TOWN OF ST. FRANCISVILLE, LOUISIANA

COMPREHENISVE ZONING ORDINANCE

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•Zoning/Planning
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Adopted by the St. Francisville Town Council:
January 8, 2013

Effective Date:
April 12, 2013

ACKNOWLEDGEMENTS

Mayor William (Billy) D'Aquilla – Mayor, Town of St. Francisville

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And all of the Town of St. Francisville Staff, Public Officials, and Citizens who participated in this process.

OFFICIAL ORDINANCE

ORDINANCE 2013-1 "AN ORDINANCE TO ADOPT THE COMPREHENSIVE ZONING AND MAP UPDATE FOR THE TOWN OF ST. FRANCISVILLE, STATE OF LOUISIANA

The following Ordinance was offered by Robert P. Leake and seconded by James R. Leake, Jr.:

ORDINANCE 2013-1 "AN ORDINANCE TO ADOPT THE COMPREHENSIVE ZONING AND MAP UPDATE FOR THE TOWN OF ST. FRANCISVILLE, STATE OF LOUISIANA."
YEAS: James Davis, James R. Leake, Jr., Robert P. Leake, Jr., Oscar Robertson, Jr. and Abby Temple Cochran
NAYS: None ABSTAINED: None ABSENT: None
Whereupon, the presiding officer declared the above Ordinance adopted on this 8th day of January, 2013.

Ordinance 2013-1 will take effect 30 days after publication in the official Town Journal.

Published in the official journal, The Democrat on March 13, 2013

Ordinance to take effect April 12, 2013

Melinda B. Foil, Town Clerk

William H. D'Aquilla, Mayor

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PART I. SCOPE AND APPLICATION

SECTION 1.1 ZONING REGULATIONS, SHORT TITLE

These regulations shall be known and may be cited as the "Comprehensive Zoning Ordinance" of the Town of St. Francisville in the State of Louisiana.

SECTION 1.2 PURPOSE AND AUTHORITY

A. *Purpose* – These zoning regulations as herein set forth have been prepared for the Town of St. Francisville, Louisiana to safeguard the health, property and public welfare by controlling the design, location, use or occupancy of all buildings and structures through the regulated and orderly development of land and land uses within this jurisdiction.

B. *Authority* – This Ordinance adopted pursuant to the Charter of the Town of St. Francisville, and the provisions of Section 33:4721 et seq., Section 33:101 et seq., and Section 25:731 et seq. of the Louisiana statutes and the Constitution of the State of Louisiana in order to protect the health, safety and welfare of the Town of St. Francisville, Louisiana.

C. *Commission Provisions*

1. Under the authority of the Louisiana (LA) R.S. 33:101 et seq. the Town of St. Francisville maintains a municipal planning commission, to be known as the "St. Francisville Planning Commission" or "Planning Commission" herein, whose administrative provisions are found in the Town of St. Francisville Code of Ordinances.

2. As per LA.R.S. 33:4721 et seq. the municipal planning commission shall also serve as the municipal zoning commission, and shall have all of the powers conferred upon zoning commissions by law, and shall be known as the "St. Francisville Zoning Commission" or "Zoning Commission" herein. The administrative provisions for the Zoning Commission are found in the Town of St. Francisville Code of Ordinances.

3. There may be a Board of Zoning Adjustment, the membership, terms of office, and rights and duties of which shall be provided in LA.R.S. 33:4727, as amended.

D. Any reference or citation made in this Ordinance to any duly enacted statute of the United States of America or of the State of Louisiana; or any duly enacted Ordinance of the Parish of West Feliciana or of the Town of St. Francisville; or any regulation enacted or promulgated by any department, agency, bureau or other institution or subdivision of the United States of America, the State of Louisiana, the Parish of West Feliciana or of the Town of St. Francisville shall refer to the provisions of the cited or referenced statute, Ordinance or regulation as of the date of the enactment of this Ordinance or as cited or referenced statute, Ordinance or regulation may thereafter from time to time be amended, reenacted or re-designated.

E. All Ordinances or parts of Ordinances in conflict herewith or incompatible with the provisions of this Ordinance are hereby repealed.

F. Upon the effective date of this Ordinance, the pre-existing Appendix A: Zoning Ordinance of the St. Francisville Code of Ordinances shall be repealed.

SECTION 1.3 JURISDICTION

A. These regulations shall apply to all the areas located within the corporate limits of the Town of St. Francisville. All developments shall meet minimum standards and requirements of these regulations, as amended. This Ordinance, or any amendment thereto, shall not affect the validity of any building permit lawfully issued prior to the effective date of the Ordinance, or any amendment thereto, provided that the permit is valid upon the effective date of the adoption of this Ordinance or any amendment thereto, that construction authorized by such permit has commenced prior to the effective date of the Ordinance, or any amendment thereto, and provided that construction has and does continue without interruption until development is completed.

B. Any use established on the effective date of this Ordinance and which conforms to the conditional use provisions applicable in the zoning district in which the use is located shall be considered a lawful conditional use; provided that the use continues to conform to the provisions of this Ordinance.

C. This Ordinance, or amendment thereto, shall not affect the validity of variances granted prior to the effective date of this Ordinance, or amendment thereto. Said variances shall remain in effect after the effective date of this Ordinance, and shall constitute variances to the applicable provisions of this Ordinance.

SECTION 1.4 SCOPE

A. The provisions of this code shall apply to the construction, addition, alteration, moving, repair and use of any building, structure, parcel of land or sign within the Town, except work located primarily in a public way, public utility towers and poles and public utilities unless specifically mentioned in this code.

B. Where, in any case, different sections of this code specify different requirement, the more restrictive shall govern. Where there is conflict between a general requirement and a specific requirement, the specific requirement shall be applicable.

C. In fulfilling these purposes, this Ordinance is intended to benefit the public as a whole and not any specific person or class of persons. Although, through the implementation, administration and enforcement of this code, benefits and detriments will be enjoyed or suffered by specific individuals, such as merely a byproduct of the overall benefit to the whole community. Therefore, the Town of St. Francisville, its officers, agents and employees shall have qualified immunity against unintentional breaches of the obligation of administration and enforcement imposed on the jurisdiction hereby.

D. If any portion of this code is held invalid for any reason, the remaining herein shall not be affected.

SECTION 1.5 FEES

The Board of Aldermen shall establish a schedule of fees, charges and expenses and a collection procedure for building permits, certificates of occupancy, appeals and other matter pertaining to this Ordinance. This schedule of fees shall be available from the Mayor's Office in the Town of St. Francisville and may be altered or amended only by the Board of Aldermen. No permit, certificate, conditional use or variance shall be issued unless or until such costs, charges, fees or expenses have been paid in full.

SECTION 1.6 EXISTING BUILDINGS AND USES

A. Lawfully established buildings and uses, lighting, landscaping, parking, building setbacks, and other site features in existence at the time of the adoption of this Ordinance shall be permitted to lawfully continue subject to the provisions of Section 6.1 (Non-Conforming Uses, Lots and Structures) and other provisions of this Ordinance applicable to non-conformity with the provisions of this Ordinance, provided that such continued use is not dangerous to life or community.

B. All buildings or uses, both existing and new, and all parts thereof, shall be maintained. The owner or designated agent shall be responsible for the maintenance of buildings and parcels of land. To determine compliance with this section, the Building Official shall be permitted to order any structure or use to be inspected.

C. Buildings or structures moved into or within the jurisdiction shall comply with the provisions of this code for new buildings and structures. Temporary buildings, structures and uses such as reviewing stands and other miscellaneous structures, sheds, canopies or fences used for the protection of the public shall be permitted to be erected, provided a special approval is received from the Building Official for a limited time period. Temporary buildings or structures shall be completely removed upon the expiration of the time limit stated in the permit.

D. *Illegal Uses* – Uses that are illegally established prior to the adoption of this code shall remain illegal.

SECTION 1.7–1.10 RESERVED

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APPENDIX A

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PART II. DEFINITIONS AND RULES OF INTERPRETATION

SECTION 2.1 RULES OF INTERPRETATION

The following rules of interpretation shall apply to the text of this Zoning Ordinance:

A. The particular controls the general

B. In the case of any difference in the meaning or implication between the text of this Zoning Ordinance and any caption or illustration, the text controls.

C. "Shall" is always mandatory and not discriminatory.

D. Words used in the present tense include the future; and words used in the singular include the plural, and the plural the singular, unless the context clearly states the contrary.

E. A "building" or "structure" includes any part thereof.

F. "Person" includes an individual, a corporation, a partnership, an incorporated association or any other similar entity.

G. Unless the context clearly indicates the contrary, where a regulation involves two (2) or more items, conditions, provisions or events connected by the conjunction "and" or "or", the following shall apply:

1. "And" indicates the all the connected items, conditions, provisions or events shall apply.

2. "Or" indicates that the connected items, conditions, provisions or events may apply singularly or in any combination.

H. Terms not defined in this Chapter have the meaning customarily assigned to them, or a meaning to be assigned by a duly authorized representative of the Town of St. Francisville.

SECTION 2.2 DEFINITIONS

For the purpose of these regulations, these terms and words are hereby defined.

Abandonment – (Also see discontinuance) The cessation of the use of a property or of a particular use for at least six (6) months.

Accessory Dwelling Unit - A self-contained residential unit, considered subordinate to the principal use, and built on the same lot as an existing single-family home.

Accessory Structure – A building or structure detached from, but located on the same lot as, the principal structure and the use of which is clearly incidental and subordinate to the principal structure.

Accessory Use – A use that is customarily incidental and subordinate to the principal use, and which is located on the same lot as the principle use.

Addition or Enlargement – Any construction that increases the size of a building or structure in terms of site coverage, height, length, width or floor area.

Adult Business - An adult bookstore, adult motion picture theater, adult nightclub, or an adult massage business. Adult business also means any premises that sells or disseminates explicit adult sexual material. For purposes of this definition, the following terms shall have the following meanings:

Adult Uses/Materials - An establishment having a substantial or significant portion of its stock in trade in which, for any form of consideration, adult material is presented to or is available for exclusive viewing, rental or purchase by adults. As used in this Ordinance, adult material shall consist of movies, films, motion pictures, video tapes, video discs, slides, photographs, or other media of visual representation; or live performances, exhibitions or presentations; or books, papers, pamphlets, magazines, periodicals or publications which are characterized by an emphasis upon the depiction or description of any of the conduct or activities set forth and described in the provisions of Louisiana Revised Statutes Title 14, Chapter 1, part VI, Sub-part C, and in that portion thereof designated as sub-paragraphs (2)(b) and (3) of paragraph A of Section 106 [R.S. 14:106A(2)(b), (3)], or as such provisions may hereafter be amended, re-enacted or re-designated from time to time, or shall consist of any instruments, devices or paraphernalia that are designed or marketed for use in connection with any such conduct or activities. As used in these regulations, the term "adult material" shall be applied to any material that meets the definition set forth in this section whether or not, as a matter of law such material is or could be classified as pornographic or obscene.

Agriculture – The use of land for the production of crops and/or livestock, including but not limited to farming, horticulture, floriculture, viticulture, dairying, animal and poultry husbandry, and the necessary accessory uses for storing such products.

Alcohol Beverage Outlet - An establishment for the primary purpose of which is the service of and on-premises consumption of alcoholic beverages.

Alley - A way that affords only a secondary means of access to property abutting thereon
.
Alteration – Any change, addition or modification in construction, use or occupancy.

Antenna - Any structure or device for the purpose of collecting or transmitting electromagnetic waves, including but not limited to directional antennas, such as panels, microwave dishes, and satellite dishes, and omni-directional antennas, such as whip antennas.

Amateur (HAM) Radio Equipment – A radio station licensed as such by the Federal Communications Commission (FCC), including equipment such as, but not limited to, a tower or alternative tower structure supporting a radiating antenna platform and other equipment.

Appurtenance – An architectural feature of a structure that is higher than the adjacent portion of the structure, such as a chimney, cupola, spire or parapet wall.

Arrays – A bundle of antennas arranged by a telecommunications service provider and place on a tower, structure or building at a given height to provide the desired directional characteristics.

Attic – The unfinished space below the roof of a structure.

Automotive Repair, Major – An establishment primarily engaging in the repair or maintenance of motor vehicles, trailers and similar large mechanical equipment, including paint, body and fender, and major engine and engine part overhaul, which is conducted within a completely enclosed building.

Automotive Repair, Minor – An establishment primarily engaging in the repair or maintenance of motor vehicles, trailers and similar large mechanical equipment, including brake, muffler, upholstery work, tire repair and change, lubrication, tune ups, and transmission work, which is conducted within a completely enclosed building.

Base Flood Elevation – The elevation shown on FEMA Digital Flood Insurance Rate Maps (DFIRMs) for that indicates the water-surface elevation resulting from a flood that has a one percent (1%) chance of equaling or exceeding that level in any given year.

Bed and Breakfast - An owner occupied residential structure, which provides sleeping rooms for overnight paid occupancy of up to fifteen (15) nights. Common bathroom facilities may be provided rather than private bathrooms for each room. No cooking facilities are permitted in individual rooms.

Block - A parcel of land within a subdivision or development, which is bounded by streets or bounded by streets and the exterior boundary of the subdivision. For this definition, an alley is not considered a street but part of the block.

Block Face - The front of a block along one side of the street.

Board of Zoning Adjustments - The term "Board of Zoning Adjustments" shall mean the St. Francisville Board of Zoning Adjustments created under LA.R.S. 33:4727 et seq., which shall have the powers provided for by Louisiana law and as may be provided for in this Appendix A, Zoning of the Town of St. Francisville Code of Ordinances.

Buffer - An area established in order to protect and separate one land use from another.

Buffer Planting Area - Area of land, which is unpaved between the side or rear property lines and designated for the preservation and placement of plant materials.

Building - Any structure, either temporary or permanent, having a roof and designed, intended or used for the sheltering or protection of persons, animals, chattels, or property of any kind.

Building Code - The *International Building Code* promulgated by the International Code Council, as adopted by the State of Louisiana and the Town of St. Francisville.

Building Line – The perimeter of that portion of a building or structure nearest a property line, but excluding open steps, terraces, cornices and other ornamental features projecting from the walls of the building or structure.

Building, Main or Principal - A building in which is conducted the principal use of the lot on which it is situated. A dwelling shall be deemed to be the main building on the lot in all residential districts.

Building, Temporary – A building used temporarily for the storage of construction materials and equipment incidental and necessary to on-site permitted construction of utilities, or other community facilities, or used temporarily in conjunction with the sale of property within a subdivision under construction.

Canopy – A roofed structure constructed of fabric or other material supported by the building or by support extending to the ground directly under the canopy placed so as to extend outward from the building providing a protective shield for doors, windows and other openings.

Carport – A shelter for an automobile consisting of a roof extended from the side of a building, similar to a garage but that has a part of the wall area open to the outside.

Car Wash – A commercial establishment engaged in the washing and cleaning of passenger vehicles, recreational vehicles or other light dirty equipment, whether automatic in an enclosed structure or by hand.

Cemetery - Land used or dedicated for the burial of the dead, including crematoriums, mausoleums and necessary sales and maintenance facilities. Mortuaries and chapels may be included when operated within the boundary of said cemetery.

Certificate of Appropriateness - A certificate issued by the St. Francisville Historic District Commission indicating its approval of plans for the construction, reconstruction, alteration, removal, or demolition of a structure within a Historic District.

Co-location – Placement of telecommunications equipment from one or more service provider on a single tower or site.

Commencement of Construction - The physical improvement of land in accordance with a permit issued by the Board of Aldermen of the Town of St. Francisville, provided that the improvements are of a form and character which are not reasonably useable for development other than that authorized by the issued permit.

Commercial Purposes - Those related solely to the economic interests of the person or persons on whose property or for whose benefit the sign is displayed, excluding signs which refer solely to the sale or lease of the premises upon which the signs are located.

Common Structure - A structure, such as a garage, tool shed, or recreational facility used by more than one resident in a planned development or manufactured housing development.

Community Center – A facility to be used as a place of meeting, recreation, or social activity, and not operated for profit, which is open to the community and designed to accommodate the surrounding neighborhood or the larger community.

Conditional Use - A use that would become harmonious or compatible with neighboring uses through the application and maintenance of qualifying conditions, as outlined in Section 8.1.F of this Ordinance.

Condominium – A single-dwelling unit in a multiunit dwelling or structure, that is separately owned and may be combined with an undivided interest in the common areas and facilities of the property.

Contractor Storage Yard – Any land or buildings used primarily for the storage of equipment, vehicles, machinery, or other building materials or construction contractor in the conduct of any building trade or craft.

Day – When used in this Ordinance, day shall mean one (1) business day.

Day Care Center - An establishment for the care and nurture of children or adults during the school or workday.

Day Care Center, Adult (Small) - Any place owned or operated for profit or not for profit, by a person, society, agency, corporation, institution, or any other group wherein are received, for a portion of a 24-hour day, fewer than ten (10) functionally-impaired adults are not related to the owner or operator of the facility for the purposes of supervision or participation in a training program. This excludes alcohol and drug abuse clientele, former inmates of prisons or correctional institutions or former patients of mental institutions who have been found not guilty by reason of insanity. The day care services should take place on a regular basis for at least twelve and a half (12.5) hours in a continuous seven (7) day week and no overnight stays are permitted. Facilities caring for fewer than ten (10) adults are not required to be licensed by the State of Louisiana, however if the facility receives state or federal funding, directly or indirectly, it must be licensed regardless of the number of adults in its care.

Day Care Center, Adult (Large)- Any place owned or operated for profit or not for profit, by a person, society, agency, corporation, institution, or any other group wherein are received, for a portion of a 24-hour day, ten (10) or more functionally-impaired adults are not related to the owner or operator of the facility for the purposes of supervision or participation in a training program. This excludes alcohol and drug abuse clientele, former inmates of prisons or correctional institutions or former patients of mental institutions who have been found not guilty by reason of insanity. The day care services should take place on a regular basis for at least twelve and a half (12.5) hours in a continuous seven (7) day week and no overnight stays are permitted. All facilities caring for more than ten (10) adults must be licensed by the State of Louisiana, and if the facility receives state or federal funding, directly or indirectly, it must be licensed regardless of the number of adults in its care.

Day Care Center, Child (Small) - Any place or facility operated by any institution, society, agency, corporation, person or persons, or any other group for the primary purpose of providing care, supervision and guidance to a maximum of fifteen (15) children, who are not within the immediate family of the care giver and are unaccompanied by parent or guardian, on a regular basis for at least twelve and a half (12.5) hours in a continuous seven (7) day week.

Day Care Center, Child (Large) - Any place or facility operated by an institution society, agency, corporation, person or persons, or any other group for the primary purpose of providing care supervision and guidance to a maximum of fifty (50) children who are not within the immediate family of the care giver and are unaccompanied by parent or guardian, on a regular basis for at least twelve and a half (12.5) hours in a continuous seven (7) day week.

DBH - The diameter of a tree, stem or trunk measured at breast height.

Density - The number of dwelling units that are allowed on an area of land, which area of land shall be permitted to include dedicated streets contained within the development.

Design Review Board – The term "Design Review Board" shall mean the St. Francisville Design Review Board created by St. Francisville Ordinance 2004 – 9, which shall exist to review building, remodeling and/or alteration activity as specified in Part VIII of this ordinance. Any opinions or advice provided by the Design Review Board are in no way binding with respect to any official action the Planning Commission or Board of Alderman may take on the subsequent formal application.

Detention/Retention Pond – (Also known as Bio-Retention Pond) A man-made basin designed to protect against flooding by storing stormwater for a limited period of time.

Development - The use of land including change or enlargement of any use or disturbance of any land and the performance of any building or mining operation.

Digital Flood Insurance Rate Map (DFIRM) – An official map of the community, on which the Administrator of the National Flood Insurance Program (NFIP) has delineated both the special hazard areas and the risk premium zones applicable to the community.

Discontinuance – (Also see abandonment) The abandonment of a property or of a particular use for a period of at least six (6) months. The determination of discontinuance for non-conforming uses or structures shall be supported by evidence, satisfactory to the Building Official (e.g. the actual removal of equipment, furniture, machinery, structures, or other components of the non-conforming use <u>and not replaced</u>, the turning off of the previously connected utilities, or where there are no business receipts/records <u>or any necessary licenses</u> available to provide evidence that the use is in continual operation).

Drainage Plan – A plan showing proposed site drainage features for controlling storm water runoff and conveying it to public outfalls. A drainage plan shall also include runoff calculations for engineering review, evidence that the drainage plan has been submitted to and reviewed by the storm water drainage authority with jurisdiction over the site, and that the drainage plan has been approved by said authority.

Drive-Through Establishment – Premises used to provide or dispense products or services through an attendant, window or automated machine to persons remaining in their vehicle. A drive-through facility may be in combination with other uses such as a "financial institution, " a "retail goods establishment" or "restaurant." A "car wash," "gas station" or "motor vehicle service and repair" shall not be considered a drive-through facility.

Driveway – A private access road, the use of which is limited to persons residing, employed, or otherwise using or visiting the parcel in which it is located.

Duly Authorized Representative - Person or persons designated by the Mayor and/or Board of Aldermen to check, review and comment on all submissions regarding their nonconformance to these regulations. These bodies may designate the Town Engineer or any other qualified persons or agency as the duly authorized representative.

Dwelling - Any structure or portion thereof, which is designed or used for residential purposes.

Dwelling, Multi-family – A building or portion thereof designed for occupancy by three (3) or more families living independently in which they may or may not share common entrances and/or other spaces. Individual dwelling units may be owned as condominiums, or offered for rent.

Dwelling, Single-family - An individual dwelling unit in a structure, which is not physically connected with any other dwelling unit.

Dwelling, Townhouse – A structure consisting of no less than three (3) dwelling units, with no other dwelling, or portion of other dwelling, directly above or below, where each unit has a separate entrance and direct ground-level access to the outdoors. These units are connected to other dwelling units by a single party wall with no opening. "Townhouse dwelling" shall not include "multi-family dwelling." Townhouse dwelling refers to the construction not the ownership pattern of the individual units.

Dwelling, Two-Family – A building designed or arranged to be occupied by two families living independently, with the structure having only two (2) dwelling units.

Dwelling Unit - Any room or group of rooms located within a structure forming a single habitable unit with facilities which are used or intended to be used for living, sleeping, cooking, eating and sanitation by one family.

Easement - The right, granted by the property owner, to use a parcel of land for specified purposes, such as public utilities, drainage and other public purposes, the title of which shall remain with the property owner, subject to the right of use designated in the reservation of the easement (See Servitude).

Eave – The projecting sides of a roof overhanging the wall of a building.

Educational Facilities – (Also see Schools) Any land used for educational facilities, including universities, colleges, elementary and secondary, and vocational schools.

Educational Facility, College/University – A post-secondary institution for higher learning that grants associate or bachelor degrees. The institution may also have research facilities and/or professional schools that grant master and doctoral degrees. This also includes post-secondary theological schools for training ministers, priests or rabbis.

