual amendment to the Zoning Map under the City of Lafayette Comprehensive Zoning Ordinance prior to the Effective Date, or under § 89-52 of this Chapter as of the Effective Date.

(h) How are records of the decision kept?

See LCG Charter, § 2-16.

(i) Fees.

There are no fees required to file an application under this Section. However, if the application is denied and the petitioner elects to petition for an individual amendment to the Zoning Map under the City of Lafayette Comprehensive Zoning Ordinance prior to the Effective Date, or under § 89-52 of this Chapter as of the Effective Date, the petitioner shall be required to pay any fee required for the filing of such a petition.

89-402 Amendments to Zoning Map During Transitional Period

(a) Except as provided in § 89-402, during the Transitional Period, amendments to the Lafayette Zoning Ordinance shall be governed by the processes set forth in Article X of the City of Lafayette Zoning Ordinance (superseded by this Chapter as of the Effective Date).

(b) Any proposed amendment to the City of Lafayette Zoning Ordinance during the Transitional Period under Article X of the City of Lafayette Zoning Ordinance shall specify the desired Zoning District under both the City of Lafayette Zoning Ordinance and this Chapter (to apply as of the Effective Date). If the Zoning Commission recommends an amendment to the City of Lafayette Zoning Ordinance, the recommendation required by the Zoning Commission under Article X, Section 2 of the City of Lafayette Zoning Ordinance shall specify the recommended Zoning District under the City of Lafayette Zoning Ordinance and this Chapter. If the Council adopts an Ordinance amending the City of Lafayette Zoning Ordinance during the Transitional Period, the Ordinance shall specify the Zoning District to be applied to the particular lot or parcel under both the City of Lafayette Zoning Ordinance and this Chapter.

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.

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.