Educational Facility, Elementary – A public, private or parochial school offering instruction at the elementary, middle and/or junior high school level. Religious facilities with elementary educational facilities shall be considered educational facilities, elementary.

Educational Facility, Secondary – A public, private or parochial school offering instruction at the senior high school level. This also includes secondary schools for training ministers, priests or rabbis. Religious facilities with secondary educational facilities shall be classified as educational facilities, secondary.

Educational Facility, Vocational School – A school established to provide for the teaching of industrial, clerical, managerial or artistic skills. This definition applies to schools that are owned and operated privately for-profit and that do not offer a complete educational curriculum.

Electrical Signs - Any sign containing electrical wiring and which is attached to an electrical energy source.

Encroachment – The extension or placement of any structure or component of a structure into a required yard.

Equestrian Facility – Commercial horse facilities including horse ranches, boarding stables, riding schools and academies, horse exhibition facilities, pack stations. This land use includes barns, stables, corrals and paddocks accessory and incidental to the above uses.

Façade - The exterior wall of a building exposed to public view or that wall viewed by persons not within the building.

Family – One or more persons related by blood, marriage, adoption or guardianship, the occupants of a community or group home for mentally or physically challenged individuals or not more than four (4) persons not so related occupying a dwelling unit and living as a single housekeeping unit shall be considered a family. Notwithstanding any other provisions of this section, this definition does not include individuals required to be assembled under one living unit for the purpose of drug or substance abuse rehabilitation or persons assigned to same as the result of criminal activity.

Fence – An artificially constructed barrier of wood, masonry, stone, wire, metal or other material erected to enclose, screen or separate uses.

Filter Strip – A type of buffer strip that is in area of vegetation, generally narrow and long, that slows down the rate of stormwater runoff, allowing sediments and other pollutants that are being conveyed by the water to be removed by settling out.

Financial Institution – A bank, savings and loan, credit union, mortgage office, or automated teller machine (ATM).

Finished Grade - The completed surfaces of lawns, walks and roads brought to grade as shown on development plans relating thereto.

Floodplain - Floodplain or flood-prone area means any land area susceptible to being inundated by floodwater as depended by FEMA.

Floodway - The channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the 100-year flood without cumulatively increasing the water surface elevation more than one foot at any point.

Floor area - The sum of the gross horizontal areas of the several floors of the main building but not including the area of roofed porches, terraces, or breezeways. All dimensions shall be measured between exterior faces of the walls.

Frontage - That portion of a lot abutting a street right-of-way measured along the property line of the public right-of-way and the private property.

Funeral Home – (Also see mortuary) An establishment in which the dead are prepared for burial or cremation. The facility shall be permitted to include a chapel for the conduct of funeral services and spaces for funeral services and informal gatherings, and/or display of funeral equipment.

Gas Station - A business where flammable or combustible liquids or gases used as fuel for motor vehicles are stored and dispersed from fixed equipment into the tanks of motor vehicles. Accessory activities shall be permitted to include automotive repair and maintenance, car wash service, and food sales.

Government Facility – A building or structure owned, operated or occupied by a governmental agency to provide a governmental service to the public, and shall include public works and public safety facilities.

Grade – The lowest point of elevation of the existing surface of the ground, within the area between the building and a line five (5) feet from the building.

Group Home or Community Home – A single-family residential structure, licensed by the State of Louisiana, designed or adapted for occupancy by unrelated developmentally disabled persons.

Group or Community Home (Small) - A small, residential facility located within a community, designed to serve children or adults with chronic disabilities. Small group homes may have six (6) or fewer occupants who are mentally, physically or developmentally disabled, and one or more resident counselors/trained caregivers on staff twenty-four (24) hours a day. A small group home must be licensed by an agency of the State of Louisiana, the political subdivision, and/or a state-licensed child placement agency, as a group home, receiving home, or similar care facility. Alcohol and drug abuse clientele, former inmates of prisons or correctional institutions, or former patients of mental illness institutions who have been found not guilty of a criminal charge by reasons of insanity shall be excluded as occupants.

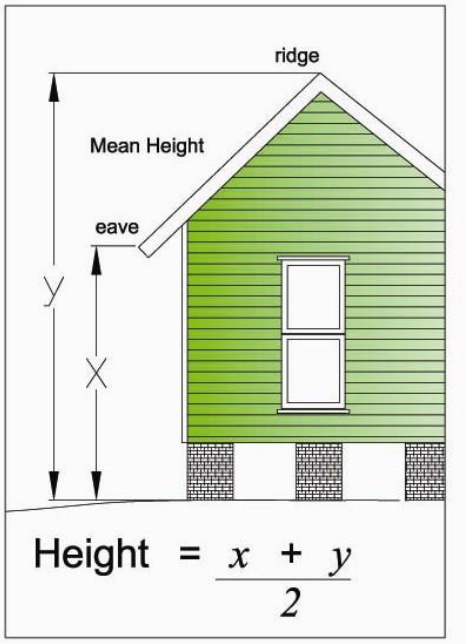
Group or Community Home (Large) - A residential facility located within a community, designed to serve children or adults with chronic disabilities. Large group homes may have twelve (12) or fewer occupants who are mentally, physically or developmentally disabled, and two or more resident counselors/trained caregivers on staff twenty-four (24) hours a day. A group home must be licensed by an agency of the State of Louisiana and/or a state-licensed child placement agency, as a group home, receiving home, or similar care facility. Alcohol and drug abuse clientele, former inmates of prisons or correctional institutions, or former patients of mental illness institutions who have been found not guilty of a criminal charge by reasons of insanity shall be excluded as occupants.

Heavy Sales, Rental and Service – This use includes retail, rental and/or service establishments that have permanent outdoor service or storage yards, or partially enclosed structures including, but not limited to, large-scale home improvement centers with outdoor storage and rental components, lumberyards, playground equipment sales and rental, truck repair establishments, and uses with permanent outdoor service or storage areas for heavy equipment such as truck rental establishments, large-scale moving centers, and temporary storage container facilities.

Height - The vertical distance of a structure measured from the average elevation of the proposed finished grade to the highest point of the roof for flat roofs, to the deck line of the mansard roof, and to the mean height between eaves and ridges for gable, hip and gambrel roofs. No height limitation in this Ordinance shall apply to any of the following structures: silos, barns and other agricultural structures; church spires; cupolas; domes; monuments; water towers; smoke stacks; derricks; flag poles; masts; solar energy facilities; air conditioning equipment; elevator penthouses and similar structures required to be placed above the roof level and not intended for human occupancy.

Historic District Commission – The term "Historic District Commission" shall mean the St. Francisville Historic District Commission created by St. Francisville Ordinance 1995 - 5, which shall exist to serve the municipality and review all applications for Certificates of Appropriateness, including plans for new construction and reconstruction of existing structures, partial renovations, and construction of new and/or refurbishment of existing signs in a Historic District.

Home Occupation - A business, profession, occupation or trade conducted within the principle structure of a residential use by a resident of the dwelling which is incidental and secondary to the residential use of the dwelling, does not change the essentially residential character of the use, and which complies with the requirements of Section 6.3, Home Occupations.



Hospital – An institution designed for the diagnosis, treatment and care of human illness or infirmity and providing health services, primarily for inpatients, and including as related facilities, laboratories, outpatient departments, training facilities and staff offices. A hospital may also include accessory uses such as "retail goods establishments" and "restaurants," provided that such facilities are incidental and subordinate to the main use and part of the main structure.

Hotel or Motel – An establishment providing, for a fee, sleeping accommodations and temporary living accommodations to the general public. Related ancillary uses may include, but shall not be limited to, conference and meeting rooms, restaurants and recreational facilities.

House of Worship - A building where persons regularly assemble for religious worship and which building is maintained and controlled by a religious body organized to sustain religious expression.

Impervious Coverage - The square footage or other area measurement by which all buildings and impervious surfaces cover a lot as measured in a horizontal plane to the limits of the impervious area(s), such as surface areas, walkways, patios and plazas. All parking spaces and lots, buildings, roads, driveways, walkways, tennis courts, patios, decks and any other structure or on-site material or ground condition that does not permit the natural absorption of water shall be included in the computation of impervious coverage.

Impervious Materials – Materials that prevent precipitation from contacting the existing soil and do not allow water to penetrate the soil.

Intensity – Any factor such as square footage, number of dwelling units, or number of employees used as a basis for requiring parking or loading facilities.

Kennel – An establishment where pet animals owned by another person are temporarily boarded for pay or remuneration of any sort. Kennel shall not apply to animal hospitals operated by veterinarians duly licensed under State law where the boarding of animals is accessory to medical treatment.

Landscape Area - A non-built-upon area of land in which landscape materials are placed, planted or maintained.

Landscape Plan - Shall mean the preparation of graphic and written criteria, specifications, and detailed plans to arrange and modify the effects of natural features such as planting ground and water forms, circulation, walks and other features to comply with the provisions of this Ordinance.

Landscaping - The installation of plant material or seed as a part of development.

Letter of Understanding - A letter from the Building Official, or his duly authorized representative, setting out the substance of a pre-application conference.

Live/Work Dwelling – A structure combining a dwelling unit with a non-residential use permitted in the zoning district where the structure is located, which is principally used by one (1) or more of the residents. A live/work dwelling may also include the combination of a dwelling unit with arts-related activities, such as painting, photography, sculpture, music or film, and principally used by one (1) or more of the residents.

Loading Space – A space within a main building on the same lot as a main building, providing for the standing, loading or unloading of trucks.

Lot – A parcel of land having specific boundaries and having its principal frontage upon an officially approved street.

Lot Area – The total horizontal areas within the lot lines of the lot.

Lot, Corner – A lot abutting two (2) or more streets at their intersection.

Lot Coverage – The area of the lot covered by a structure.

Lot Depth – The average horizontal distance between the front and rear lot lines.

Lot, Through – A lot having frontage on two (2) approximately parallel streets or places.

Lot, Interior – A lot other than a corner lot.

Lot Lines – The lines forming the outer boundary of a lot.

Lot Width – The average horizontal distance between the side lot lines measured at the required front yard line and parallel to the front street line, or measured at the street alone if no front yard is required.

Lot of Record - A recorded, platted lot or a parcel of land lot, the map of which has been recorded in the Office of the Clerk of Courts of West Feliciana Parish, or a lot described by metes and bounds, the description of which has been recorded in the Office of the Clerk of Courts of West Feliciana Parish.

Mansard - A roof with two slopes on all four sides, the lower slope being nearly vertical and the upper nearly horizontal.

Manufacturing, Heavy - The assembly or fabrication of goods and materials, which may include the storage of large volumes of highly flammable or toxic matter. Heavy manufacturing processes ordinarily have greater impacts than average impacts on the environment, or that ordinarily have significant impacts on the use and enjoyment of adjacent property in terms of noise, smoke, fumes, odors, glare or health and safety hazards.

Manufacturing, Light – The manufacturing from previously prepared materials of finished products or parts, including processing, fabrication, assembly, treatment and packaging of such products, and incidental storage, sales and distribution such products, providing all industrial activities are contained entirely within a building and noise, odor, smoke, heat, glare and vibration resulting from the industrial activity are confined within the building.

Medical/Dental Clinic – A facility operated by one (1) or more physicians, dentists, chiropractors, psychiatrists or other licensed practitioners of the healing arts for the examination and treatment of persons solely on an outpatient basis.

Mini-Warehouse – A structure that rents individual compartments for the purpose of storing personal property. Individual compartments shall not exceed one thousand (1,000) square feet.

Motor Vehicle Dealership – An establishment that sells or leases new or used, functional automobiles, trucks, vans, trailers, recreational vehicles, boats, motorcycles or other motorized transportation vehicles. A motor vehicle dealership may contain an inventory of the vehicles for sale or lease either on-site or at a nearby location, and may provide on-site facilities for the repair and service of the vehicles sold or leased by the dealership.

Mortuary – (Also see funeral home) An establishment in which the dead are prepared for burial or cremation. The facility shall be permitted to include a chapel for the conduct of funeral services and spaces for funeral services and informal gatherings, and/or display of funeral equipment.

Non-conforming Lot of Record - A platted lot which does not comply with the lot size requirements of the zoning district in which it is located, as outlined in Section 6.1.E of this Ordinance.

Non-conforming Structure - Any structure, which was lawful on the effective date of this Ordinance, but does not comply with all the standards and regulations of this Ordinance or any amendment thereto, as outlined in Section 6.1.D of this Ordinance.

Non-conforming Use - Any use of any land, building, or structure, which was lawful on the effective date of this Ordinance, but does not comply with all the standards and regulations of this Ordinance or any amendment thereto, as outlined in Section 6.1.B of this Ordinance.

Nursing Home - A facility designed and intended to provide nursing service on a continuing basis to persons, the majority of whom require such service under trained professional nurses or physicians, and for whom medical records are maintained. The term "nursing home" shall include post-operative centers but shall not include any facility used for providing service to any inmate of any prison or other correctional institution.

Office – An establishment in which business, clerical, or professional activities are conducted.
Open Space – That part of a lot, including all yards, which is open and unobstructed from grade level upward and is not occupied by off-street parking, streets, drives, or other surfaces for vehicles.

Outdoor Storage Yard – The storage of any material, as a principal use of the lot, or for a period of more than twenty-four (24) hours, including items for sale, lease, processing and repair not in an enclosed structure. Items within an outdoor storage yard must be owned or leased by the owner of the storage yard.

Parapet Wall – That portion of the wall that extends above the roof line.

Parcel - Any quantity of land capable of being described with such definitiveness that its location and boundaries may be established and which is designed by its owner as land to be used as a unit.

Parking Lot – An open, hard-surfaced area, other than a street or public way, used for the storage of operable passenger motor vehicles for limited periods of time. Parking may be available for residents, visitors, employees, clients, customers or similar users whether for compensation or at no charge.

Parking Space, Automobile – A space within a building, private or public parking lot, exclusive of driveways, ramps, columns, office and work areas, for the parking of an automobile.

Parks/Playgrounds – A non-commercial facility designed to serve the recreational needs of the residents of the community, and shall include but not be limited to, ball fields, basketball courts, skateboard parks, playgrounds and field house which may have indoor recreation facilities.

Party Wall – A wall starting from the foundation and extending continuously through all stories to or above the roof that separates one (1) building from another, but is in joint use by each building.

Penthouse, Mechanical – An enclosed structure above the roof of a building, other than a roof structure or bulkhead, that shelters mechanical equipment or vertical shaft openings in a roof.

Person - An individual, corporation, public agency, business, trust, partnership, association, two (2) or more persons having a joint or common interest, or any other legal entity.

Personal Services Establishment – An establishment or place of business primarily engaged in the provision of frequent or recurrent services of a personal nature. Typical uses include, but are not limited to, beauty shops, barbershops, tanning salons, massage parlors, animal grooming, shoe repair, personal item repair shops, Laundromats, dry cleaners, and tailors. Personal services establishments shall not include any adult uses.

Prison – A facility for the detention, confinement, treatment or rehabilitation of persons located within a residential development that is limited to use by residents and their guests.

Pervious Materials – Materials that permit water to enter the ground by virtue of their porous nature or by large spaces in the material.

Planned Unit Development (PUD) – A residential or commercial development guided by a total design plan in which one or more of the zoning or subdivision regulations, other than use regulations, shall be permitted to be waived or varied to allow flexibility and creativity in site and building design and location, in accordance with general guidelines.

Planning Commission - The term "Planning Commission" shall mean the St. Francisville Planning Commission created under LA.R.S. 33:101 et seq., which shall have the powers provided for by Louisiana law and as may be provided for in this Appendix A, Zoning of the Town of St. Francisville Code of Ordinances.

Planting Area - Any area designed for landscape material installation having a minimum area of twenty-five (25) square feet.

Plat – A map or plan of a parcel of land that is to be, or that has been, subdivided.

Prefabricated Housing – Any housing with structural or mechanical components manufactured and assembled away from the construction site. For purposes of this definition, the following terms shall have the following meanings:

Manufactured Housing - Dwelling units constructed primarily at a plant or facility on a production line basis and delivered to the site as an assembled unit or in modular form. Manufactured housing specifically refers to housing built under the Manufactured Home Construction and Safety Standards set by the U.S. Department of Housing and Urban Development (HUD).

Mobile Home - Prefabricated trailer-type housing units that are semi-permanently attached to land, either the owner's fee land or leasehold, such as in a mobile-home park. A mobile home is a moveable or portable structure designed and constructed on its own chassis and intended for connection to utilities for year-round occupancy as a dwelling. Any dwelling unit that qualifies as a modular home according to the definition herein is not considered a mobile home. Furthermore, a travel trailer is not considered a mobile home.

Manufactured Home Community – A unified development of two (2) or more manufactured home sites, plots or stands, arranged on a large tract usually under single ownership, meeting the area and yard requirements of this article, and designed to accommodate manufactured homes for a more or less permanent duration. Such term may include travel trailer accommodations, provided that no more than twenty-five percent (25%) of the park is used for such purpose.

Modular Home - Modular homes are houses divided into multiple modules or sections, which are manufactured in a remote facility and delivered to their intended site of use. The modules are then assembled on a permanent foundation without a permanent chassis, into a single residential building. Unlike other prefabricated construction, modular homes conform to all state, local and regional codes (International Building Code standards) where the structure is to be located.

Travel Trailer – A vehicular, portable structure built on a chassis, designed to be used as a temporary dwelling and may be hauled along a highway.

Principal building - A structure in which the primary use of the lot on which the building is located is conducted.

Principal Use - The primary use and chief purpose of a lot or structure.

Property Line – The lines forming the boundary of a lot, whether those lines are determined by metes and bounds, single lot or combination of lots or portions of lots of record.

Public Improvement – Any drainage ditch, storm sewer or drainage facility, sanitary sewer, water main, roadway, parkway, sidewalk, pedestrian way, tree lawn, off-street parking area, lot improvement or other facility for which the local government may ultimately assume the responsibility for maintenance and operation, or for which the local government responsibility is established.

Public Services – Uses operated by a unit of government to serve public needs, such as a police (with or without a jail), fire service ambulance, judicial court or government offices, but not including public utility stations or maintenance facilities.

Public Way – Any street, alley or similar parcel of land essentially unobstructed from the ground to the sky, which is deeded, dedicated or otherwise permanently appropriated to the public for public use.

Public Use - Any use operated by an agency of government which provides a direct service to the public including police, fire, library, schools whether operated by a public body or not and recreational services.

Public Utility Station – A structure or facility used by a public or quasi-public agency to store, distribute, and/or generate electricity, gas telecommunications and related equipment, or to pump or chemically treat water. This does not include storage or treatment of sewerage, solid waste or hazardous waste.

Quasi-Public – Essentially a public use, although under private ownership or control.

Quorum – A majority of authorized members of a board or commission.

Recreational Facilities - Any facility that provides recreational opportunities such as tennis clubs, health clubs or golf clubs.

Recreational Facilities, Indoor – A commercial establishment providing completely enclosed recreation activities. Accessory uses shall be permitted to include the preparation and serving of food and/or sale of equipment related to the enclosed uses. Included in this definition shall be bowling, roller-skating or ice-skating, billiards, pool, motion picture theaters, and related amusements.

Recreational Facilities, Outdoor – An area free of buildings except for restrooms, dressing rooms, equipment storage, maintenance buildings, open-air pavilions and similar structures used primarily for commercial recreational activities.

Rehabilitative Care Center - A building other than an apartment hotel, hotel, small or large group home, rooming house, tourist home, motel or motor lodge, providing temporary lodging and board and a special program of specialized care and counseling on a full-time basis. Such a center includes but is not limited to centers that provide for alcohol and drug abuse clientele, former inmates of prisons or correctional institutions, or former patients of mental illness institutions. A rehabilitative care center must be licensed by an agency of the State of Louisiana as a rehabilitative or similar care facility, and shall be operated by an entity that is similarly licensed by the State of Louisiana.

Residential Care Center - A building, other than an apartment, hotel, small or large group home, or rooming house, providing temporary lodging and board and a special program of specialized care and counseling on a full-time basis for twelve (12) or more individuals who are displaced from their normal living environment. A residential care center must be licensed by an agency of the State of Louisiana as a residential or similar care facility, and shall be operated by an entity that is similarly licensed by the State of Louisiana. Alcohol and drug abuse clientele, former inmates of prisons or correctional institutions, or former patients of mental institutions who have been found not guilty of a criminal charge by reasons of insanity shall be excluded as occupants.

Restaurant - Any establishment whose primary purpose is the service of food for consumption on or off the premises. Restaurants shall be classified as follows:

Restaurant, Fast Food – An establishment that sells food already prepared for consumption, packaged in paper, Styrofoam or similar materials, and may include drive-in or drive-up facilities for ordering.

Restaurant, Full-service - A restaurant with table service (order placement and delivery on-site) provided to patrons, also including cafeterias; carryout service, if any, shall be a limited portion of the facility and activity.

Restaurant, Limited-service - A restaurant without table service provided to patrons; walk-up counter and carryout trade is a primary portion of the facility; includes food delivery, carryout, public snack bars and delicatessens, but not specialty food or fast-food stores.

Retail Goods Establishment – A commercial enterprise that provides physical goods, products or merchandise directly to the consumer, where such goods are typically available for immediate purchase and removal from the premises by the purchaser. Retail goods establishments shall not include alcohol, unless "retail sales of alcohol" is allowed within the district and a separate approval is obtained for such use.

Retail Sales of Alcohol – Retail sale of alcoholic beverages for consumption off-premises, when licensed by the Town and the State of Louisiana.

Roof Line - The highest continuous horizontal line of a roof. On a sloping roof, the roofline is the principal ridgeline, or the highest line common to one (1) or more principal slopes of roof. On a flat roof, the roofline is the highest continuous line of the roof or parapet, whichever is higher.

Satellite Dish Antenna – A dish antenna designed for transmitting signals to a receiver or receiving station or for receiving television, radio, data, communication or other signals from other antennas, satellites or services.

Setback - The required minimum horizontal distance between any structure or projection and the related front, side, and rear property line.

Setback, Building - The required minimum horizontal distance between the building and the related front, side, and rear property line. For the purpose of this section, the setback will be measured to the nearest point of the foundation wall of the building. A roof overhang or projection not to exceed two (2) feet will be allowed to project past the foundation wall.

Schools – (See educational facilities) Any land used for educational facilities, including universities, colleges, elementary and secondary, and vocational schools.

Servitude - Same as easement.

Sidewalk – A paved pedestrian footpath between the curb lines or the lateral lines of a roadway and the adjacent property lines.

Sight Triangle - The triangle at either side of an accessway or public right-of-way at its junction with a public street with sides of not less than ten feet (10') in length each along the public right-of-way and/or accessway within which clear visibility of approaching vehicular or pedestrian traffic must be maintained in all directions.

Sign - A sign is defined as a medium of communication, including its structure and component parts, which is used or intended to be used to attract attention to its subject matter or location usually for advertising purposes, including paint on the surface of a building. Each distinctive message painted or placed on a building or other structure shall be considered an individual sign. See Section 6.0.C "Definitions", of Article 7 Sign Regulations, of this Chapter 5 for additional information.

Sign Area - Only one side of a double-faced sign shall be included in a computation of sign area; for other signs with more than two faces, each side shall be included in a computation of sign area. The area of a cylindrical sign shall be computed by multiplying one-half of the circumference by the height of the sign. The area of a sign made of individually cut out letters is the sum of the area of rectangles or triangles necessary to enclose each letter. Supporting framework or bracing that is clearly incidental to the display itself shall not be computed as sign area.

Sign Height – The vertical distance measured from grade to the highest point of the sign structure.

Site Plan – (Also called development plan) An accurate, scaled drawing showing the location of buildings, the landscaping, parking, circulation and such other features as floor plans and elevations to help describe the existing and proposed development of a specified area.

Social Club or Lodge – Buildings and facilities or premises used or operated by an organization or association for some common purpose, such as, but not limited to, a fraternal, social, educational or recreational purpose, but not including clubs organized primarily for profit or to render a service that is customarily carried on as a business. Such organizations and associations shall be incorporated under the laws of the State of Louisiana as a non-profit corporation or registered with the Secretary of State of Louisiana.

Story – That portion of a building included between the surface of any floor and the surface of the floor next to it; or, if there is no floor above it, then the space between the floor and the ceiling above it.

Streets - A public right-of-way or private thoroughfare, which provides vehicular and pedestrian access to adjacent properties. All streets will be within dedicated rights-of-way that have been properly processed, approved and recorded. The following shall be used to classify all streets:

Freeways - A divided multi-lane highway for through traffic with all crossroads separated in grade and with full control access.

Expressways - A divided arterial highway for through traffic with full or partial control of access and generally with grade separation at major intersections.

Arterial Streets - Public thoroughfares that serve the major movements of traffic within and through West Feliciana Parish.

Collector Streets - Public thoroughfares that serve to collect and distribute traffic primarily from local residential streets to arterial streets.

Local Streets - Facilities that are used primarily for direct access to abutting properties and leading into the collector street system.

Frontage Road or Service Road - A street adjacent to a freeway, expressway or an arterial street separated there from by a dividing strip and providing ingress and egress from abutting property.

Cul-de-Sac - A street having an outlet at one end only and having the other end permanently closed with facilities permitting vehicles to turn around.

Dead-End Street - A street having an outlet at one end only and terminated at the other end by undeveloped property. It may or may not have facilities permitting vehicles to turn around.

Public Streets - A public street is a road, thoroughfare, alley, highway, or bridge under the jurisdiction of a public agency.

Private Streets – Private streets are owned by residents, and have a publicly recognized indenture, or covenant, that outlines governance and acts as a deed restriction. In order to create a private street, property owners must pay the fees to support upgrades and maintenance of said street. The Town of St. Francisville shall provide police and fire protection, as well as trash removal services. The residents shall pay for maintaining or paving sidewalks and street surfaces, maintaining or planting trees, and maintaining or installing streetlights and entry gates. Private streets must meet minimum standards for drainage and storm water regulations, pedestrian safety regulations, and fire/emergency vehicle requirements.

Major State or Interstate Highway - Those highways, which have an average daily total of at least twenty-five thousand (25,000) vehicles at the intersection or section nearest to the use in question.

Structure - A combination of materials constructed or erected with a fixed location on the ground, or attached to something having a fixed location on the ground, including, but not limited to, retaining walls in excess of four feet (4').

Subdivision - The division of a parcel of land into two (2) or more lots, tracts, or parcels for the purpose, whether immediate or future, of sale, lease or building development, or if a new street is involved, any division of a parcel of land. The term includes re-subdivision and when appropriate to the context, shall relate to the process of subdivision or to the land subdivided.

Subdivision Regulations – The Town of St. Francisville Subdivision Regulations

Surveyor - A qualified registered land surveyor in good standing with the Louisiana Board of Registration.

Tattoo Parlor – Establishments where services offered are tattooing, body piercing and non-medical body modification.

Telecommunications - As defined in the federal Telecommunications Act of 1996, means the transmission between or among points specified by the user, or information of the user's choosing, without change in the form or content of the information as sent and received.

Telecommunications Antenna – A specific device, the surface of which is used to transmit and/or receive radio-frequency signals, microwave signals, or other signals transmitted to or from other antennas.

Telecommunications Facility – An unstaffed structure used to house and protect the equipment necessary for processing telecommunications signals, which may include air conditioning equipment and emergency generators.

Telecommunications Tower - Any ground or roof mounted pole, spire, structure, or combination thereof taller than fifteen feet (15'), including lines, cables, wires, braces, and masts, intended primarily for the purposes of mounting an antenna, meteorological device, or similar apparatus above grade. Notwithstanding any other provision of this code "Height" of a telecommunication tower is the distance from the base of the tower to the top of the structure.

Temporary Use – A use that is authorized by this code to be conducted for a fixed period of time. Temporary uses are characterized by such activities as the sale of agricultural products, contractors' offices and equipment sheds, fireworks, carnivals flea markets, and garage sales.

Town Planner – A person, appointed by the Mayor, who is responsible for reviewing and providing recommendations on all zoning, rezoning, subdivision, re-subdivision, variance, and appeals requests to the Town Planning Commission and/or the Board of Zoning Adjustments.

Tract - A parcel of land identified by letter or number the boundaries of which are shown on the recorded subdivision or development plat. A tract need not be suitable for development.

Traffic Impact Study - An analysis of the effect of traffic generated by a development on the capacity, operations and safety of the public street and highway system.

Trash/Garbage Storage Area - That area of a development used for the storage and containment of refuse and refuse containers (i.e. dumpsters).

Truck-stop facility - Those facilities as contemplated in LA R. S. 33:4862.1 et seq., which are designed primarily for serving eighteen wheel tractor-trailer motor vehicles, but where no video draw-poker devices may be operated.

Use – The activity occurring on a lot or parcel, for which land or a building is arranged, designed or intended, or for which land or a building is or may be occupied, including all accessory uses.

Use, Change of – The change within the classified use of a structure or parcel.

Variance – A permission to deviate from the height, bulk, setback, parking or other dimensional requirements established by this code, when because of special circumstances applicable to the property, strict application of the provisions herein deprive such property of privileges enjoyed by other property in the vicinity that is under the identical zoning.

Vehicle - Any means of transport on land, especially on wheels (e.g. a car, bus, bicycle etc.)

Vehicle, Commercial – Those exceeding one (1) ton in size with advertising or special equipment, which distinguish it from private automobiles. Any vehicle used for commercial purposes, except passenger vehicles used for to and from work. All vehicles with more than two (2) axles except motor homes used for recreation and not used in commerce. Note: A sign alone on a vehicle does not make the vehicle commercial.

Vehicle, Recreational – A vehicle designated for temporary living quarters for camping, traveling, or recreational use. It may have its own motive power, or be mounted on or pulled by another vehicle.

Vehicle Storage Yard – Any land or buildings used primarily for the permanent or temporary storage of inoperable vehicles, machinery, or other equipment on a temporary or permanent basis.

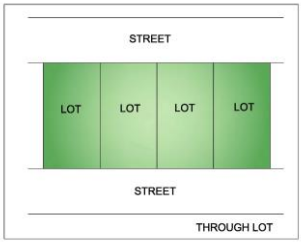
Warehouse, Wholesale or Storage – A building or premises in which goods, merchandise or equipment are stored for eventual distribution.

Yard – An open space at grade between a building and the adjoining lot lines, unoccupied and unobstructed by any portion of structure upward except as otherwise provided herein. In measuring a yard to determine the width of a yard, the minimum horizontal distance between the lot line and the maximum permissible main building shall be yard dimension.

Yard, Front – A yard extending across the full width of a lot between the side lot lines and between the front property line and the front line of the building projected to the side lines of the building site. The depth of the front yard shall be measured between the front line of the building and the street line. On corner lots, the front yard shall be considered as parallel to the street upon which the lot has the least dimension. This space is considered open space.

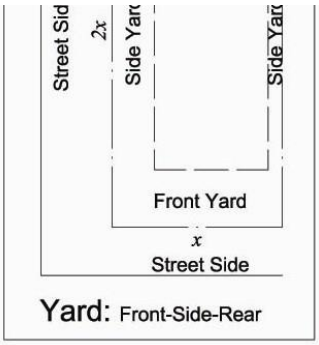
Yard, Rear – A yard extending across the rear of the lot between the side lot lines and being the minimum horizontal distance between a rear lot line and the rear of the maximum main building. The rear yard shall be at the opposite end of the lot from the front yard. However, on through lots fronting two (2) streets, two (2) front yards shall be provided.

Yard, Side – A yard between the main building and the side lot line and extending from the front lot line to the rear lot line.



Yard, Through – A through yard is any single zoning lot that is not a corner lot and that connects two generally parallel streets. On through yards fronting two (2) streets, two (2) front yards shall be provided.

Zoning Commission - The term "Zoning Commission" shall mean the St. Francisville Zoning Commission created under La. R.S. 33:4721 et seq., which shall have the powers provided for by Louisiana law and as may be provided for in this Appendix A, Zoning of the Town of St. Francisville, Code of Ordinances.



SECTION 2.3- 2.10 RESERVED

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APPENDIX A

COMPREHENSIVE ZONING 0RDINANCE

Appendix A. Part I. Scope and Application
Appendix A. Part II. Definitions and Rules of Interpretation
Appendix A. Part III. Use Districts
Appendix A. Part IV. Special Districts
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PART III. USE DISTRICTS

SECTION 3.1 DISTRICT CLASSIFICATIONS

In order to classify, regulate and restrict the locations of uses and locations of buildings designated for specific areas; and to regulate and determine the areas of yards, courts and other open spaces within or surrounding such buildings, property is hereby classified into districts as prescribed in this Section.

SECTION 3.2 RULES FOR INTERPRETATION OF DISTRICT BOUNDARIES

A. Where uncertainties exist, such as approximately following the centerlines of streets, highways, or alleys, the boundaries shall be construed to follow such centerlines.

B. Boundaries indicated as approximately following platted lot lines shall be construed to follow such lot lines.

C. Boundaries indicated as approximately following town limits shall be construed as following town limits.

D. Boundaries indicated as following railroad lines shall be construed to be midway between the tracks.

E. Boundaries indicated as following shorelines shall be construed to follow such shoreline and, in the event of change in the shoreline, shall be construed as moving with the actual shoreline.

F. Boundaries indicated as parallel to or extensions of features indicated in Section 3.2 subsections A through F above, shall be so construed. The scale of the map shall determine distances not specifically indicated on the official zoning map.

G. Boundaries indicated following other boundary lines, watercourses, and other natural topographical features, such lines shall be construed to be such boundaries.

H. Where street or property layout existing on the ground is at variance with that shown on the official zoning map, or in other circumstances not covered by Section 3.2 subsections A through I, the Mayor or his/her duly authorized representative shall interpret the district boundaries, provided such adjustment does not exceed one (1) acre in area.

SECTION 3.3 APPLICATIONS OF DISTRICT REGULATIONS

A. No building, structure, or land shall hereafter be used or occupied and no building or structure or part thereof shall hereafter be erected, constructed, reconstructed, moved, or structurally altered unless in conformity with all of the regulations herein specified for the district in which it is located.

B. No building or other structure shall hereafter be erected or altered:

1. To exceed the height;

2. To accommodate or house a greater number of families;

3. To occupy a greater percentage of lot area;

4. To have narrower or smaller rear yards, front yards, side yards, or other open spaces than herein required, or in any other manner contrary to the provisions of this Ordinance.

C. No part of a yard or other open space or off-street parking or loading space required about or in connection with any building for the purpose of complying with this Ordinance shall be included as part of a yard, open space, or off-street parking or loading space similarly required for any other building.

D. No yard or lot existing at the time of passage of this Ordinance shall be reduced in size or area below the minimum requirements set forth herein except where to do so would lead to lots that are less non-conforming than prior to the re-subdivision. Yards or lots created after the effective date of this Ordinance shall meet at least the minimum requirements established by this Ordinance.

E. *Regulations of land under water* - All lands within the Town, which are under water and are not shown as included within any district shall be subject to all the regulations of the district adjacent to the water area. If the water area adjoins two (2) or more districts, the boundaries of each district shall be construed to extend into the water area in a straight line.

F. *Location of streets and public ways* - Whenever any street, alley, or other public way is vacated by official action of the governing body of the Town, the zoning district adjoining each side of such street, alley, or public way shall automatically extend to the center of same and all area included therein shall then become subject to all appropriate regulations of the extended districts.

SECTION 3.4 ESTABLISHMENT OF DISTRICTS

A. All land within the corporate limits of the Town of St. Francisville is hereby divided into the following base zoning districts:

RLL	Residential Large Lot
RS-1	Single-Family Residential
RS-2	Medium-Density Single-Family Residential
RM-1	Multiple-Family Residential
BMX	Business Mixed-Use
CTC	Commercial Town Center
CH	Commercial Highway
LI	Light Industrial
IS	Institutional
PUD	Planned Unit Development

A. The boundaries of each zoning district are to be indicated upon the official zoning map as approved by the Board of Aldermen of the Town of St. Francisville. Said map and subsequent amendments thereto shall be considered as a part of this Code.

B. If, in accordance with the provisions of this ordinance and statutes, changes are made in district boundaries or other matter portrayed on the official zoning map, such changes shall be made on this official zoning map after the Board of Aldermen has approved the amendment, and attached to this ordinance. Each such change of the map shall be dated, signed, and certified. However, amendments shall become effective when adopted by the Board.

   No change of any nature shall be made in this official zoning map or matter shown thereon except in conformity with the procedure set forth in this Ordinance. Any unauthorized changes of whatever kind, by any person or persons, shall be considered a violation of the ordinance and punishable under Section 8.2, Violations, of this ordinance.

   The official zoning map, which shall be located in St. Francisville at the Town Hall shall be the final authority as to the current zoning status of land, buildings, and other structures in the Town.

C. *Classification of Annexed Territory* - All areas taken into the Town limits of the Town of St. Francisville shall be classified in the zoning district of the Town of St. Francisville that most closely corresponds to the adjacent land uses as identified by the Town of St. Francisville Master Plan or Comprehensive Zoning Ordinance. The appropriate Town zoning shall be recommended by the Planning Commission of the Town of St. Francisville and verified in writing before adoption of an Annexation Ordinance by the Board of Aldermen of the Town of St. Francisville.

   However, the said areas taken into the Town may be classified as any district set forth in Section 3.4.A provided that:

   1. Application be made to the Planning Commission by an owner with the area to be annexed for whatever other classification or classifications that may be desired;

   2. A public hearing shall have been held by the Planning Commission meeting the requirements of Section 8.1.A.3 hereof;

   3. The Planning Commission approves a district classification or classifications requested, and;

   4. The Board of Aldermen approves by majority vote the district classification approved by the Planning Commission.

   5. If the Planning Commission and Board of Aldermen do not act upon the application within ninety (90) days from date of the application, it shall be deemed denied.

SECTION 3.5 RLL RESIDENTIAL LARGE LOT

A. *Purpose and Intent* – The purpose and intent of the RLL Residential Large Lot district is to maintain St. Francisville's residential character, conserve natural areas and environmental quality, and ensure efficient public services and facilities to those areas where potential development is impacted by sensitive or habitat or environmental conditions.

B. *Permitted Uses*

   1. Residential

      a. Bed and Breakfast Establishments (see Section 6.4).

b. Single-family detached dwellings, including modular homes.

c. Small group or community home (see Sections 3.5.E and 6.5 for standards).

2. Non-residential

a. Agricultural uses, horticultural and forestry activities, excluding aircraft landing strips.

b. Cemeteries.

c. Conservation uses, including forestry, reforestation, and other activities connected the conservation of soil and nature.

d. House of worship provided the building or buildings for use does not exceed four thousand (4,000) square feet.

e. Public buildings, including firehouses, schools and community centers;

f. Public utilities, including telephone, telegraph and power distribution poles and lines and necessary appurtenant equipment and structures such as transformers, unit substations and equipment houses;

g. Open space and recreational uses.

h. Paved or unpaved trails or pathway systems for use by hikers, bicyclists, pedestrians; including trailheads for such use.

3. Accessory

a. Accessory buildings or structures customarily incidental to the aforementioned permitted uses.

b. Home occupations (See Section 6.3).

C. *Conditional Uses* - Conditional uses are prohibited unless the Town of St. Francisville has processed an application for the use, and the Zoning Commission has favorably approved such use. For all conditional uses the plan approval process is that as set forth in Section 8.1.F Conditional Uses, regardless of lot size or conditional uses.

D. *Property Development Standards*

1. Lot area: Lots other than public utilities shall contain a minimum area of three (3) acres.

2. Lot Width: All lots shall have a minimum width of one hundred (100) feet.

3. Standard yard requirements and development standards

a. Front yard setback: All uses shall have a minimum front yard setback of thirty (30) feet. On through lots this minimum front yard shall be provided on both streets.

b. Side yard: All uses shall have a minimum combined total side yard of twenty (20) feet, but in no case shall any building be located closer than ten (10) feet from the side property line.

c. Rear yard: There shall be a rear yard having a minimum depth of twenty percent (20%) of the depth of the lot, provided the depth of the required rear yard shall be at least twenty-five (25) feet and need not exceed fifty (50) feet.

4. Maximum height limit: No building or structure shall exceed thirty-five (35) feet above the base flood elevation as established in the current FEMA maps and guidelines, unless outlined in Section 6.7 of this ordinance.

E. *Site and structure regulations for group/residential care homes*.

1. To ensure safety and compatibility with surrounding use, site plan approval is required for any board, care and/or community home in this district.

2. For these uses, no more than four (4) automobiles, vans, trucks, etc., shall be parked outside of a small group home. These must be parked in off-street parking spaces.

3. All requirements for certification, licensing and monitoring established by the laws of the State of Louisiana, including but not limited to LA.R.S. 40:2151 et seq., relative to board and care homes must be complied with and maintained pursuant to this Section.

4. All requirements for certification, licensing, and monitoring established by the laws of the State of Louisiana, including but not limited to LA.R.S. 28:475 et seq. relative to group homes for handicapped persons must be complied with and maintained pursuant to this Section.

F. *Parking Requirements* – As provided for in Section 5.1, Off Street Parking.

SECTION 3.6 RS-1 SINGLE-FAMILY RESIDENTIAL

A. *Purpose and Intent* – The purpose and intent of the RS-1 Single-Family Residential district is to provide for the location and grouping of low-density, single-family residences with accompanying accessory uses that are protected from the adverse impacts of incompatible non-residential land uses.

B. *Permitted Uses*

1. Residential

a. Single-family detached dwellings, including modular homes.

b. Small group or community home (see Sections 3.5.E and 6.5 for standards).

2. Non-residential

a. Agricultural uses, horticultural and forestry activities, excluding aircraft landing strips.

b. House of worship, provided the building or buildings for use does not exceed four thousand (4,000) square feet.

c. Public buildings, including firehouses, schools and community centers.

d. Public utilities, including telephone, telegraph and power distribution poles and lines and necessary appurtenant equipment and structures such as transformers, unit substations and equipment houses.

e. Open space and recreational uses.

3. Accessory

a. Accessory buildings or structures customarily incidental to the aforementioned permitted uses.

b. Home occupations (See Section 6.3).

C. *Conditional Uses* - Conditional uses are prohibited unless the Town of St. Francisville has processed an application for the use, and the Zoning Commission has favorably approved such use. For all conditional uses the plan approval process is that as set forth in Section 8.1.F Conditional Uses, regardless of lot size or conditional uses.

D. *Property Development Standards*

1. Lot area

a. Residential lots shall contain a minimum area of twelve thousand (12,000) square feet.

b. Non-residential lots other than public utilities shall contain a minimum area of one half (1/2) acre.

2. Lot Width: All lots shall have a minimum width of one hundred (100) feet.

3. Standard yard requirements and development standards

a. Front yard setback: All uses shall have a minimum front yard setback of thirty (30) feet. On through lots this minimum front yard shall be provided on both streets.

b. Side yard: All uses shall have a minimum combined total side yard of twenty (20) feet, but in no case shall any building be located closer than ten (10) feet from the side property line.

c. Rear yard: There shall be a rear yard having a minimum depth of twenty percent (20%) of the depth of the lot, provided the depth of the required rear yard shall be at least twenty-five (25) feet and need not exceed fifty (50) feet.

4. Maximum height limit: No building or structure shall exceed thirty-five (35) feet above the base flood elevation as established in the current FEMA maps and guidelines, unless outlined in Section 6.7 of this ordinance.

E. *Site and structure regulations for group/residential care homes*.

1. To ensure safety and compatibility with surrounding use, site plan approval is required for any board, care and/or community home in this district.

2. For these uses, no more than four (4) automobiles, vans, trucks, etc., shall be parked outside of a small group home. These must be parked in off-street parking spaces.

3. All requirements for certification, licensing and monitoring established by the laws of the State of Louisiana, including but not limited to LA.R.S. 40:2151 et seq., relative to board and care homes must be complied with and maintained pursuant to this Section.

4. All requirements for certification, licensing, and monitoring established by the laws of the State of Louisiana, including but not limited to LA.R.S. 28:475 et seq. relative to group homes for handicapped persons must be complied with and maintained pursuant to this Section.

F. *Parking Requirements* – As provided for in Section 5.1, Off Street Parking.

SECTION 3.7 RS-2 MEDIUM-DENSITY SINGLE-FAMILY RESIDENTIAL

A. *Purpose and Intent* – The purpose and intent of the RS-2 Medium-Density Single-Family Residential district is to accommodate single-family residences; attached dwellings that have common walls, including townhouses; congregate and other cluster developments, as well as accessory dwelling units and Bed and Breakfast establishments.

B. *Permitted Uses*

2. Residential

a. All of the permitted uses of R-1 shall apply.

b. Accessory Dwelling Unit (See Section 3.5.C).

c. Dwelling, Townhouse.

3. Non-residential

a. Bed and Breakfast establishments (See Section 6.4).

C. *Conditional Uses* - Conditional uses are prohibited unless the Town of St. Francisville has processed an application for the use, and the Zoning Commission has favorably approved such use. For all conditional uses the plan approval process is that as set forth in Section 8.1.F Conditional Uses, regardless of lot size or conditional uses.

D. *Property Development Standards*

1. Lot area

a. Residential lots shall contain a minimum area of nine thousand (9,000) square feet.

b. Non-residential lots other than public utilities shall contain a minimum area of one half (1/2) acre.

c. Townhouse lots shall contain a minimum area of not less than twenty-four hundred (2,400) square feet.

2. Lot Width*:* All lots shall have a minimum width of seventy-five feet (75')

3. Standard Yard Requirements and Development Standards

a. Front yard setback: All uses shall have a minimum front yard setback of thirty (30) feet. On through lots this minimum front yard shall be provided on both streets.

b. Side yard: All uses except townhouses shall have a minimum combined total side yard of twenty (20) feet, but in no case shall any building be located closer than ten (10) feet from the side property line.

c. Rear yard: There shall be a rear yard having a minimum depth of twenty percent (20%) of the depth of the lot, provided the depth of the required rear yard shall be at least twenty-five (25) feet and need not exceed fifty (50) feet.

4. *Maximum Height Limit* - No building or structure shall exceed thirty-five (35) feet above the base flood elevation as established in the current FEMA maps and guidelines, unless outlined in Section 6.7 of this ordinance.

5. *Parking Requirements* – As provided for in Section 5.1, Off Street Parking.

SECTION 3.8 RM-1 MULTIPLE-FAMILY RESIDENTIAL

A. *Purpose and Intent* – The purpose and intent of the RM-1 Multiple-Family Residential district is to provide opportunities for low- to moderate-density residential neighborhoods with buildings on individual lots or for more than one (1) building on one (1) lot. The RM-1 district shall accommodate single-family residences attached dwellings that have common walls, including townhouses; congregate and other cluster developments, as well as multi-family structures ranging from duplexes to apartment buildings.

B. *Permitted Uses*

1. Residential

a. All of the permitted uses of R-2 shall apply.

b. Two-family dwellings, including modular homes.

c. Multiple-family dwellings.

d. Large group/community homes (See Sections 3.7.E. and 6.5 of this Ordinance).

2. Non-Residential

a. All of the permitted uses of R-2 shall apply.

b. Hotels.

c. Funeral homes and mortuaries.

d. Social clubs or lodges.

C. *Conditional Uses* - Conditional uses are prohibited unless the Town of St. Francisville has processed an application for the use, and the Zoning Commission has favorably approved such use. For all conditional uses the plan approval process is that as set forth in Section 8.1.F Conditional Uses, regardless of lot size or conditional uses.

D. *Property Development Standards*

1. Lot Area

a. All residential lots shall contain a minimum area five thousand (5,000) square feet per unit.

b. Large group homes shall contain a minimum area of one (1) acre.

2. Lot Width

   a. Single-family homes shall have a minimum lot width of fifty (50) feet.

   a. Two-family and multiple-family residential lots shall have a minimum lot width sixty feet (60').

3. Standard yard requirements and development standards

   a. Front yard setback: All uses shall have a minimum front yard setback of twenty (20) feet. On through lots this minimum front yard shall be provided on both streets.

   b. Side yard: All uses shall have a minimum combined total side yard of ten (10) feet, but in no case shall any building be located closer than five (5) feet from the side property line.

   c. Rear yard: All uses shall have a minimum rear yard depth of twenty percent (20%) of the depth of the lot, provided the depth of the required rear yard shall be at least twenty (20) feet and need not exceed fifty (50) feet.

4. Maximum height limit: No building or structure shall exceed thirty-five feet (35') above the base flood elevation as established in the current FEMA maps and guidelines, unless outlined in Section 6.7 of this ordinance.

5. Parking Requirements: As provided for in Section 5.1, Off Street Parking.

E. *Site and structure regulations for group/residential care homes*.

1. To ensure safety and compatibility with surrounding use, site plan approval is required for any board, care and/or community home in this district.

2. For these uses, no more than six (6) automobiles, vans, trucks, etc., shall be parked outside of a small group home. These must be parked in off-street parking spaces.

3. All requirements for certification, licensing and monitoring established by the laws of the State of Louisiana, including but not limited to LA.R.S. 40:2151 et seq., relative to board and care homes must be complied with and maintained pursuant to this Section.

4. All requirements for certification, licensing, and monitoring established by the laws of the State of Louisiana, including but not limited to LA.R.S. 28:475 et seq. relative to group homes for handicapped persons must be complied with and maintained pursuant to this Section.

TABLE 4: RESIDENTIAL PERMITTED AND CONDITIONAL USES					
USE	DISTRICTS				USE STANDARDS
	RLL	RS-1	RS-2	RM-1	
RESIDENTIAL USE					
Bed & Breakfast	P		P	P	Section 6.4
Dwelling, Multi-Family				P	
Dwelling, Single-Family	P	P	P	P	
Dwelling, Two-Family				P	
Dwelling, Townhouse			P	P	
Group Home, Small	P	P	P	P	Section 6.5
Group Home, Large				P	Section 6.5
Manufactured Housing					
COMMERCIAL USE					
Hotel				P	
Funeral Home or Mortuary				P	
Social Club or Lodge				P	
Agricultural Uses	P	P	P	P	
Home Occupations	P	P	P	P	
INSTITUTIONAL USE					
Public Buildings	P	P	P	P	
House of Worship ≤ 4,000 sq ft	P	P	P	P	
OTHER					
Public Utilities	P	P	P	P	
Accessory Dwelling Unit			P	P	Section 5.3.C
OPEN SPACE USES					
Community Garden	P	P	P	P	
Open Space and Recreational Uses	P	P	P	P	
					P = Permitted C = Conditional

TABLE 5: RESIDENTIAL PROPERTY DEVELOPMENT STANDARDS				
BULK & YARD REGULATIONS	DISTRICTS			
	RLL	R-1	R-2	RM-1
BULK REGULATIONS				
Minimum Lot Area	3 acres	12,000	9,000 sq ft single-family 2,400 sq ft townhouse	5,000 sq ft/unit
Maximum Bldg Height	35 ft	35 ft	35 ft	35 ft
YARD REQUIREMENTS				
Lot Width	100 ft	100 ft	75 ft single-family 2,400 sq ft townhouse	50 ft single & two-fam 60 ft two-family & multi-family
Front Yard	30 ft	30 ft	30 ft	20 ft
Minimum Interior Side Yard	10 ft	10 ft	10 ft single-family	5 ft
Total Side Yard	20 ft	20 ft	20 ft	10 ft
Minimum Rear Yard	25 ft	25 ft	25 ft	25 ft

SECTION 3.9 BMX BUSINESS MIXED-USE

A. *Purpose and Intent* – The purpose and intent of the BMX Business Mixed-Use district is to provide for the location of small, low-impact retail, service and office uses within or next to primarily residential areas. This district will protect established residential neighborhoods from the type of land uses associated with high levels of noise, illumination, traffic and visual blight that are more common in more intense commercial districts, while encouraging the convenient placement of such commercial uses for the benefits of residents in locations compatible with the type and impact of the use. Characteristics of this district generally include a mixture of land uses in close proximity to existing commercial development, where some existing homes or vacant land may be less suitable for residential purposes.

B. *Permitted Uses*

1. Residential

   a. All of the permitted uses of RM-1 shall apply.

2. Non-residential

   a. All of the permitted uses of RM-1 shall apply.

   b. Animal hospital.

   c. Art galleries, visual art and photographic studios.

   d. Small Day Care Center, Adult or Child (See Section 6.6).

   e. Financial Institution.

   f. Medical and dental clinics, up to three (3) practitioners.

   g. Personal services establishment;

   h. Professional and business offices, provided the building for use does not exceed five thousand (5,000) square feet.

   i. Retail Sales Establishment.

3. Accessory

   a. Accessory buildings or structures customarily incidental to the aforementioned permitted uses.

   b. Incidental home occupations (See Section 6.3).

C. *Conditional Uses* - Conditional uses are prohibited unless the Town of St. Francisville has processed application for the use, and the Zoning Commission has favorably approved such use. For all conditional uses the plan approval process is that as set forth in Section 8.1.F Conditional Uses, regardless of lot size or conditional uses.

1. Medical and dental clinics with more than three (3) practitioners.

2. Professional and business offices over five thousand (5,000) square feet.

D. *Property Development Standards*

1. Lot area

   a. Residential and non-residential uses shall have a minimum lot area of five thousand (5,000) square feet.

   b. Townhouse lots shall have a minimum lot area of twenty-four hundred (2,400) square feet.

   c. Large group homes shall have a minimum area of one (1) acre.

2. Lot width

   a. Residential and non-residential uses shall have a minimum lot width of fifty (50) feet.

   b. Two-family and multiple-family residential lots shall have a minimum lot width sixty (60) feet.

3. Standard Yard Requirements and Development Standards

   a. Front yard

      i. Residential uses shall have a minimum front yard setback of ten (10) feet.

      ii. There is no required minimum front yard setback for non-residential uses.

   b. Side yard

      i. Residential uses shall have a minimum combined total side yard of ten (10) feet, but in no case shall any building be located closer than five (5) feet from the side property line.

      ii. There is no required side yard setback for non-residential uses except on the sides of a lot abutting any adjacent exiting residential dwelling or residential district in which case there shall be a minimum side yard setback of five (5) feet.

   c. Rear yard

      i. Residential uses shall have a minimum rear yard of ten (10) feet.

      ii. There is no required rear yard setback for non-residential uses except where a lot abuts an adjacent exiting residential dwelling or residential district in which case there shall be a minimum rear yard setback of five (5) feet.

4. Maximum height limit: No building or structure shall exceed thirty-five feet (35') above the base flood elevation as established in the current FEMA maps and guidelines, unless outlined in Section 6.7 of this Ordinance.

E. *Parking Requirements* - Parking requirements for this district shall be in accordance with the provisions of Section 5.1 of this land use regulations Ordinance.

F. *Fire Marshal Approval* - As provided for in the Town of St. Francisville Code of Ordinances.

G. *Landscape Requirements* - Landscaping requirements for this district shall be in accordance with the provisions of Section 5.2, Landscaping and Screening.

H. *Off-street Loading Requirements* - Off-street loading requirements for this district shall be in accordance with the provisions of Section 5.1.N of this Ordinance.

SECTION 3.10 CTC COMMERCIAL TOWN CENTER

A. *Purpose and Intent* – The purpose and intent of the CTC Commercial Town Center district is to accommodate the diverse mix of business, commercial, office, institutional, residential, and cultural and entertainment uses for residents and visitors that has developed in the core of St. Francisville. This district will encouraging appropriate development and redevelopment, the efficient use of small tracts, innovative and imaginative planning, conservation of natural resources and minimum waste of land that will result in the development of unique, attractive, and pedestrian friendly places. Control of vehicular access, circulation, landscaping, and signs should soften the impact of development on any nearby residential neighborhoods and assure minimum adverse effects on the street system and other public services.

B. *Permitted Uses*

1. All of the permitted uses of BMX shall apply.
2. Automotive Repair, Minor.
3. Large Day Care Center, Adult or Child (See Section 6.6).
4. Gas station.
5. Government facility.
6. Houses of worship, regardless of size.
7. Medical and dental clinic.
8. Nursing home.
9. Professional and business offices.
10. Residential Care Center.
11. Restaurant, all types.

C. *Conditional Uses* - Conditional uses are prohibited unless the Town of St. Francisville has processed an application for the use, and the Zoning Commission has favorably approved such use. For all conditional uses the plan approval process is that as set forth in Section 8.1.F Conditional Uses, regardless of lot size or conditional uses.

1. Rehabilitative Care Center.
2. Retail sales of alcohol.

D. *Property Development Standards*

1. Lot area: The minimum lot area requirements as established in BMX Business Mixed Use as per Section 3.8 of this ordinance.

2. Lot width: The minimum lot width requirements as established in BMX Business Mixed Use as per Section 3.8 of this ordinance.

3. Standard Yard Requirements and Development Standards

   a. Front yard setback: There is no required minimum front yard setback.

   b. Side yard: The minimum side yard setback requirements as established in BMX Business Mixed Use as per Section 3.8 of this ordinance.

   c. Rear yard: The minimum rear yard setback requirements as established in BMX Business Mixed Use as per Section 3.8 of this ordinance.

E. *Maximum Height Limit* - No building or structure shall exceed thirty-five feet (35') above the base flood elevation as established in the current FEMA maps and guidelines, unless outlined in Section 6.7 of this ordinance.

F. *Parking Requirements* - Parking requirements for this district shall be in accordance with the provisions of Section 5.1 of this land use regulations ordinance.

G. *Fire Marshal Approval* - As provided for in the Town of St. Francisville Code of Ordinances.

H. *Landscape Requirements* - Landscaping requirements for this district shall be in accordance with the provisions of Section 5.2, Landscaping and Screening. Where a CTC district abuts any adjacent existing residential district, buffer zones shall be provided as per Section 5.2.F.

I. *Off-street Loading Requirements* - Off-street loading requirements for this district shall be in accordance with the provisions of Section 5.1.N of this Ordinance.

SECTION 3.11 CH COMMERCIAL HIGHWAY

A. *Purpose and Intent* - The purpose and intent of the CH Commercial Highway district is to accommodate a wide variety of commercial and retail uses, as well as offices, businesses and personal services that serve the needs of the community and the region. The intent is to provide for a mix of large-scale commercial uses that are typically land sensitive and are not well suited to being located in neighborhoods or smaller commercial corridors. This district is best suited along major arterial streets and interstate highway intersections.

B. *Permitted Uses*

1. All of the permitted uses of CTC shall apply.

3. Automotive Repair, Major.

4. Equestrian facilities.

5. Fuel Exchange Station.

6. Heavy sales, rental and service.

7. Gas station.

8. Kennel.

9. Mini-warehouse.

10. Motor Vehicle Dealership.

11. Parking garages.

12. Recreation facilities, indoor or outdoor.

13. Retail Sales of Alcohol.

14. Nursing home.

15. Truck stop facility.

C. *Conditional Uses* - Conditional uses are prohibited unless the Town of St. Francisville has processed an application for the use, and the Zoning Commission has favorably approved such use. For all conditional uses the plan approval process is that as set forth in Section 8.1.F Conditional Uses, regardless of lot size or conditional uses.

D. *Property Development Standards*

1. Lot area: The minimum lot area requirements as established in BMX Business Mixed Use as per Section 3.8 of this ordinance.

2. Lot width: The minimum lot width requirements as established in BMX Business Mixed Use as per Section 3.8 of this ordinance.

3. Standard Yard Requirements and Development Standards

   a. Front yard: All uses shall have a minimum front yard setback of twenty-five (25) feet.

   b. Side yard: All uses shall have a minimum combined total side yard of ten (10) feet, but in no case shall any building be located closer than five (5) feet from the side property line.

   c. Rear yard: All uses shall have a minimum rear yard depth of twenty percent (20%) of the depth of the lot, provided the depth of the required rear yard shall be at least twenty (20) feet and need not exceed fifty (50) feet.

E. *Maximum Height Limit* - No building or structure shall exceed thirty-five feet (35') above the base flood elevation as established in the current FEMA maps and guidelines, unless outlined in Section 6.7 of this ordinance.

F. *Parking Requirements* - Parking requirements for this district shall be in accordance with the provisions of Section 5.1 of this land use regulations ordinance.

G. *Fire Marshal Approval* - As provided for in the Town of St. Francisville Code of Ordinances.

H. *Landscape Requirements* - Landscaping requirements for this district shall be in accordance with the provisions of Section 5.2, Landscaping and Screening. Where a CH district abuts any adjacent existing residential district, buffer zones shall be provided as per Section 5.2.F.

I. *Off-street Loading Requirements* - Off-street loading requirements for this district shall be in accordance with the provisions of Section 5.1.N of this Ordinance.

SECTION 3.12 LI LIGHT INDUSTRIAL

A. *Purpose and Intent* - The purpose of the Light Industrial district is to accommodate a wide range of enterprises, including those engaging in the manufacturing, processing, creating, repairing, renovating, painting, cleaning or assembling of goods, merchandise or equipment. Other more intense industrial or manufacturing uses may also be permitted under specific conditions so as to limit the impact on adjacent areas especially in terms of lighting, signage, traffic, odor, noise, airborne particles and hours of operation.

B. *Permitted Uses*

1. Residential

   a. Caretaker dwellings, including houses for faculty and watchmen.

2. Non-residential

   a. Adult uses (See Section 6.8).

   b. Business parks.

   c. Contractor companies and storage yards.

   d. Government facilities.

   e. Heavy Sales, rental and service.

   f. Manufacturing, light.

   g. Mini-warehouses.

   h. Outdoor storage yards.

   i. Tattoo Parlors.

   j. Truck repair.

   k. Major utility transmission, including but not limited to electrical distribution centers and transformer stations, radio and television broadcasting tower facilities, telecommunication facilities and the like.

   l. Vehicle storage yards.

   m. Warehouse, wholesale or storage.

   n. Wholesale or storage of petroleum products and gas, provided that all above ground storage tanks are located a minimum of one hundred fifty feet (150') from all property lines.

3. Accessory

a. Accessory buildings or structures customarily incidental to the aforementioned permitted uses.

C. *Conditional Uses* - Conditional uses are prohibited unless the Town of St. Francisville has processed an application for the use, and the Zoning Commission has favorably approved such use. For all conditional uses the plan approval process is that as set forth in Section 8.1.F Conditional Uses, regardless of lot size or conditional uses.

1. Manufacturing, Heavy.

2. Junkyard or auto wrecking yards.

D. *Property Development Standards*

1. Lot area: No minimum lot area is required for industrial lots.

2. Lot width: No minimum lot width shall be required for nonresidential use.

3. Lot depth: No minimum lot depth shall be required for nonresidential use.

4. Front yard:

a. Front building lines shall be no closer than ten feet (10') from the street right-of-way line.

b. On corner or through lots, the required front yard will be provided on both streets.

5. Side yard: No side yard is required for industrial uses except on the side(s) of a lot abutting any adjacent existing dwelling, residential area or commercial district, in which case side buffer zones shall be provided as in Section 5.2.F.

6. Rear yard: No rear yard is required for industrial uses except on the side(s) of a lot abutting any adjacent existing dwelling, residential area or commercial district, in which case rear buffer zones shall be provided as in Section 5.2.F.

E. *Parking Requirements* - Parking requirements for this district shall be in accordance with the provisions of Section 5.1 of this land use regulations Ordinance.

F. *Height Requirements* - No building or structure shall exceed thirty-five feet (35') above the finished grade of the property or base flood elevation as established in the current FEMA FIRMs and guidelines, whichever is higher, except when a building abuts a residential district, in which case it shall not exceed the maximum height permitted in the residential district unless it is set back from all yard lines (abutting residential areas) by one foot (1') for each foot of additional height in excess of the height so permitted.

G. *Fire Marshal Approval* - As provided for in the Town of St. Francisville Code of Ordinances.

H. *Landscape Requirements* - Where an LI district abuts any adjacent existing residential or commercial district, buffer zones shall be provided as per Section 5.2.F. All other landscaping requirements for this district shall be in accordance with the provisions of Sections 5.2 of this land use regulations ordinance.

I. *Off-street Loading Requirements* - Off-street loading zone requirements for this district shall be in accordance with the provisions of Section 5.1.N of this Ordinance.

J. *Traffic Impact Study* – Depending on size and location, some developments may be required to complete a Traffic Impact Study.

K. *Additional LI Light Industrial requirements*

1. Access. LI districts shall be located on lots with street frontage on major arterial or collector streets only and shall not require travel through existing or proposed residential districts to access the LI district. Given the potential for traffic congestion created by uses within LI districts, traffic impact analysis may be required by the Town of St. Francisville prior to the issuance of permits for major industrial/commercial developments.

2. Special requirements adjacent to residential zones. When a non-residential use abuts a lot or parcel in an RLL, RS-1, RS-2, RM-1, or RM-2 district, hereafter referred to as a residentially zoned lot or parcel, the following provisions shall apply:

   a. Outdoor speakers for drive-through goods or services shall not face a residentially zoned lot or parcel located within one hundred fifty feet (150') of the speaker unless the speaker is screened by a solid masonry wall measuring at least twelve feet (12') long by eight feet (8') tall and located within twelve feet (12') of the speaker;

   b. Other outdoor speakers are prohibited within one hundred fifty feet (150') of a residentially zoned lot or parcel;

   c. Dumpsters shall be screened on all sides facing residentially zoned property in accordance with Section 5.2.F and shall not be located within thirty feet (30') of a residentially zoned lot or parcel;

   d. All outdoor lighting must be in accordance with Section 5.4 supplemental regulations for outdoor lighting.

3. Outside storage or display: There shall be no display or storage of goods outside of the principal structure or any accessory structures on the site except as specifically provided by these regulations for such uses as auto trailer and boat sales or storage.

4. Storage of waste materials: No waste materials that are the product of any research, testing or manufacturing activity may be stored onsite.

SECTION 3.13 IS INSTITUTIONAL

A. *Purpose and Intent* – The purpose of the IS Institutional district is to accommodate uses of a civic, religious, educational or public nature in areas that provide maximum accessibility for the public to utilize the facilities, and to eliminate the ambiguity of maintaining public uses in unrelated districts.

B. *Permitted Uses*

1. Residential

   a. Caretaker dwellings, including houses for faculty and watchmen.

2. Non-residential

   a. Community Center.

   b. Large Day Care Centers, Adult or Child (See Section 6.6).

c. Government facilities.

d. Hospital.

e. House of worship, regardless of size.

f. Military reservations.

g. Parks/Playgrounds.

h. Public or private educational facilities.

i. Public fairgrounds.

j. Public utility services.

k. Recreational facilities.

l. Social club or lodges.

m. Paved or unpaved trails or pathway systems for use by hikers, bicyclists, pedestrians; including trailheads for such use.

3. Accessory

a. Accessory buildings or structures customarily incidental to the aforementioned permitted uses.

C. *Conditional Uses* - Conditional uses are prohibited unless the Town of St. Francisville has processed an application for the use, and the Zoning Commission has favorably approved such use. For all conditional uses the plan approval process is that as set forth in Section 8.1.F Conditional Uses, regardless of lot size or conditional uses.

1. Alcohol and drug treatment centers;

2. Penal and correctional institutions provided the site is not less than three (3) acres in area and does not abut a residential district;

3. Psychiatric and rehabilitative care centers.

D. *Standard Yard Requirements and Development Standards* – There shall be no minimum yard requirements for the IS Institutional district.

1. There shall be no minimum lot requirements for the IS Institutional district.

2. Facility setbacks: All outdoor activity facilities, such as playgrounds, swimming pools, basketball courts, tennis courts, or baseball fields must be set back fifty feet (50') from any residentially zoned property

E. *Maximum Height Limit* - No building or structure shall exceed thirty-five feet (35') above the base flood elevation as established in the current FEMA maps and guidelines, unless outlined in Section 6.7 of this ordinance.

F. *Parking Requirements* - Parking requirements for this district shall be in accordance with the provisions of Section 5.1 of this land use regulations ordinance.

G. *Fire Marshal Approval* - As provided for in the Town of St. Francisville Code of Ordinances.

H. *Off-street Loading Requirements* - Off-street loading zone requirements for this district shall be in accordance with the provisions of Section 5.1.N of this Ordinance.

I. *Traffic Impact Study* – Depending on size and location, some developments may be required to complete a Traffic Impact Study.

SECTION 3.14 PUD PLANNED UNIT DEVELOPMENT

A. *Purpose and Intent* – The purpose of the planned district shall be to provide for an improved level of aesthetics; safety and environmental sensitivity; and design flexibility in conjunction with a site plan for one unified development site by ordinance of the Board of Aldermen subsequent to the recommendation of the Zoning Commission. Any authorized agency of the municipality, parish, state, or federal government or the private owner of any tract of land, containing an area of not less than two (2) acres may submit to the Planning and Zoning Commission a plan for the development of such tract of land, the design of which makes it desirable to apply regulations more flexible than those contained in the ordinance. Complete details on Planned Unit Development or Community Unit Development are in **Chapter 17 SUBDIVISIONS.**

B. Planned district applications shall contain a statement by the developer as to how the submitted plan departs from the existing requirements of this zoning ordinance and any other regulations applicable to the proposed use or uses for the district in which the proposed use could be established of right and how each departure improved what otherwise would be required under these regulations.

C. The following criteria represent the objectives of the planned district:

   a. Environmentally sensitive design that is of a higher quality than would be possible under the regulations otherwise applicable to the property.

   b. Diversification in the uses permitted and variation in the relationship of uses, open space and the setbacks in developments intended as cohesive, unified projects.

   c. Functional and beneficial uses of open space areas.

   d. Preservation of natural features of a development site such as ponds, lakes, creeks, streams, wetlands, animal habitats, etc.

   e. Creation of a safe and desirable living environment for residential areas characterized by a unified building and site development program.

   f. Rational and economically sound development in relation to public services.

   g. Efficient and effective traffic circulation, both within and adjacent to the development site.

   h. Creation of an architectural variety of housing compatible with surrounding neighborhoods to provide a greater choice of types of environmental and living units.

SECTION 3.14-3.99 RESERVED

APPENDIX A

COMPREHENSIVE ZONING 0RDINANCE

Appendix A. Part I. Scope and Application
Appendix A. Part II. Definitions and Rules of Interpretation
Appendix A. Part III. Use Districts
Appendix A. Part IV. Special Districts
Appendix A. Part V. General Provisions
Appendix A. Part VI. Special Provisions
Appendix A. Part VII. Sign Regulations
Appendix A. Part VIII. Administration and Enforcement

PART IV. SPECIAL DISTRICTS

SECTION 4.1 OVERLAY DISTRICTS

A. *Purpose and Intent* – It is the purpose and intent of this Ordinance to establish a uniform procedure for providing for the protection, enhancement, preservation, unity of design, and use of places, sites, buildings, structures, streets, neighborhoods, and landscape features in the community through the enabling of overlay districts that serve to enhance underlying zoning designations. In particular, it is the belief of the Town of St. Francisville that when appropriate, overlays districts may achieve the following:

1. Promotion of the health, safety, order, prosperity and general welfare of the citizens of St. Francisville through the regulation of design, aesthetics, location, bulk, size of buildings and structures, and the density and distribution of population.

2. Reduction of congestion on the streets; safety from fire, flood and other dangers; provision of adequate light and open space; protection of the natural environment and cultural resources in order to provide a sustainable community.

3. Promotion of accepted design principles in areas of new development and redevelopment, to raise the level of community understanding and expectations for quality in the built environment, to protect and enhance local aesthetic and functional qualities, and to stimulate business and promote economic development.

B. *Designation of Overlay Districts*

1. *Relationship to Base Districts* – Overlay districts are intended to be special districts or zones, where certain additional land use requirements or environmental safeguards are superimposed upon the base zoning district or underlying district where the requirements of the base or underlying district may or may not be altered. Permitted uses in the underlying zoning district shall continue to be subject to compliance with the regulations of the overlay zone or district unless otherwise stated.

2. *Development Standards* – The development standards, including but not limited to, the yard and setback requirements, height limitations, parking requirements, open space areas, signage and architectural styles shall be established as a function of the process and application to establish an overlay district and subsequent approval of development applications.

C. *Location of Overlay Districts* – Subject to approval by the Board of Aldermen, an overlay district may be established in any zoning district in the Town of St. Francisville.

SECTION 4.2 HIGHWAY 61 SCENIC CORRIDOR OVERLAY DISTRICT

A. *Purpose and Intent* - A Highway 61 Scenic Corridor Overlay is hereby established, pursuant to the authority granted under Section 4.1 of this Ordinance allowing overlay zoning districts. The purpose of this district is to protect and enhance the visual character of the land surrounding Highway 61 in the Town of St. Francisville. In particular the purposes of this overlay district is as follows:

1. To protect and enhance the scenic quality of the Highway 61 corridor by providing for sensitive developments that maximize the natural foliage and terrain while also providing planted buffer and landscaped areas.

2. To allow land use and development patterns compatible with present and future traffic capacity for Highway 61.

3. To create a distinctive parkway atmosphere along Highway 61 by encouraging substantial building setbacks, extensive landscaping and uniform tree planting.

4. To identify Highway 61 as an attractive and healthy corridor for existing and new businesses and developments that provides both social and economic value to the community.

5. To facilitate transition of areas from less to more intense land uses along the highway without the undesired effects of small lot strip development.

6. To create standards for signage and parking lot lighting that are in keeping with the intent of this article.

7. To establish development considerations including building setback and placement and the demarcation of important gateways in St. Francisville.

B. *District Boundaries* - This district encompasses all land with Highway 61 frontage lying within three hundred feet (300') of the centerline of Highway 61.

C. *Application of District Regulations* – The regulations of this article shall be in addition to and shall overlay all other zoning districts and other Ordinance requirements regulating the development of land so that any parcel of land lying within the overlay district shall also lie within one or more of the underlying zoning districts subject to the following conditions:

1. .Unless modified by the overlay district regulations, the regulation of the base zoning district apply.

2. In the case of conflicting standards between this article and any other Town of St. Francisville Ordinances, the overlay requirements shall apply.

3. All freestanding signs in the overlay shall comply to the regulations of the overlay district outlined in Section 4.2.F.5.

4. These regulations apply to all new development with the exception of single-family and duplex development under residential zoning districts.

5. Normal maintenance and repair may be performed without compliance with the overlay regulations.

6. Any redevelopment, renovation, expansion, or change in use that does not meet the non-conforming use, lot, and structures standards in Section 6.1 shall comply with these regulations.

D. *Permitted Uses* – The permitted uses for this overlay district shall be the same as for the underlying zoning district in which it is located.

E. *Conditional Uses* – The conditional uses for this overlay district shall be the same as for the underlying zoning district in which it is located.

F. *Site Design and Development Standards*

1. Lot Size – The minimum lot area for this overlay district shall be the same as for the underlying zoning district in which it is located.

2. Lot Width and Depth – The minimum lot width and depth shall be the same as for the underlying district in which it is located.

3. Minimum setbacks for principal and accessory buildings shall be specified as below. The setback requirements along the corridor shall at a minimum conform to the following:

   a. Front Yard: Fifty feet (50').

   b. Side Yard: Twenty-five feet (25').

   c. Rear Yard: Twenty-five feet (25') plus five feet (5') for every one hundred fifty feet (150') of lot depth, not to exceed forty feet (40').

4. Landscaping Treatment – Landscaped areas shall attempt to incorporate existing on-site trees and shrubbery into the landscape scheme and the plans shall indicate such incorporation.

   a. Erosion retardant vegetation shall be used on all cuts and fills.

   b. Highway 61 frontage (front yard) shall consist of a minimum of twenty feet (20') of landscaped area exclusive of right-of-way. The landscaped area shall contain natural and/or combined natural and man-made features such as berms, brick walls and dense plantings such that vehicular use areas are screened up to at least eighteen inches (18) along the adjacent street. The Building Official must approve alternative screening methods and designs. Landscaped areas shall follow a meandering line where trees and shrubs are varied in height, species, spacing, color and shape.

   c. All Live Oak trees measuring eight inches (8") in dbh or greater on the development site shall be protected. The Building Official may adjust setbacks and parking requirements to facilitate the preservation of a Live Oak regulated by this overlay. Live Oak trees will only be removed as a last resort when all other efforts to save the tree(s) by redesign of the building placement and site plans have failed.

   d. While retention of existing mature trees is encouraged, planting new trees into the landscaping of the site adds interest to the corridor and helps to soften the impact of rooflines and pavement. For every two (2) building facades that are greater than twenty feet (20') in length, one (1) tree that will grow to a height of at least one and one quarter (1.25) the height of the structure shall be incorporated into the project. Each of the required trees shall be planted on any side of a building other than the side that is opposite Highway 61.

5. Signage – Signage shall comply with the provisions of Part VII (Sign Regulations) of this Ordinance, except as follows:

    a. When more than one (1) freestanding and/or building sign is proposed on a multiple occupancy structure, a Master Sign Plan must be submitted for review and approval by the Building Official (see Section 7.5).

    b. Non-Residential Signage

        i. The size and placement of each sign must be proportional to, and visually balanced with, the building façade and the side of the building where it is located.

        ii. Freestanding signs

            a. Sign height shall not exceed whichever is greater, twelve (12) feet in height or the height of the building for which it is associated. In no case shall the sign height exceed twenty-four (24) feet.

            b. Sign area shall not exceed seventy-two (72) square feet.

            c. Freestanding signs are encouraged, but not required to be monument signs (see Table 7.1 Sign Types). These signs may be installed in the landscaped area of the front and side yards. Additionally, all freestanding signs should have landscaping at the base of the sign.

        iii. Building Signs

            a. Building signs shall not extend higher than the building surface upon which they are mounted.

            b. One (1) square foot for each two (2) linear feet of structure frontage not to exceed seventy-two (72) square feet.

    c. Amortization of non-conforming signs

        i. All freestanding signs in the Highway 61 corridor that become non-conforming by the provisions of this Ordinance shall be removed, altered or repaired to conform to the provisions of this Ordinance within an amortization period of three (3) years after the effective date of this Ordinance.

        ii. Any non-conforming sign that has been granted a variance from the Town of St. Francisville Comprehensive Zoning Ordinance prior to the effective date of this Ordinance shall be exempt from amortization unless a change in occupancy, tenant and/or signage. Upon request to change the signage, the site shall be subject to the provisions of this Ordinance. Repair and maintenance may be permitted to ensure signage is maintained in a safe, neat and orderly condition and appearance.

6. Lighting – Parking lot lighting shall be designed and located in such a manner so as not to detract from the scenic appearance preserved and created in the corridor. Lighting should be directed to the parking areas and not reflected into the adjacent street and neighborhoods.

G. *Commercial Developments and Multiple Building Sites* - In the case of a commercial development or other development involving multiple building sites, whether on one (1) or more platted lots, the regulations outlined in Section 4.2.D shall apply to the development as an entire tract rather than each platted lot. The Building Official will review these types of developments through a site plan review process (See Section 8.1.E) to ensure compliance with this article.

H. *Exceptions* – Property, due to topography, size, irregular shapes or other constraints such as adjacent structures or features that significantly affect visibility, and thus cannot be developed without violating the standards of this article shall be reviewed through the Planned Unit Development Process (See Section 8.1.J)

SECTION 4.3 ST. FRANCISVILLE HISTORIC DISTRICT OVERLAY

A. *Purpose and Intent* - A St. Francisville Historic District Overlay is hereby established, pursuant to the authority granted under Section 4.1 of this Ordinance allowing overlay zoning districts. The purpose of this district is to protect and enhance the visual character of St. Francisville National Register Historic District. In particular the purposes of this overlay district is as follows:

1. The protection and stewardship of all structures in the designated historic districts in the Town of St. Francisville.

2. The protection of those structures that have architectural and historical value and that should be preserved for the benefit of the people of the municipality and the state.

3. Encouraging preservation, restoration and rehabilitation of structures, areas and neighborhoods to prevent future blight.

4. Fostering civic pride in the beauty of, and accomplishments in, St. Francisville's past.

B. *District Boundaries*

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

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

C. *Application of District Regulations* – The regulations of this article shall be in addition to and shall overlay all other zoning districts and other Ordinance requirements regulating the development of land so that any parcel of land lying within the overlay district shall also lie within one or more of the underlying zoning districts. Therefore, all property within this overlay district will have the requirements of both the underlying and overlay zoning district in addition to other Ordinance requirements regulating the development of land, unless otherwise specified. In the case of conflicting standards between this article and any other Town of St. Francisville Ordinances, the overlay requirements shall control. These regulations apply to all development, redevelopment or expansion of existing development within the historic district.

D. *Permitted Uses*

a. Historic Residential

i. All of the permitted uses of R-1 Single-Family Residential shall apply.

ii. Dwelling, Two-family.

iii. Bed and Breakfast establishments (see Section 6.4).

b. Historic Commercial: All of the permitted uses of CTC Commercial Town Center shall apply.

E. *Prohibited Uses*

a. Animal Hospital with overnight boarding of animals.

F. *Site Design and Development Standards*

a. Buildings

i. Due to the unique nature of the Historic District, all new construction or reconstruction of existing structures shall be made to conform to the architectural periods or styles prevalent in the Historic District, specifically the neighboring structures. Conformance with this intent shall be at the discretion of the Historic District Commission.

ii. No building within the Historic District shall be moved from the Historic District.

iii. The Historic District Commission shall refer to the ***Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, & Reconstruction Historic Buildings*** in considering all proposals for rehabilitation and/or new construction. Copies of the guidelines shall be available at the Historic District Commission office.

iv. The Historic District Commission may develop its own set of detailed design guidelines for the construction, reconstruction, removal, alteration, and demolition of structures in a Historic District. These guidelines shall be published and be available at the Historic District Commission office.

b. General District Characteristics

i. *Suitable Colors and Color Combinations* - The Historic District Commission shall prepare and maintain a book of historic colors suitable for use. This book shall be available at the Historic District Commission office. All construction, including new construction, reconstruction, partial renovations, or refurbishing of existing structures or construction of new or refurbishment of existing signs shall conform with this book of historic colors and shall be compatible with the neighboring properties.

ii. *Fences* - All fence designs must be in harmony with the nature of the District. A list of fencing materials that are generally acceptable, including composite material fencing, shall be maintained at the Historic District Commission office. The following fencing materials are not acceptable: barbed wire, chain-link, concrete block, stockade, plastic, plywood, hardboard, or asbestos board.

iii. *Porches and Overhanging Balconies* - No porches, galleries, or overhanging balconies may be removed, but new or additional balconies may be constructed if they conform to the distinctive architecture of the building and of the Historic District. The application for a *Certificate of Appropriateness* for all such new construction or any renovation shall be subject to the requirements of this Chapter.

iv. *Aerials, Antenna, Telecommunication Towers, etc.* - The placement or construction of aerials, antennas, satellite dishes of any type, or other forms of objects not in keeping with the presentation of the Historic District shall not be located where they can be seen by casual observance by the general public. Applications and plans for the discreet placement or construction of any of these items shall be submitted to the Historic District Commission for its approval.

v. *Commercial Vehicles* - No heavy duty or highway duty vehicles (such as semi-trailers or large travel trailers), except in the case of deliveries or repairs, shall be parked in plain view of the general public in the residential areas of the Historic District. Any existing authorized use as of the effective date of this Ordinance shall be allowed as a non-conforming use.

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

i. *Scale* - The relationship of the building and its elements, including doors and windows, to other structures in the District. It is important in considering scale that a careful study be made of the height, width, and mass of buildings in the immediate neighborhood and Historic District as a whole. This study should serve to confirm or deny the appropriateness of the height, width, and mass of the proposed building. Maximum height of any new structure shall conform to the proportion and scale of the building, but in no case shall a new structure exceed a height of thirty (30) feet above the street. [For additional information see ***The Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring & Reconstructing Historic Buildings***.]

ii. *Building Site* - The positioning of a building on a lot. This process includes determining the setback of a building, the spacing of the building from adjacent buildings, and the location of the walls, fences, walks, drives, and landscaping, as any of these are used in the overall design. The setback of any new construction shall correspond to those of the adjacent properties, but shall not be in conflict with zoning Ordinance setback requirements.

iii. *Building Materials* - The surface building fabric that contributes to the exterior character and appearance of a building. The materials used in the new construction should conform to the style of the structure, the neighborhood and the Historic District.

iv. *Decorative Details* - The ornamentation or embellishment of the structure, including cornices, lintels, arches, balustrades, chimneys, shutters, columns, and other common details. When used, these details should create a unifying effect on a building and should be compatible with the context of the neighborhood.

v. Architectural Elements - The parts of a building that are integral to its composition, including balconies, roofs, porches, chimneys, dormers, parapets, and other parts of a building that contribute to its overall shape and silhouettes. The choice and arrangement of elements of a proposed building should reflect those of other buildings in the neighborhood. The building should not draw unnecessary attention to itself by failing to relate to neighboring styles. The object is to compliment the context of the Historic District.

d. Landscaping Treatment – Where a Historic Commercial district abuts any adjacent existing residential district, buffer zones shall be provided as per Section 5.2.F. Landscaping requirements for this overlay district shall be in accordance with the provisions of Section 5.2 of this Ordinance, except in the following cases:

i. All yard ornamental statuary, fixtures, amenities, gazebos, etc. shall be compatible with the scale and proportion of the structure(s) and lot size. The context of these items shall be appropriate to the Historic District.

G. *Signage* – Signage shall comply with the provisions of Part VII (Sign Regulations) of this Ordinance, except as follows:

1. When more than one (1) freestanding and/or building sign is proposed on a multiple occupancy structure, a Master Sign Plan must be submitted for review and approval by the Building Official (see Section 7.5).

2. Placement of Signs - No signs shall be displayed from the parapets or roofs of any building in the historic district overlay. No sign shall be placed or displayed so as to disfigure or conceal any significant architectural feature or detail of any building.

3. Surface Area of Signs

   a. Historic Residential or BMX Zones – The sign area of a building sign shall not exceed nine (9) square feet and the total sign area of multiple signs shall not exceed twenty (20) square feet.

   b. Historic CTC or CH Zones

      i. Building signage, including painted wall signs, shall not exceed thirty (30) square inches of sign area to each foot of lot frontage.

      ii. The sign area of an individual sign shall not exceed twenty-four (24) square feet and the total sign area of all signs on a property shall not exceed forty-eight (48) square feet.

4. Secondary Signs – In addition to the primary sign(s) referred to in Section 4.3.G.b, small secondary signs not to exceed one (1) square foot may be used to identify entrance doors and operation hours.

5. Portable and Changeable Letter Signs – No portable, flashing or changeable letter signs shall be permitted in the historic district.

6. Illuminated Signs

   a. No illuminated signs may be constructed or placed within the historic district without a certificate of appropriateness from the Historic District Commission.

   b. Concealed lighting for signage is recommended. Light bulbs shall be concealed and should enhance the sign as well as the building on which it is mounted.

7. Conformance of Signage to Historic Character - In addition to the prohibitions contained within this Section, approval of the display of a sign in the historic district shall be granted by the Historic District Commission only when such sign and the plans, as they related to the appearance, color, size, position, method of attachment, texture of materials and design conform to the character of the historic district or do not injuriously affect it or impair the value of the building within it having historical worth.

8. Building Code Applicable to Signs – All signs under this section shall further be governed by existing regulations of the Town of St. Francisville building code not in conflict with this Section.

SECTION 4.4–4.10 RESERVED

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APPENDIX A

COMPREHENSIVE ZONING 0RDINANCE

Appendix A. Part I. Scope and Application
Appendix A. Part II. Definitions and Rules of Interpretation
Appendix A. Part III. Use Districts
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PART V. GENERAL PROVISIONS

SECTION 5.1 OFF-STREET PARKING

A. *General* - Off-street parking shall be provided in compliance with this section whenever any building is erected, altered, enlarged, converted or increased in size or capacity.

B. *Parking Space Requirements* - The off-street parking spaces required for each use permitted by this code shall not be less than that found in Table 5.1, provided that any fractional parking space be computed as a whole. For uses not mentioned in this section, the Building Official or a duly authorized representative shall determine the requirements for off-street parking and loading facilities. The determination shall be based upon the most comparable use listed, AASHTO or ITE standards, and/or the specific needs of the development as determined by the Building Official.

C. *Combination of Uses* - Off-street parking spaces for separate uses may be provided collectively if the aggregate number of spaces provided is not less than the sum of the spaces required for each use separately. No parking or loading space, or portion thereof, shall serve as the required space for more than one (1) use with the exception of the following shared parking arrangement.

1. Collective parking shall be established by legal instrument such as a recorded covenant or agreement.

2. Any subsequent change in ownership or use shall require proof that the minimum parking requirements, per this Ordinance, have been met for each use. The owner of an existing building or use shall have one hundred eighty (180) days within which to accommodate all required off-street parking or apply for a variance. If the owner is unable to accommodate the parking or fails to apply for a variance, then the occupancy permit shall be revoked with respect to the use for which the separate parking is required. The occupancy permit shall be reinstated when all applicable provisions of this article are complied with. As an alternative to a variance, a new shared-parking agreement may be arranged in accordance with this Ordinance.

D. *Location of Required Parking Spaces* - Required parking spaces shall be located as follows:

1. Single-, two-, three-, and four-family dwelling units: On same lot.

2. All other uses: The parking spaces shall be provided on the same lot as the use or where exclusive use of such is provided on another lot not more than three hundred feet (300') measured along the nearest pedestrian walkway; provided, however, that the zoning classification for such land is the same or less restrictive than the classification of the lot upon which the main use is located.

3. If the parking spaces are to be located on a lot other than the same lot of the principal building or use, a legal instrument assuring the continued availability of those required parking spaces shall be duly recorded in the office of the West Feliciana Parish Clerk of Court and a certificate furnished the Building Official prior to issuance of a building permit.

TABLE 5.1: OFF-STREET PARKING REQUIREMENTS

	USE	PARKING REQUIREMENT
RESIDENTIAL	BED AND BREAKFAST	1 space/guest room plus 2 spaces/dwelling unit
	DWELLING TYPE, SINGLE-FAMILY AND TWO-FAMILY	2 spaces/unit
	DWELLING TYPE; THREE-, FOUR-PLEX	1.5 spaces/unit
	DWELLING TYPE; MULTI-FAMILY	Efficiency units; 1 space/unit One bedroom units; 1.5 spaces /unit Two bedroom units; 1.5 spaces/units Three or more bedroom units; 2.5 spaces/unit
	GROUP HOMES	1 space/3 residents
	RESIDENTIAL CARE CENTERS	1 space/4 residents
CIVIC	GENERAL ADMINISTRATIVE	1 space/200 sf gross floor area
	CEMETERY	1 space/employee or a minimum of 3 spaces
	CEMETERY WITH MORTUARY	1 space/50 sf of public assembly area plus 1 space/vehicle maintained on premises.
	CHURCH/ASSEMBLY	1 space/50 sf gross floor area without fixed seats used for assembly purposes plus 1 space/every 6 seats or 12' of bench area
	PRIVATE CLUB/LODGE	1 space/3 persons of rated capacity
	LIBRARY/MUSEUM	3 spaces/1,000 sf gross floor area
	GOVERNMENT FACILITIES	3 spaces/1,000 sf office space and public use area + 1/gov't vehicle
	PARKS & OPEN SPACE	As determined by Administrator
	INDOOR RECREATION	General – 1 space/10 persons of rated capacity Bowling Alley – 3 spaces/lane Movie Theater – 1 space/4 seats plus 1 space/6 seats above 400
	HOSPITAL	1 space/2 hospital beds plus 1 space/200 sf gross medical office floor area
	HOSPITAL (OUTPATIENT ONLY)	1 space/employee at peak shift plus 1 space/200 sf gross medical office floor area
	PARCEL POST AND PUBLIC SAFETY SERVICES	1 space/vehicle maintained or stored on site plus 1 space/200 sf gross floor area
	SCHOOLS, ELEMENTARY	2 spaces/classroom (including labs and training shops)
	SCHOOLS, MIDDLE/JUNIOR HIGH	4 spaces/classroom (including labs and training shops)
	SCHOOLS, HIGH SCHOOLS AND VOCATIONAL SCHOOLS/COLLEGES	10 spaces/classroom (including labs and training shops)
	PUBLIC ASSEMPBLY	1 space/6 seats
COMMERCIAL	ANIMAL HOSPITAL	4 spaces/1,000 sf gross floor area
	AUTOMOTIVE/EQUIPMENT SALES AND SERVICE	1 space/400 sf gross retail/office sales area plus 4 spaces/service bay and 1 space/ anticipated vehicles for sale on site
	COMMERCIAL	1 space/300 sf gross floor area
	DAY CARE OR PRESCHOOL FACILITIES	1 space/200 sf gross floor area
	HOTEL/MOTEL	1 space/sleeping unit plus 1 space/500 sf of common area
	MEDICAL OFFICE	1 space/200 sf gross floor area
	NURSING HOME	1 space/8 beds
	OFFICE (EXCLUDING MEDICAL OFFICES AND CLINICS)	1 space/250 sf gross floor area
	OUTDOOR SALES ESTABLISHMENTS	1 space/1,000 sf of lot area
	RESTAURANT, BAR OR NIGHTCLUB	1 space/100 sf gross floor area plus 1 space/every 4 employees
	RETAIL	1 space/300 sf gross floor area
	KENNEL	1 space/1,000 sf gross floor area
	MIXED USE DEVELOPMENTS	Sum of the req. for the various uses computed separately
INDUSTRIAL	INDUSTRY, LESS THAN 10,000 SF	1 space/400 sf gross floor area
	INDUSTRY, MORE THAN 10,000 SF	25 spaces plus 1 space/every 3 employees
	WAREHOUSE/MINI-STORAGE (OFFICES AND OTHER USES CALCULATED SEPARATELY)	1 space/1,000 sf gross floor area

E. *Deferral of Full Parking Requirement by Landscape Reserve*

1. Where the expected need for off-street parking for a particular use is uncertain, due to unknown or unusual operating characteristics of the use and unavailability of comparable data to establish need, or when the required parking exceeds sixty thousand (60,000) square feet, the Planning Commission, upon recommendation of the Building Official or a duly authorized representative, may authorize that construction and provision of not more than thirty percent (30%) of the required off-street parking stalls be deferred.

2. The Planning Commission may set such conditions as necessary to guarantee provision of such deferred spaces whenever it is determined than the need exists.

3. Land area required for provision of deferred parking shall be maintained in reserve and shall be landscaped pursuant to a plan approved by the Building Official demonstrating that ultimate provision of the deferred spaces will meet all requirements of this Section.

4. Upon use of the parking area at near build-out (at least ninety percent (90%) occupancy) over a period of at least ten (10) years, the Building Official may allow the reserve area to be used for other uses that do not generate parking demand, subject to restrictions and conditions to prevent conversion to a more intense use unless sufficient additional on-site parking is provided.

F. *Maximum Parking Ratios*

1. In an effort to limit the amount of impervious surface associated with development, the maximum number of parking spaces allowed shall be one hundred twenty-five percent (125%) of the number of required parking spaces. Structured parking facilities are exempt from this maximum.

2. The Building Official may approve parking spaces in excess of the maximum parking ratio, but only if the applicant has proven that the additional spaces area necessary for the normal operation of the business or organization. If the applicant requests parking in excess of two hundred percent (200%) if the maximum ratio, then a conditional use permit shall be required.

G. *Parking Stall Dimensions*

1. *Surface* - Parking spaces shall be surfaced with a minimum of four inches (4”) of concrete or similar all-weather surface such as three-inch macadam or asphalt on a six-inch (6”) soil stabilized base and entrances shall be similarly surfaced.

2. *Design Standards*

   a. All parking spaces, exclusive of access drives or aisles, shall be designed in accordance with Table 5.2: Off-Street Parking Dimensions.

   b. All parking spaces shall have a minimum vertical clearance of eight feet (8’).

   c. No parking areas shall be located in any required landscaped setback area abutting a street and no parking spaces shall be closer than four feet (4’) to any property line.

TABLE 5.2: OFF-STREET PARKING DIMENSIONS			
Parking Angle	Stall Width	Stall Length	Aisle Width
0°	10'	20'	12'/24'[1]
45°	9'	18'	13'
60°	9'	18'	18'
75°	9'	19'	20'
90°	9'	18'	24'

[1] Two-way traffic is permitted

3. *Exceptions*

   a. The Building Official may allow the designation and labeling of up to twenty-five percent (25%) of the spaces in any parking facility as compact car spaces. A compact car space must be a minimum of eight feet (8') in width and a minimum of sixteen feet (16') in length.

   b. The Building Official may approve permeable paving materials (pavers or porous asphalt and pervious concrete) in lieu of impervious surfaces; however, regular maintenance of the permeable areas that ensure proper function shall be a condition of approval.

H. *Accessible Spaces*

1. All parking lots and structures, both accessory and as a principal use, shall provide either a minimum of one (1) accessible parking space for disabled persons or three percent (3%) of the total parking spaces, whichever is greater.

2. Accessible spaces must be marked accordingly and be adjacent to entrances, exits and/or elevators to facilitate movement. This shall not apply to single-, two-, three-, and four-family dwelling units or townhouses.

3. An accessible off-street parking space must be a minimum of ten feet (10') in width and a minimum of eighteen feet (18') in length.

4. All parking facilities shall comply with the Americans with Disabilities Act Accessibility Guidelines for Facilities and Buildings (ADAAG) (28 CFR Part 36, Public Law 101-336).

5. Parking access aisles shall be part of an accessible route to the building or facility entrance and shall comply with ADAAG accessible route requirements. Two accessible parking spaces may share a common access aisle.

I. *Striping* – Off-street parking areas of more than ten (10) spaces shall be marked by painted lines, curbs, or other means to indicate individual spaces. Signs or markers shall be used as necessary to ensure efficient traffic flow. Accessible parking spaces shall be identified with the appropriate signage and striping, and shall be visible at all times of the year, regardless of plant growth or similar conditions.

J. *Curbing and Wheel Stops* – Wheel stops or curbing shall be provided to prevent vehicles from damaging or encroaching upon any adjacent parking or loading space, sidewalk, landscaped area or parking lot island, fence, wall or building. Within commercial or mixed-use parking lots, box curbs at least six inches (6') in height are required.

K. *Drainage and Maintenance* – Off-street parking facilities shall be drained to eliminate standing water and prevent damage to abutting property and/or public streets and alleys, and surfaced with erosion-resistant material in accordance with applicable Town specifications. Off-street parking areas shall be maintained in a clean, orderly and dust-free condition at the expense of the owner or lessee. A minimum of one (1) litter receptacle shall be included in any parking area of more than ten (10) spaces.

L. *Lighting* – Parking lot lighting shall be provided in accordance with Section 5.4 (Outdoor Lighting Regulations) of this Ordinance. Adequate lighting shall be provided of off-street parking spaces are to be used at night. The lighting shall be arranged to eliminate glare on residential properties by location of light fixtures or the use of fixtures designed to eliminate direct view of luminaries in fixtures from residential property.

M. *Landscaping and Screening* – All parking lots shall be landscaped in accordance with Section 5.2 (Landscaping and Screening) of this Ordinance.

N. *Off-street Loading Requirements*

1. Any use having or requiring off-street parking shall provide an off-street delivery/loading space. The spaces shall be sufficient in size to accommodate vehicles that will serve the use.

2. The location of the delivery/loading space shall not block or obstruct any public street, parking area, parking area circulation, sidewalk or pedestrian circulation area.

3. Loading areas shall be screened pursuant to Section 5.2 of this Ordinance.

SECTION 5.2 LANDSCAPING AND SCREENING

A. *Purpose and Intent* - The purpose of this section is to promote the health, safety and general welfare of the residents of the Town of St. Francisville and its environment by establishing minimum standards for the protection, maintenance, and enhancement of natural plant communities, natural features, and landscaped areas within the Town of St. Francisville for the following purposes:

1. To provide minimum requirements for the landscaping of lots and parcels, street frontages, streetscapes, and paved areas.

2. To provide minimum requirements to ensure the proper installation, or cultivation, and maintenance of landscaping materials.

3. To promote sustainable landscapes and improve the quality of the environment by enhancing air quality, reducing the amount and rate of storm water runoff, improving storm water runoff quality, the spread of noxious weeds, and increasing the capacity for groundwater recharge.

4. To enhance the appearance of both residential and non-residential areas, and reduce the visual impacts of large expanses of pavement.

5. Minimize impacts between uses both on-site and off-site. Landscaping can improve the compatibility of adjacent land uses and screen undesirable views. The landscaping standards also enhance the streetscape by separating the pedestrian from motor vehicles, auto fumes, and dust, providing shade, attenuating noise, and filtering air, buffering wind, and reducing glare.

B. *Scope*

1. The provisions of this section shall apply to the following:

a. All new non-residential and multi-family residential developments and uses.

b. Any substantially remodeled non-residential and multi-family uses.

c. Any newly created or added parking facilities for existing non-residential and multi-family.

d. Any parking facilities associated with newly created bed and breakfasts.

2. Only height requirements for sight triangles and visibility at intersections shall apply to single-family and two-family residential uses.

C. *General Landscaping and Screening Requirements*

1. *Landscape Plan* – A landscape plan designed in accordance with this section shall be prepared, along with any required site plans, for all applicable developments. Two copies of the plan shall be submitted to the Building Official, approved by the Building Official, and signed by the Building Official before any clearing or construction takes place and before a building permit is issued. Said plan shall be drawn by a Landscape Contractor or Landscape Architect licensed in the State of Louisiana and shall include the following:

a. The name, address, phone number and signature of the property owner and proof of ownership.

b. A site plan with a north arrow showing the major details of the proposed landscaping and irrigation, prepared on a scale not less than one-eighth inch equals one-foot (1/8" = 1') providing sufficient detail to evaluate the features of the landscaping and irrigation required by this section.

c. The location of property lines and adjacent streets, the zoning and use of adjacent properties, the existing and proposed locations of all buildings, sidewalks and curb cuts, bike paths and pedestrian walkways, drive aisles and curb islands, utilities and easements, and the existing location, size, and type of all existing, healthy trees to be retained and counted as part of the landscaping requirements.

d. The location, design and materials of all other landscaped areas including, without limitation, planting strips along all streets, earth berms, retaining walls, fences, water features, benches, trash enclosures, lights, parking and paved areas. Where fencing is used for required screening, a scaled drawing of the fence elevation must be included.

D. *Standards* - Location and size of all required planting areas as well as the quantity of trees or plants may be adjusted by the Building Official, due to the presence of overhead or underground utilities, upon appeal in writing from the owner.

1. Landscaping shall consist of a combination of trees species a minimum of two inches (2") dbh at planting, shrubbery, ground cover and other planting materials. Effective use of earth berms, existing topography, and existing trees is also encouraged as a component of the landscape plan and shall be considered as a part of the landscaping requirement.

2. *Sidewalks* - Except where sidewalks have been, or are planned to be constructed in the street right-of-way near to, or adjacent to, the street planting area, a sidewalk shall be constructed within the street planting area(s) for all designated zoning districts.

E. *Parking and Vehicular Use Areas* - Within parking lots, landscape areas should be located to define parking areas and assist in clarifying appropriate circulation patterns.

1. *General Interior Parking Landscape Requirements*

a. Landscaping shall be required in parking lots with more than seven (7) parking spaces or that are larger than two thousand (2,000) square feet.

b. Planting areas shall be a minimum of ten percent (10%) of the paved parking area.

2. *Specific Interior Parking Landscape Requirements*

a. Landscaping within rows shall be located evenly between every ten (10) to fifteen (15) parking spaces. No more than fifteen (15) contiguous parking spaces shall be allowed without a minimum of one (1) landscaped island or peninsula containing trees.

b. Every parking row shall terminate in a landscaped island containing trees. A landscape island shall not be required at the end of a parking row where the end of the parking row that abuts a street planting area or buffer planting area.

c. Landscape islands shall be a minimum of nine feet (9') in width and not less than eighteen feet (18') in length, or the length of the adjacent parking space, whichever is greater.

d. A landscape island shall be located at the terminus of each parking row, and should contain at least one tree. A monolithic curb shall protect all landscape areas or wheel stops and remain free of trash, litter, and car bumper overhangs.

e. A minimum of one (1) Class B tree shall be planted for every seven (7) parking spaces provided. Landscaped islands shall be surfaced with ground cover, grass and/or mulch. Credit will be given on a one-to-one basis for existing trees preserved and protected in the parking areas.

f. The required trees for a parking lot with fewer than ten (10) spaces may be located around its perimeter. Trees must be located within ten feet (10') of the edge of the parking area pavement to be considered a required tree.

g. Parking lots shall be designed to drain through landscape filter areas. A filter area shall be provided where double loaded parking rows occur and a median is not required, and required medians shall also serve as filter areas. The filter area is to be a minimum of three feet (3') in width and the full length of the parking row. Catch basins should be provided as needed to prevent overflow on the parking surface. The Town Engineer shall review all parking lot applications for adherence to stormwater best management practices.

h. A portion of the drainage from the parking area may be drained through the street or buffer planting areas into grassed drainage swales. Catch basins should be provided as needed to prevent overflow onto the parking surface or sidewalk.

i. Landscape filter areas are to be planted with groundcover and/or landscape material that will achieve one hundred percent (100%) coverage when mature.

F. *Screening*

1. Bufferyards - When a buffer is required, as outlined in Table 5.3, the minimum bufferyard and screening requirements must be provided along with the minimum of one (1) Class A tree or two (2) Class B trees for every forty (40) linear feet or fraction thereof.

TABLE 5.3: REQUIRED BUFFER YARDS

ADJACENT LAND USE OR ZONING	Proposed Development			
	RLL, RS-1, or RS-2	RM-1	BMX or CTC	CH or LI
RLL, RS-1, or RS-2	NR	15 ft.	20 ft.	25 ft.
RM-1	15 ft.	NR	20 ft.	25 ft.
BMX or CTC	20 ft.	20 ft.	NR	25 ft.
CH or LI	25 ft.	25 ft.	25 ft.	NR

2. *Screening of Trash and Garbage Cans* - Storage areas containing three (3) or more refuse, garbage or rubbish containers or one (1) or more dumpsters shall be screened on all sides with a six-foot (6') high, seventy percent (70%) sight obscuring screen of living or one hundred percent (100%) sight obscuring screen of nonliving landscape material.

G. *List of Recommended Trees* - The following lists indicate plantings that will meet the screening and shading requirements of this Ordinance. Plants were selected for inclusion on these lists according to general suitability as identified by the Louisiana State University (LSU) Agricultural Center, which may be updated periodically and used as a guide in making landscape planting decisions.

TABLE 5.4: RECOMMENDED CLASS A TREE LIST	
CLASS A TREES	
Common Name	**Scientific Name**
Ash, Green	Fraxinus pennsylvanica
American Linden, Basswood	Tilia americana
Bald Cypress	Taxodium disticum
Beech, American	Fagus grandifolia
Bitternut Hickory	Carya cordiformis
Black Gum	Nyssa sylvatica
Black Walnut	Juglans nigra
Cottonwood	Populus deltoides
Elm, American	Ulmus americana
Elm, Cedar	Ulmus crassifolia
Elm, Winged	Ulmus alata
Ginkgo	Ginkgo biloba
Hackberry	Celtis laevigata
Honey Locust	Gleditsia triancanthos
Magnolia, Cucumber	Magnolia acuminata
Magnolia, Southern	Magnolia grandiflora
Magnolia, Sweetbay	Magnolia virginiana
Maple, Swamp Red	Acer rubrum 'Drummondii'
Oak, Blackjack	Quercus marlandica
Oak, Cherrybark	Quercus falcata 'pagodifolia'
Oak, Cow	Quercus michauxii
Oak, Laurel	Quercus laurifolia
Oak, Nuttall	Quercus nuttallii
Oak, Overcup	Quercus lyrata
Oak, Southern Red	Quercus falcata
Oak, Sawtooth	Quercus acutissima
Oak, Shumard	Quercus shummardii
Oak, Southern Live	Quercus virginiana
Oak, White	Quercus alba
Oak, Willow	Quercus phellos
Pecan	Carya illinoinensis
Pine, Loblolly	Pinus taeda
Pine, Longleaf	Pinus palustris
Pine, Shortleaf	Pinus echinata
Pine, Slash	Pinus elliottii
Pine, Spruce	Pinus glabra
Sweetgum	Liquidambar styraciflua
Sycamore	Platanus occidentalis
Tuliptree	Liriodendron tulipifera

TABLE 5.5: RECOMMENDED CLASS B TREE LIST	
CLASS B TREES	
Common Name	**Scientific Name**
Catalpa	Catalpa bignonioides
Cherry Laurel	Prunus caroliniana
Crabapple, Southern	Malus angustifolia
Dogwood	Cornus florida
Fringe Tree	Chionanthus virginicus
Golden Raintree	Koelreuteria bipinnata
Greenhaw	Crataegus viridus
Holly, American	Ilex opaca
Holly, Cassine	Ilex cassine
Holly, Fosters, Greenleaf, Savannah	Ilex 'attenuata' cultivars
Ironwood	Carpinus caroliniana
Loquat	Eriobotrya japonica
Magnolia, Oriental	Magnolia soulangiana
Mayhaw	Crataegus opaca
Parsley Hawthorn	Crataegus marshallii
Persimmon	Diospyros virginiana
Pistachio	Pistacia chinensis
Plum, American	Prunus americana
Plum, Mexican	Prunus mexicana
Red Bay	Persea borbonia
Redbud	Cercis canadensis
River Birch	Betula nigra
Sassafras	Sassafras albidum
Silverbell	Halesia diptera
Leatherwood	Cyrilla racemiflora
Tree Huckleberry, Sparkleberry	Vaccinium arboretum
Vitex	Vitex agnus-castus
Waxmyrtle	Myrica cerifera
Yaupon	Ilex vomitoria

H. *Installation*

1. All landscaping shall be installed in a sound, workmanlike manner and according to accepted good planting procedures.

2. All Plant materials required for installation shall be certified disease- and insect-free.

3. Landscape work shall be completed as part of the total construction package and must be in place at final inspection of the building or site by the Town Building Official. Site and landscaping improvements not installed according to the approved landscape plan may prevent approval of the applicant's occupancy of the building and site and may result in enforcement action.

4. Existing vegetation that is to be preserved in compliance with the requirements of this section shall be protected during the development process as per Section 5.2.J of this Ordinance.

I. *Maintenance*

1. The owner shall be responsible for the maintenance of required landscaping in good condition so as to present a healthy, neat and orderly appearance; and said landscaped areas shall be kept free from refuse and debris.

2. Required planting materials that die or become diseased during or during the eighteen (18) months following completion of construction, are to be replaced with the same type and size of plant material originally specified on the landscape plan within six (6) months.

3. Plant materials shall be pruned as required to maintain good health and character. However, tree topping is not permitted.

4. Plant beds shall be mulched to prevent weed growth and maintain soil moisture.

J. *Protection of Trees During Construction*

1. Trees to be saved shall be protected with fencing and armoring during the entire construction period. The fenced area shall enclose an area encompassing the entire drip zone of the tree. Failure to maintain the protective fencing shall result in a Stop Work Order.

2. During construction, planting or open ground areas surrounding preserved trees shall be protected sufficiently to prevent earth compaction of the root zone. In addition:

   a. No soil disturbance or compaction, stock piling of soil or other construction materials, vehicular traffic, or storage of heavy equipment are allowed in the tree and root protection area(s), or within the drip line of trees to be retained.

   b. No ropes, signs, wires, unprotected electrical installation or other device or material, shall be secured or fastened around or through a tree or shrub.

   c. Toxic chemicals, gas, smoke, salt brine, oil or other injurious substances shall not be stored or allowed to seep, drain or empty within the drip line of trees or shrubs in the tree and root protection area.

   d. Except for sidewalks and curb and gutter, no paving with concrete, asphalt or other impervious material within the drip line of trees to be retained shall be allowed.

3. Exposed root should be covered with topsoil. Severed limbs should be painted. Whenever roots are damaged, a proportional amount of branches should be pruned so that the tree does not transpire more water than is takes in. Injured trees must thoroughly be irrigated to adequately repair damage.

4. No tree shall be removed, mutilated or significantly pruned within a public right-of-way without the express approval of the Building Official pursuant to this Ordinance.

K. *Compliance and Performance Assurance* - Failure to comply with any of the provisions of this chapter shall result in a citation, or one of the following actions:

1. *Stop work order* - Upon notice from issuing authority or its duly authorized representative, work on any project that is being done contrary to the provisions of this chapter shall be immediately stopped. Such notice shall be in writing and shall be given to the owner of the property, his authorized agent or the person or persons in charge of the activity on the property and shall state the conditions under which work may resume. Where emergency exists, neither a written notice to comply nor a written notice to stop work is required.

2. *Withholding of certificate of occupancy* - If the person engaged in development activity fails to comply with a written notice to comply within the time specified, he shall be deemed in violation of this chapter and, in addition to other penalties, the administrator may request that the Town of St. Francisville Building Official refuse to issue a certificate of occupancy for the building or other improvements constructed or being constructed on the site until the measures necessary to achieve compliance with this chapter have been completed and all violations of this chapter have been brought into compliance.

SECTION 5.3 ACCESSORY USES

A. *Authorization* - Accessory uses and structures are permitted in any zoning district in connection with any principal use or structure lawfully existing within such district provided that all development standards and regulations are in compliance.

B. *Development Standards*

1. All detached accessory structures and uses in any residential or neighborhood district, other than fences, garages and carports used in conjunction with the main structure shall be located in the rear or side yard of the residential unit.

2. Except as provided in the development standards, fences may be located at any point on the lot provided it does not create a traffic hazard on any similar type problem to the surrounding area. No fence shall exceed eight feet (8') in height. All fences shall be maintained in good condition so as not to create an eyesore, nuisance, or hazard to the surrounding area.

3. Commercial trash receptacles shall be considered as accessory structure. Large trash receptacles, dumpsters, and other containers for receiving residential or commercial waste shall be placed at least fifteen feet (15') from an adjoining property line, notwithstanding any other provision of this Ordinance. Any dumpster or other trash receptacle located closer than fifteen feet (15') to any property line or that is visible from any public street, shall be screened with a permanently installed buffer fence made of wood, chain-linked with slats, or masonry.

SECTION 5.4 OUTDOOR LIGHTING REGULATIONS

A. *General* - The purpose of this section is to preserve the nighttime character of the Town through the establishment of standards for the use of outdoor lighting. The elimination of glare and light trespass will ensure public safety, as well as, facilitate the harmonious use of adjacent commercial and residential land uses.

B. *Applicability and Permits* - All non-residential outdoor lighting and all outdoor lighting installed for multi-family residential properties of greater than four (4) units in the Town shall comply with the provisions of this section as of its effective date.

1. *Permit Requirements*

a. The applicant for any building permit from the Town in connection with proposed work involving outdoor lighting shall submit evidence that the proposed outdoor lighting will comply with these regulations.

b. The applicant shall submit, as part of the permit application, a site plan indicating the location of outdoor lighting, the type of illuminating fixture and device utilized to prevent light spillage onto adjacent streets and properties, as well as, prevent upward light pollution.

C. *Lighting Fixture Design Requirements and Standards*

1. *General* – Exterior lights shall not be allowed to shine directly into the eyes of any occupant of any vehicle on any public or private road, onto adjacent property, or where the illumination interferes with the visibility or readability of any traffic signs or devices. Except for the lighting of businesses which remain open 24 hours a day, commercial signs and commercial lighting other than that necessary for security will be turned off at the later of closing time or 11:00 p.m.

2. *Restrictions on Illuminance* - All lighting fixtures with a lamp or lamps rated at an average of more than 3,000 lumens (2-75 watt bulbs) shall be either:

    a. Full cutoff type fixture with a single plane lens or;

    b. Fully-shielded fixture.

3. Light source fixtures for parking lots shall conform to the following:

    a. All lighting used to illuminate any off-street parking or loading areas shall be so designed and arranged as to be confined within and directed onto the parking and loading area only. Light spillage not to exceed two (2) footcandles at the property line.

    b. Light fixtures shall not exceed a height of twenty-five feet (25') measured from the ground/pavement to the bottom/base of the fixture.

    c. Fixtures shall be limited to two per pole.

    d. Fixture lamps shall be quartz halogen, fluorescent, metal halide, mercury vapor, or high-pressure sodium.

4. *Floodlights* - Floodlights on all structures shall be shielded so that the light source is not visible from adjacent property.

5. *Prohibitions* - Electrical illumination of outdoor advertising off-site signs between the hours of 11:00 p.m. and sunrise is prohibited.

6. *Measuring Illuminance* - Total foot-candles measured at three feet (3') above ground level with the measuring instrument held in the horizontal plane shall not exceed two (2) foot-candles at the property line, unless it is a public streetlight within the right-of-way.

D. Exceptions to Outdoor Lighting Requirements

1. All emergency or permanent lighting required by the police or fire department or other emergency facilities or personnel.

2. All emergency or permanent lighting required by a hospital for emergency facilities or personnel.

3. All outdoor lighting levels required under federal law is exempt from the requirements of this section, except where those requirements are less stringent than those contained herein.

4. Up-Lighting for national, state or foreign nation flags located on poles independent of other structures are exempt from the requirements of this section.

5. Public streetlights are exempt from these requirements if they are in existence at the time this section becomes effective.

6. Exterior lights intended as holiday decorations are exempt from the restrictions of this Ordinance between Thanksgiving Day and January 6th. Ground mounted floodlights are permitted if they are shielded/hooded and lamp wattage does not exceed 100 watts.

7. Lighting systems, fixtures and devices in place and operable immediately preceding the effective date of this Ordinance are exempt, but shall not be replaced, enlarged, altered nor improved except in conformity with the provisions and specifications of this Ordinance once it is in effect.

SECTION 5.5 SUPPLEMENTAL LOT, YARD AND OPEN SPACE REGULATIONS

A. More than one (1) main institutional, public or semi-public or commercial or industrial building may be located on a single lot or tract in districts that permit such uses provided that no such building or portion thereof shall be located outside of the buildable area of the lot, and no building shall be closer than ten feet (10') to any other building unless approved by the State Fire Marshall in conformance with all fire codes applicable.

B. Building setbacks are measured from the property line to the exterior wall of the structure. However, some items may project into the setbacks as follows:

2. Roof extensions, including overhangs, porch covers, cornices, canopies and eaves may project into front, rear or side yard setbacks, but in no case may any part of the projection extend closer than three feet (3') to any property line.

3. Chimneys shall not project more than twenty-four inches (24") into front, rear or side yard setbacks.

4. Window sills shall not project more than twenty-four inches (24") into front, rear or side yard setbacks.

5. Steps and raised landings, such landings not exceeding four feet (4') by six feet (6') in area, may project to the extent of four feet (4') into front, rear or side yard setbacks if a minimum distance of three feet (3') remains open to the sky between the farthest project of such steps or landing and any interior property line.

6. Accessory buildings

a. Except on corner lots, any non-residential accessory building that is not part of the main building may be built in a required side yard, providing that such accessory building, including roof extensions, is not less than three feet (3') from the nearest interior side lot line, ten feet (10') from the rear lot line, and provided not more than one (1) accessory building covers any part of the required side yard.

b. On corner lots, accessory buildings are not permitted in required side yards on the side street side or within any portion of the rear yard area which lies between the side yard and the prolongation of the required side yard line into the rear yard area.

7. No structure shall be constructed or placed within the utility servitude without prior written approval of the affected utilities.

8. Fences have no front, rear or side setback requirements, however they may not be constructed or placed within the utility servitude. No fence along the sides or front edge of any front yard shall be over three feet (3') in height unless landscape plans are filed for, and permission granted by the Planning Commission for such an exception. Height measurement shall be measured vertically from ground level in the adjacent yard. The use of tin, asbestos shingles or black tarpaper as fence construction materials is prohibited under this Ordinance.

9. An open, unenclosed, uncovered porch or terrace not exceeding the ground elevation by more than twelve inches (12"), may project into a required front yard a distance ten feet (10') or less, but in no case more than half the distance from the required building setback line to the front property line.

SECTION 5.6 OUTDOOR SALES AND DISPLAY

A. *General* – The purpose of this section is to preserve the character of St. Francisville by establishing standards for outdoor sales and display areas to ensure that these areas do not obstruct pedestrian or vehicular circulation or create the appearance of unsightly appearance or unrestricted clutter.

B. Outdoor sales and display of merchandise are permitted subject to the following:

1. Outdoor sales and display of merchandise are prohibited in residential districts.

2. No sales and display area is permitted in any public right-of-way or located so as to obstruct pedestrians or vehicular traffic.

3. No required parking area, vehicular circulation area, or landscape area may be used as an outdoor sales and display area.

4. Outdoors sales and display areas shall not be located within five (5) feet of any public right-of-way and shall not be exceed 30% of any required yard.

5. The outdoor sales and display of automobile parts, such as tires, is prohibited.

SECTION 5.7 TELECOMMUNICATION TOWERS

A. *Purpose* - In order to accommodate the communication needs of residents and business while protecting the public health, safety, and general welfare of the community.

B. *General Prohibition* - No persons shall develop, install, locate or construct any tower in any district in the town except as expressly authorized in this section and in conformance with all other Ordinances of the Town of St. Francisville.

C. *Regulations of General Applicability*

1. *Co-location Requirements* - All wireless telecommunication towers erected, constructed, or located within the Parish shall comply with the following requirements:

a. Proposals for new wireless telecommunication service towers (exceeding 120 feet in height) shall not be approved unless the Building Official finds that the telecommunication equipment planned for the proposed tower cannot be accommodated on an existing or approved tower/building within a one (1) mile radius.

b. Proposals for new wireless telecommunication service tower (less than 120 feet in height) shall not be approved unless the Building Official finds that the proposed tower cannot be accommodated on an existing or approved tower/building within one-half (1/2) mile radius.

c. Any wireless telecommunication service tower owner shall not prohibit any other wireless telecommunication service provider from co-locating on a tower owner's existing tower so long as the other wireless telecommunications service provider pays the tower owner reasonable compensation according to industry standards for space on the tower and pays for any and all costs, if any are required, to ensure that the existing tower is structurally safe according to industry engineering parameters to place additional antennas on the tower.

d. All towers must be buffered for an intermediate difference in land use and meet the minimum landscaping requirements.

2. *Tower Setbacks* - Towers shall be set back from all property lines by a minimum distance equal to one half of the height of the tower including all antennas and attachments.

3. *Tower Lighting* - Towers shall be illuminated by artificial means and not display strobe lights unless the Federal Aviation Administration or other federal or state authority for a particular tower specifically requires such lighting. When the FAA does not require tower lighting, red beacons shall be installed on towers greater than or equal to one hundred feet (100') in height.

4. *Signs and Advertising* - The use of any portion of a tower for other than warning or equipment information signs is prohibited.

5. *Utility Buildings* - All utility buildings and other structures located on the same lot as a tower shall be architecturally designed to blend in with the surrounding environment and shall meet the minimum setback requirements of underlying zoning district.

6. *Abandoned Towers* - In the event the use of any communication tower has been discontinued for a period of six (6) months, the tower shall be deemed abandoned. The Building Official who shall have the right to request documentation and/or affidavits from the communication tower owner/operator regarding the issue of tower usage shall make determination of the date of abandonment. Upon such abandonment, the owner/operator of the tower shall have an additional six (6) months within which to:

   a. Reactivate the use of the tower or transfer the tower to another owner/operator who makes actual use of the tower; or

   b. Dismantle and remove the tower.

   c. Six (6) months plus from the date of abandonment without reactivation or upon the completion of dismantling and removal, any special exception and/or variance approval for the tower shall automatically expire.

7. *Antennas Mounted on Roofs, Walls, and Existing Towers* - The placement of wireless telecommunication antennas on roofs, walls, and existing towers may be approved by the Building Official, provided the antennas meet the requirements of this Code, after submittal of a final site and building plan and a prepared report by a qualified and licensed professional engineer indicating the existing structure of tower's suitability to accept the antenna, and the proposed method of affixing the antenna to the structure.

8. *Additional Submittal Requirements* - In addition to the information elsewhere in this Ordinance, development applications for towers shall include the following supplemental information:

   a. Applicant must submit plans and specifications certified by a professional engineer licensed in the State of Louisiana that demonstrate compliance with the Building Code as adopted by the Town of St. Francisville.

   b. Identification of the owners of all antennas and equipment to be located on the site.

   c. Written authorization from the site owner for application.

   d. Additional information as required determining that all applicable zoning regulations are met.

   e. Evidence that a valid FCC license for the proposed activity has been issued.

f. Documentation that the proposed tower complies with regulations administered by the Federal Aviation Administration.

g. Documentation that all reasonable options for joint use have been exhausted.

h. A current map, or update for an existing map on file, showing locations of applicant's antennas, facilities, existing towers, and proposed towers, which are reflected, in public records, serving any property within the Town or Parish.

i. Documentation that all manufactured equipment to be installed on the structure meets or exceeds the FCC standards.

j. Applicant must file with the Building Official a written indemnification of the municipality and proof of liability insurance or financial ability to respond to claims for an amount to be determined by the Director of Finance in an amount not less than one million dollars ($1,000,000.00), which may arise from the operation of the facility during its life, at no cost to the municipality, in form approved by the Town Attorney.

k. Applicant must submit to the Building Official, structural integrity reports for the telecommunication tower on a biannual basis commencing two (2) years after completion of such tower.

SECTION 5.8–5.10 RESERVED

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PART VI. SPECIAL PROVISIONS

SECTION 6.1 NON-CONFORMING USES, LOTS AND STRUCTURES

A. *Intent* - The purpose of this section is to regulate the continued existence of uses, lots, and structures lawfully established prior to the effective date of this Ordinance or any amendment thereto which do not conform to the provisions of this Ordinance and which have not obtained special exception status. Non-conforming uses, structures and lots of record may continue in accordance with the provisions of this section.

B. *Non-conforming Uses*

1. Unless a variance is granted, non-conforming uses shall not be extended or enlarged. This prohibition is to prevent the enlargement of non-conforming uses by external additions to the structure in which non-conforming uses are located.

2. Nothing in this Ordinance shall be deemed to prevent the strengthening or restoring to a safe condition of any building or part thereof declared to be unsafe by any town official charged with protecting the public safety, upon order of such official. Repairs and alterations that restore a building to the same condition that existed prior to damage or deterioration, altering the building only in conformity with the provisions of this Ordinance in such a manner that does not extend or increase an existing nonconformity may be made with the same kind of materials as those of which the building is constructed.

3. Normal maintenance and repair of non-conforming uses may be performed.

4. A structure housing a non-conforming use may not be moved unless the use shall thereafter conform to the limitations of the district into which it is moved.

5. A non-conforming use shall not be changed to any other use unless such use conforms to the provisions of this Ordinance. However, a non-conforming use may be changed to another non-conforming use provided the change of use is less intense with less impact on the surrounding area.

C. *Termination*

1. *Abandonment or Discontinuance*

   a. Subject to subsection (2) below, where a non-conforming use is discontinued or abandoned for six (6) months or more, then such use may not be reestablished or resumed and any subsequent use must conform to the provisions of this Ordinance, unless a variance is granted.

   b. In construing whether a use has been discontinued or abandoned, the intention of the owner or anyone else to continue a non-conforming use shall not be considered; abandonment of a non-conforming use by a lessee shall not bind the owner provided that the owner obtains legal control of the use within a reasonable time after abandonment by the lessee; abandonment due to institution of foreclosure proceedings shall not constitute abandonment under the provisions of this section until the mortgagee or purchaser at foreclosure sale takes possession or gains by a recorded legal transfer

2. *Damage or Destruction* - If a structure housing a non-conforming use is damaged or destroyed by fifty percent (50%) or more of the fair market value of the structure, then the structure may not be restored unless its use thereafter conforms to the provisions of this Ordinance. When such damage is fifty percent (50%) or less of the fair market value of the structure as it existed immediately prior to such damage, such structure may be repaired and reconstructed and used for the same purposes it was before the damage or destruction, provided that such repair or reconstruction is commenced and substantially completed within twelve (12) months of the date of such damage or destruction. For purposes of these regulations the Building Official will accept the assessed value of the improvements as the fair market value or the value as determined by the Planning Commission on appeal of the Building Official's determination

D. *Non-conforming Structures*

1. Normal maintenance and repair of non-conforming structures shall be performed.

2. A non-conforming structure, which is moved, shall thereafter conform to the regulations of the district in which it is located after such move.

3. *Termination*

   a. *Abandonment* - Where a non-conforming structure is abandoned for one (1) year, then such structure shall be removed or converted to a conforming structure, unless a variance is granted.

   b. *Damage or destruction* - A non-conforming structure, which is damaged or destroyed to the extent of fifty percent (50%) or more of the fair market value of said structure, shall not be restored unless it conforms to the provisions of this Ordinance.

E. *Non-conforming Lots of Record* - Notwithstanding any other provision of this Ordinance, a non-conforming lot of record may be developed with a single-family dwelling.

F. *Non-conforming Accessory Uses and Structures* - No non-conforming accessory use or structure shall continue after the principal structure or use shall have ceased or terminated unless such structure or use shall thereafter conform to the provisions of the district in which it is located, unless a variance is granted.

SECTION 6.2 TEMPORARY USES

A. *Authority* - Temporary uses are permitted in any zoning district, subject to the standards hereinafter established, provided that all temporary uses shall meet bulk regulations and parking requirements for the zoning district in which the use is located and provided that no temporary use shall be permitted to continue for such a length of time that it constitutes in effect a permanent use.

B. *Particular Temporary Uses Permitted* - The following temporary uses are permitted:

1. *Garage or yard sales*

   a. For purposes of this Section, permanent is defined as: having a duration in excess of seventy-two (72) hours; having regularly scheduled hours of operation each day for more than three (3) days; or having regularly scheduled days of operation each week for more than two (2) weeks.

   b. No owner or occupant of property in the Town of St. Francisville shall conduct more than three (3) garage or yard sales within a twelve (12) month period.

2. Contractor's offices and equipment sheds, provided that such uses shall be limited to the period of actual construction and shall be terminated within one hundred twenty (120) days of the completion of construction.

3. Truck trailers used for the temporary storage of goods or equipment in connection with general retail sales and service establishments or industrial uses, provided that such use shall be limited to a nonrenewable period of sixty (60) days.

4. Sales of Christmas trees or other seasonal goods provided that such sales are located on property with direct access to collector or arterial for a period of up to sixty (60) days.

5. Religious revival tents for a period up to thirty (30) days.

6. Portable storage units (PODS) which shall be removed within thirty (30) days of delivery and shall not be within fifteen feet (15') of the public right-of-way.

7. Other temporary uses, which are, in the opinion of the Building Official, consistent with the provisions of this section.

SECTION 6.3 HOME OCCUPATIONS

A. *Authority* - Home occupations shall be permitted in any residential dwelling unit provided that the home occupation complies with the lot size, bulk regulations and parking requirements of the zoning district in which the home occupation is located.

B. *Purpose* - The regulations of this section are designed to protect and maintain the residential character of established neighborhoods while recognizing that particular professional and limited business activities are traditionally carried on in the home and are compatible with the long-term integrity of a residential neighborhood.

C. *Permitted Home Occupations*

1. Homebound employment of a physically, mentally, or emotionally handicapped person who is unable to work away from home by reason of his disability.

2. Office facilities for salesman, sales representatives, and manufacturer's representatives when no retail or wholesale sales are made or transacted on the premises.

3. Studio or laboratory of an artist, musician, photographer, craftsman, writer, tailor, seamstress, or similar person provided that the existence of the home occupation will not increase the number of average daily automobile trips generated by the residence in which the home occupation is located.

4. Office facilities for accountants, architects, beauticians, brokers, doctors, engineers, lawyers, insurance agents, realtors and members of similar professions, provided that the existence of the home occupation will not increase the number of average daily automobile trips generated by the residence in which the home occupation is located.

5. Day care facilities provided that no more than nine (9) children are on the premises at any time.

D. *Use Limitations* - In addition to the requirements of the zoning district in which it is located, all home occupations shall comply with the following restrictions:

1. No stock in trade shall be displayed or sold on the premises.

2. The home occupation shall be conducted entirely within the enclosed principal structure, and shall not be visible from any residential structure or a public way.

3. The home occupation shall not occupy more than fifteen percent (15%) of the floor area of the dwelling unit.

4. There shall be no outdoor storage of equipment or materials used in the home occupation.

5. No mechanical, electrical, or other equipment, which produces noise, electrical or magnetic interference, vibration, heat, glare or other nuisance outside the residential or accessory structure, shall be used.

6. No home occupation shall be permitted which is noxious, offensive or hazardous by reason of vehicular traffic, generation or emission of noise, vibration, smoke, dust or other particulate matter, odorous matter, heat, humidity, glare, refuse, radiation or other objectionable emissions.

7. Only two (2) employees shall be permitted other than a resident of the dwelling.

8. No sign shall advertise the presence or conduct of the home occupation, other than a non-illuminated name plate, which:

   a. Does not exceed one (1) square foot; or

   b. Does not exceed two (2) square feet if attached and mounted on the principal structure.

SECTION 6.4 BED AND BREAKFAST ESTABLISHMENTS

A. *Purpose and Intent* - A bed and breakfast residence means a single-family, owner-occupied dwelling unit that provides from two (2) to nine (9) rooms for rental to temporary guests. Bed and breakfast residence provides for paying guests on an overnight basis for periods not to exceed fifteen (15) days per guest with breakfast being provided by the owner/operator of the residence.

B. *Bed and Breakfast Residence Development Requirements* - Bed and breakfast residences, as defined in Section 2.2 of this Ordinance shall be subject to the following general requirements:

1. All of the required approvals shall be obtained prior to establishment of the use, including an occupational license, certificate of occupancy and health department approval.

2. Proof of owner-occupancy shall be established by submission of proof of a homestead exemption for the premises or similar proof of owner-occupancy.

3. Meals may be served to guests as part of the room fee, but in no case shall meals be served to persons not staying in a bed and breakfast room.

4. No cooking facilities are permitted in the individual guest rooms.

5. One (1) off-street parking space shall be provided for each guest room required and a minimum of two off-street parking spaces shall be required for the resident family. The front yard shall not be used for off-street parking for temporary guests unless the parking area is screened and found compatible with the neighborhood.

6. One (1) non-illuminated on-premises sign constructed of native material including wood, stone, or clay, not to exceed four (4) square feet, may be erected in the front yard at least ten feet (10') from the street right-of-way and shall conform to the general character of the surrounding neighborhood.

SECTION 6.5 GROUP/COMMUNITY HOMES AND RESIDENTIAL CARE CENTERS

A. *Intent* - It is the intent of this Section to regulate the operation of group homes and residential care centers within the Town in order to ensure that such establishments are operated in sanitary and orderly fashion, according to all federal, state and local regulations, and do not become a threat to public health, safety and general welfare.

B. *License Required* - In addition to any zoning approvals, the State of Louisiana Department of Social Services must license establishments subject to these standards.

C. *Group Home and Residential Care Center Development Requirements* - Group homes and residential care centers, as defined in Section 2.2 of this Ordinance shall be subject to the following general requirements:

1. A group home or residential care center shall only be permitted in a detached dwelling unit situated on a lot having a minimum area of twelve thousand (12,000) square feet.

2. A group home or residential care center shall have a minimum of three hundred fifty (350) square feet of habitable floor area for each resident.

3. The maximum number of persons permitted to occupy a small group home is six (6) excluding staff and personnel. The maximum number of persons permitted to occupy a large group home is twelve (12) excluding staff and personnel.

4. Common kitchen and dining facilities may be provided, however, no cooking or dining facilities shall be provided in individual resident's rooms.

5. A group home or residential care center shall be affiliated with a parent organization that provides for the administration of the group home through the direction of a professional staff.

6. A group home or residential care center shall not be located within thirteen hundred twenty feet (1,320') of another group home.

7. A group home or residential care center shall comply with all applicable safety, fire and building codes as required by federal, state and local governments.

8. A minimum of four (4) off-street parking spaces shall be provided.

SECTION 6.6 DAY CARE CENTERS

A. *Purpose and Intent* - Recognizing the growing need for adult and child day care facilities, it is the intent of the Town of St. Francisville to encourage the establishment of such facilities in a manner that will preserve the character of residential neighborhoods while meeting the operational and physical standards of the State of Louisiana Department of Social Services (DSS). Day care facilities, operated within a residence, are not subject to the requirements for home occupations contained in Section 6.3.

B. *License Required* - In addition to any zoning approvals, the State of Louisiana Department of Social Services must license establishments subject to these standards. In addition, all facilities must have an approved and currently valid license, which will be provided to the Town every year.

C. *General Day Care Center Development Requirements* - The following general provisions apply to all day care centers, as defined in Sections 2.2 and 6.6.A shall be subject to the following general requirements:

1. The center shall be used exclusively by the adults and/or children and center staff during operating hours. Areas licensed for use as a childcare center shall not be dually licensed. A child care facility, except those located in a church or school, shall be physically separated from any other business or enterprise.

2. Fencing shall be provided to restrict children from hazardous areas, such as drainage ditches, wells, holes, and major and minor roads. Further, fencing with a minimum height of four feet (4') shall physically contain children within the outdoor play area. Natural or physical barriers may be used in place of fencing so long as such barriers functionally restrict children from/within these areas.

3. Any outdoor play area, as required by DSS regulations, shall be provided for child day care centers, and shall not be located in the front yard.

4. Play equipment shall be located at least ten feet (10') from an abutting property line.

5. All pedestrian pathways shall be adequately lit for safety if utilized during non-daylight hours. Specific areas for lighting are entranceways, pedestrian access to the outdoor play areas, sidewalks, drop-off areas, and all parking lots. Such lighting shall not produce objectionable glare on adjacent properties.

6. The operator of a day care center will allow appropriate representatives of the Town of St. Francisville to enter the property to inspect such use for compliance with the requirements of this Ordinance.

SECTION 6.7 EXCEPTIONS TO HEIGHT REGULATIONS

A. Purpose and Intent - The regulations and requirements relating to the height of buildings and structures shall be subject to the following exceptions and additional regulations set forth in this section.

B. The height regulations and requirements as stated in this Ordinance shall not apply to:

1. Churches, schools, hospitals, sanitariums, public and semi-public service buildings and institutions. There shall be no restrictions on the height of such buildings, provided the front, side, and rear yards required in the district in which such building is to be located shall be increased an additional one foot for each foot of height that the building exceeds the maximum height permitted in such districts.

2. Barns, silos, and other farm structures when located on farms; belfries; cupolas; domes; flagpoles and monuments; water towers; transmission towers; windmills; chimneys; smoke stacks; radio towers; waste and aerial conveyors; fire towers; and oil derricks.

c. Bulkheads, elevator penthouses; water tanks; cooling towers; scenery lofts; and similar structures, provided that such structure shall cover not more than twenty-five percent (25%) of the total roof area of the building on which such structure is located.

SECTION 6.8 ADULT USES

A. *General* – Adult-use businesses shall be permitted by right only in industrial districts, granted they meet the following provisions.

B. *Provisions*

1. No adult-use business shall be located within one thousand feet (1,000') of a residential zone, park, school, day care center, library or religious or cultural activity.

2. No adult-use business shall be located within two thousand feet (2,000') of any other adult-use business.

3. Such distances shall be measured in a straight line without regard to intervening structures, topography and zoning.

4. Said business shall be located in industrial zones, and shall not be allowed as home occupations.

SECTION 6.9–6.10 RESERVED

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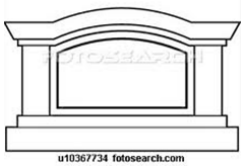
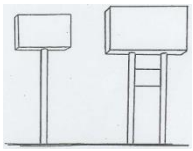
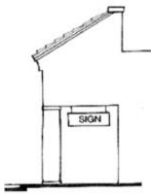
PART VII. SIGN REGULATIONS

SECTION 7.1 PURPOSE AND INTENT

The purpose of this Section is to reinforce and enhance the character of St. Francisville as an attractive and unique community, and to reflect the architectural resources and natural features of the community. To accomplish this, the standards shall govern the location, size, setback and height of signs for each of the use districts established in this Ordinance, and for specific uses. These regulations are intended to ensure safe construction, unity in scale and design, to reduce hazards at intersections, and to protect the property values of the entire community.

SECTION 7.2 SIGN TYPES

The following Table 7.1, Sign Types identifies the categories, types and general descriptions of signs permitted in the Town of St. Francisville. Any other type of sign not listed in Table 7.1 or in Section 7.3 is prohibited. Additional sign definitions can be found in Section 2.2 of this Ordinance.

TABLE 7.1: SIGN TYPES			
SIGN CATEGORY	**SIGN TYPE**	**DESCRIPTION**	**IMAGE**
FREESTANDING SIGNS	Monument Sign	A permanent sign mounted on the ground and designed with a continuous structural element of approximately the same dimension from the ground to the top of the sign.	
	Pole Sign	A permanent sign mounted on the ground, where the structural element is significantly narrower than the sign.	
	Incidental Sign	Signs that direct patrons and citizens into or out of a site. These signs are intended merely to enhance the safe ingress and egress of pedestrians or vehicles.	
BUILDING SIGN	Façade Sign	A permanent sign mounted on or otherwise affixed to the side of a building and projecting no more than one foot from the surface it is mounted to.	
	Hanging Sign	A permanent sign mounted on or otherwise affixed to the side of a building and projecting generally perpendicular to the surface it is mounted on. Examples of typical applications are under a canopy, or beside a door.	
	Window Sign	A permanent sign applied to a window of a building but intended to be viewed and read from the exterior of the building.	
	Awning Sign	A permanent sign applied to the surface of an awning, which is affixed to a building or structure.	

SECTION 7.3 SIGN PERMITS AND EXCEPTIONS

A. It shall be unlawful to erect, alter or relocate any sign without first obtaining a sign permit. When a sign permit has been issued, it shall be unlawful to change, modify, alter or otherwise deviate from the terms and conditions of said permit without prior approval of the building inspector.

B. The following activities and signs shall not require a sign permit:

1. The changing of advertising copy or message on signs, which are specifically designed for the use of replaceable copy.

2. One (1) general identification sign per building entrance such as a nameplate, street number, or occupant identification sign on common entrances, not to exceed six (6) square feet.

3. One (1) on-site bulletin board or identification sign for public, charitable, educational or religious use not to exceed thirty-two (32) square feet.

4. Symbolic flags or insignias limited to fifty (50) total square feet in area.

5. Decorative flags, banners and bunting authorized by the Board of Aldermen for community-wide celebration, conventions or commemorations. Banners that advertise events must be removed within twenty-four (24) hours after the last day of the event to which they pertain. The maximum surface of said banners shall be eight (8) square feet in a residential district and thirty-two (32) square feet in a non-residential district.

6. Memorial signs, tablets, or cornerstones, names of buildings, or similar engravings when consisting of a cut masonry surface or when constructed or bronze or other non-combustible materials.

7. Up to four (4) incidental signs or symbols (e.g. entrance, exit, caution, slow, no trespassing) located on and pertaining to a parcel or property not to exceed two (2) square feet in area per sign.

8. Identification signs at the entrance drive of residences, estates, farms, ranches and plantations, which do not exceed two (2) square feet in area.

9. Political signs may be placed on private property after the qualifying deadline for the election. A candidate shall remove his/her political signs from private property within five (5) days of the end of his/her bid for office, or the completion of the election.

   a. In residential zoning districts: the total sign area of political signs shall not exceed eight (8) square feet with a maximum of two (2) signs per lot;

   b. In all other zoning districts: the total sign area of political signs shall not exceed sixteen (16) square feet.

10. Real estate/for sale signs; one (1) non-illuminated, double-faced, temporary real estate or for sale sign per street frontage not exceeding the following:

    a. In residential zoning districts six (6) square feet where the property being advertised has a front lot line of less than five hundred (500) lineal feet, or sixteen (16) square feet where the property being advertised has a front lot line of five hundred (500) lineal feet or more.

    b. All other districts sixteen (16) square feet.

11. One construction sign per street frontage located on property where construction is actually in progress under a current building permit. This shall be a ground sign not to exceed sixteen (16) square feet for residential structures and thirty-two (32) square feet for non-residential structures. This sign shall be removed before a certificate of occupancy is issued.

12. Window signs that identify or advertise activities, services, goods or products available within the building and that collectively covers less than twenty percent (20%) of the window glass surface area.

13. Signs incorporated on machinery or equipment at the manufacturer's or distributor's level that identifies or advertises only the product or service dispensed by the machine or equipment, such as signs customarily affixed or vending machines, newspaper racks, telephone booths or gasoline pumps.

14. Directional and regulatory signs erected by an agency of government or any lawfully constituted utility.

15. Signs that fall under a previously approved Sign Master Plan and also meet all the conditions of this ordinance.

C. Signs with unusual structural features, or any sign so designated by the Building Official, shall be designed, signed and certified by an engineer registered in the State of Louisiana, who shall submit sufficient data to enable the Building Official to determine whether the sign complies with all applicable codes and Ordinances.

D. A sign permit shall become null and void if the sign for which the permit was issued has not been completed within a period of six (6) months after the date of issuance.

SECTION 7.4 SIGN STANDARDS

A. *Signs for Residential Districts and Uses*

1. No building signs are allowed in residential districts or for residential uses unless they are exempt from permits according to Section 7.3.

2. Two freestanding signs are permitted for each subdivision, neighborhood or complex entrance subject to the following:

   a. No sign area shall exceed thirty-two (32) square feet.

   b. No sign and associated structure shall exceed seven (7) feet in height.

   c. The total sign area for the entire subdivision, neighborhood or complex shall not exceed sixty-four (64) square feet.

   d. The sign and associated structure shall not create a physical or visual hazard.

   e. An acceptable legal entity shall be provided to assure maintenance of the signs.

B. *Signs for Non-Residential Districts and Uses*

1. One (1) building sign shall be allowed for each street frontage of each premise. Corner lots and double frontage lots may not transfer allowable sign area from one frontage to another.

2. One (1) freestanding sign shall be allowed for each street frontage of each premise. Corner lots and double frontage lots may not transfer allowable sign area from one frontage to another.

3. Sign Area – The sign area per sign for all permitted signs in all non-residential districts shall be limited to the following:

   a. One (1) square foot for each two (2) linear feet of structure frontage up to a maximum of fifty (50) square feet with the exception of multiple occupancy lots and structures.

b. Sign area is not transferable between freestanding and building signs.

4. *Height and Projection*

   a. Free-standing signs shall not exceed six (6) feet above natural ground level at the sign structure base.

   b. Building signs shall not extend higher than the building surface upon which they are mounted.

   c. Building signs shall not project more than twelve (12) inches from the building surface upon which they are mounted.

5. *Multiple-Occupancy Lots or Buildings*

   a. Only one (1) freestanding sign shall be allowed for each street frontage of a multiple occupancy lot or building. This sign may contain names and data on some or all tenants, occupants, or activities.

   b. Each activity or establishment shall be permitted one (1) building sign per street frontage. The size of this sign shall be based on the portion of the structure occupied.

   c. If the street frontage of the structure is twenty-five (25) feet or less, the sign area for each building sign may be increased by fifty (50) percent of the sign area allowed in Section 7.4.B.3.

   d. When more than one (1) freestanding and/or building sign is proposed on a multiple occupancy structure, the applicant may choose to submit a Master Sign Plan for review and approval by the Building Official**.**

6. *Complex Signs* – Complexes such as shopping centers, special activity centers or campuses shall be allowed an additional twenty (20) square feet of sign area to identify the name or logo of the center, district or campus. This additional twenty (20) square feet may be used on either a freestanding sign or building sign, but not both and it is not transferable to any sign other than the Complex Sign.

7. *Gasoline Pricing Signs* – One (1) sign advertising the price of gasoline is permitted . The sign area should not exceed fifty (50) square feet.

8. *Temporary Event Signs or Banners* – A temporary event sign or banner may be allowed in addition to all permitted signs subject to the following limitations:

   a. Temporary event signs or banners shall be allowed for a period no longer than 30 days and shall not exceed twenty (20) square feet in total area.

   b. One (1) temporary event sign or banner is allowed per every hundred (100) feet of street frontage, up to a maximum of three (3) signs or banners

   c. No off-premise signs shall be permitted.

TABLE 7.2: RESIDENTIAL SIGN HEIGHT AND SIGN AREA STANDARDS*

*Additional Sign Standards for signs in the St. Francisville Historic District Overlay are found in Section 4.3.H and additional sign standards for signs in the Highway 61 Scenic Corridor Overlay are located in Section 4.2.F.5.

SIGN TYPE	MAX SIGN HEIGHT	MAX SIGN AREA	ADDITIONAL SIGN STANDARDS
Building Sign (Residential)	N/A	No building signs are allowed in residential districts or for residential uses unless they are exempt from permits according to Section 7.3.	Section 7.4.A.1
Freestanding Sign (for subdivision, neighborhood, or complex entrance)	7 feet	32 square feet; The total freestanding sign area for the entire subdivision, neighborhood or complex shall not sixty-four (64) square feet.	Section 7.4.A.2

TABLE 7.3: NON- RESIDENTIAL SIGN HEIGHT AND SIGN AREA STANDARDS*

*Additional Sign Standards for signs in the St. Francisville Historic District Overlay are found in Section 4.3.H and additional sign standards for signs in the Highway 61 Scenic Corridor Overlay are located in Section 4.2.F.5.

SIGN TYPE	MAX SIGN HEIGHT	MAX SIGN AREA	ADDITIONAL SIGN STANDARDS
Freestanding Sign	6 feet	One (1) square foot for each two (2) linear feet of building frontage up to a maximum of fifty (50) square feet.	Section 7.4.B
Building Sign	Building signs shall not extend higher than the building surface upon which they are mounted.	One (1) square foot for each two (2) linear feet of building frontage up to a maximum of fifty (50) square feet.	Section 7.4.B
Multiple-Occupancy Lot or Structure Sign	**Freestanding Sign**: 6 feet **Building Sign:** Building signs shall not extend higher than the building surface upon which they are mounted.	One (1) square foot for each two (2) linear feet of structure frontage up to a maximum of fifty (50) square feet.; If the street frontage of the structure is twenty-five (25) feet or less, the sign area may be increased by fifty (50) percent of sign area allowed in 7.4.B.3 Each activity or establishment shall be permitted one (1) building sign per street frontage. The size of this sign shall be based on the portion of the building occupied. Only one (1) freestanding sign shall be allowed for each street frontage of a multiple occupancy lot or building.	Section 7.4.B.5
Complex Sign	**Freestanding Sign**: 6 feet **Building Sign:** Building signs shall not extend higher than the building surface upon which they are mounted.	Complexes such as shopping centers, special activity centers or campuses shall be allowed an additional twenty (20) square feet of sign area to identify the name or logo of the center, district or campus. This additional sign area may be used on either a freestanding sign or building sign, but not both and it is not transferable to any sign other than the Complex Sign.	Section 7.4.B.6
Gasoline Pricing Sign	**Freestanding Sign**: 6 feet **Building Sign:** Building signs shall not extend higher than the building surface upon which they are mounted.	50 square feet	Section 7.4.B.7
Temporary Event Sign or Banner	N/A	20 square feet	Section 7.4.B.8

TABLE 7.4: HIGHWAY 61 OVERLAY DISTRICT SIGN STANDARDS *

*The following standards apply to non-residential signage located in the Highway 61 Scenic Corridor Overlay District. All signage should comply with the provisions of Part VII (Sign Regulations), except as follows:

SIGN TYPE	MAX SIGN HEIGHT	MAX SIGN AREA	ADDITIONAL SIGN STANDARDS
Freestanding Sign	Whichever is greater, twelve (12) feet or the height of the building for which it is associated. In no case shall the sign height exceed twenty-four (24) feet.	Seventy-two (72) square feet	Section 4.2.F.5
Building Sign	**Building Sign:** Building signs shall not extend higher than the building surface upon which they are mounted.	One (1) square foot for each two (2) linear feet of building frontage up to a maximum of seventy-two (72) square feet.	Section 4.2.F.5

SECTION 7.5 MASTER SIGN PLAN

A. When more than one (1) freestanding and/or building sign is proposed on a multiple occupancy structure, the applicant may choose to submit a Master Sign Plan for review by the Building Official.

B. A Master Sign Plan must provide a coordinated design for all signs in the development and include, at a minimum, criteria and specifications for general appearance, format of message, font size and style, sign height, sign area, lighting, location and construction materials.

C. Where building signs are located on the wall of a multi-tenant shopping center, they must be located at a generally uniform height on the building wall and may not cover or overhang any architectural feature.

D. All signs in the Master Sign Plan should meet the conditions of this ordinance, however for multiple occupancy structures with more than fifty (50) feet of occupied street frontage, the Building Official may allow for the total sign area of the structure or development to be increased by up to twenty-five (25) percent.

SECTION 7.6 LIMITATIONS

A. The following signs are expressly prohibited and subject to immediate removal.

1. Any sign erected or painted upon a sloping roof, fence, tree, standpipe, fire escape or utility pole.

2. Any sign that is a copy or imitation of official traffic signals or controls.

3. Signs that flash, or illuminate intermittently, revolve, and animated signs except public service signs.

4. Signs that emit visible smoke, vapor or particles.

5. Inflatable signs.

6. Any sign placed in the public right of way or public utility easement.

7. Separate or add-on signs attached to freestanding signs.

B. Off-premise signage including: portable marquees; billboards; and commercial messages emblazoned on park benches or transit benches, outdoor furniture, or other sculpted objects shaped like or intended to promote commercial products are subject to the following limitations:

1. Any sign attached or painted onto a vehicle, trailer or portable system parked on or adjacent to the public right-of-way for the principle purpose of advertising is expressly prohibited and subject to removal.

2. Any off-premise advertising signage erected after the effective date of this ordinance is expressly prohibited and subject to immediate removal.

3. Off-premise advertising signs that are not prohibited in 7.6.B.1 and 7.6.B.2 and existing on the effective date of this ordinance will be granted a one (1) year amortization period, beginning on the effective date of this ordinance.

4. At the end of the one (1) year amortization period, all off-premise advertising signs are expressly prohibited and subject to immediate removal.

C. Other limitations

1. Signs in non-residential zoning districts shall not be located within fifteen feet (15') of a residential zoning district boundary.

2. Illuminated or neon signs shall not produce glare or reflection onto residential property.

3. All signs, which are no longer functional or are abandoned, shall be removed or relocated at the owner's expense within thirty (30) days.

SECTION 7.7 NON-CONFORMING SIGNS

A. Any sign that does not conform in use, height, location, or size with the regulations of this ordinance shall be considered a legal non-conforming sign if the sign meets all of the following conditions:

1. The sign is not located in the Highway 61 Scenic Corridor Overlay District.

2. The sign is not prohibited in Section 7.6 Limitations.

3. The sign is legally existing at the time of the passage of this ordinance.

B. Legal non-conforming signs shall be permitted to continue in such status until such a time as it is either abandoned or removed by its owner, subject to the following limitations:

1. Structural alterations, enlargement or re-erection are permissible only where such alterations will not increase the degree of nonconformity of the signs.

2. Any legal nonconforming sign shall be removed or rebuilt without increasing the existing height or area if it is damaged, or removed if allowed to deteriorate to the extent that the cost of repair or restoration exceeds fifty (50) percent of the replacement cost of the sign as determined by the Building Official.

3. The above prohibitions shall not prevent repairing or restoring to a safe condition any part of a sign or sign structure or normal maintenance operations.

SECTION 7.8–7.10 RESERVED

APPENDIX A

COMPREHENSIVE ZONING 0RDINANCE

Appendix A. Part I. Scope and Application
Appendix A. Part II. Definitions and Rules of Interpretation
Appendix A. Part III. Use Districts
Appendix A. Part IV. Special Districts
Appendix A. Part V. General Provisions
Appendix A. Part VI. Special Provisions
Appendix A. Part VII. Sign Regulations
Appendix A. Part VIII. Administration and Enforcement

PART VIII. ADMINISTRATION AND ENFORCEMENT

SECTION 8.1 PROCEDURES

A. *Common Review Procedures*

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

2. *Pre-Application Conference*

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

   b. *Mandatory* – Before submitting an application for the following types of review, an applicant must schedule a pre-application conference with the Building Official to discuss the procedures, standards and regulations required for approval in accordance with this Ordinance and other applicable Town codes.

      i. Major Subdivision
      ii. Major Site Plan Review
      iii. Conditional Use Permit
      iv. Zoning Map Amendment
      v. Planned Unit Development
      vi. Zoning Text Amendment
      vii. Certificates of Appropriateness in Historic District

   c. *Application*

      i. *Initiation* – Parties allowed to file an application are summarized below in Table 8.1. More detailed information may be included with each specific procedure.

TABLE 8.1: APPLICATION AUTHORITY			
APPLICATION AUTHORITY	OWNER OR AGENT	PLANNING COMMISSION	TOWN OF ST. FRANCISVILLE
Zoning Verification	■		
Administrative Adjustment	■		
Variance	■		
Conditional Use Permit	■		
Temporary Use Permit	■		
Zoning Map Amendment	■	■	■
Planned Unit Development	■		■
Zoning Text Amendment	■	■	■
Certificate of Appropriateness	■		■

ii. *Application Forms* – Applications, containing all information requested on the application and any additional information required by a duly authorized representative of the Town of St. Francisville, must be submitted on forms and in such numbers as required by this Ordinance. All applications must be complete and sufficient for processing before they will be reviewed.

iii. *Fees* – As per Section 1.5 of this ordinance, no applications shall be reviewed, and no permit, certificate, or variance shall be issued unless or until such costs, charges, fees or expenses have been paid in full. When an application is submitted on behalf of the Town of St. Francisville, no fees shall be required.

iv. *Complete Applications* – An application is complete when it contains all the information necessary to decide whether or not the development as proposed will comply with all of the requirements of this development code. Details for each application is included in the specific procedure Section of this Ordinance. The presumption is that all of the information required in the application forms is necessary to satisfy the requirements of this development code. However, it is recognized that each application is unique, and more or less information may be required according to the needs of the particular case. The applicant may rely on the determination of the Building Official as to whether more or less information may be submitted.

v. *Concurrent Applications* – Applications may be filed and reviewed concurrently, at the option of the applicant. However, any application that also requires a variance shall not be eligible for final approval until the variance has been granted. Further, applications submitted concurrently are subject to approval of all other related applications; denial or disapproval of any concurrently submitted application shall stop consideration of any related applications until the denied or disapproved application is resolved.

vi. *Modification of Application* – An application may be modified at the applicant's request following the approval of the Building Official or his duly authorized representative. Any modification after a hearing but prior to a final decision shall require a new hearing.

TABLE 8.2: PUBLIC NOTICE REQUIREMENTS			
PUBLIC NOTICE REQUIREMENTS	WRITTEN NOTICE	POSTED NOTICE OF PUBLIC HEARING	PUBLISHED NOTICE OF PUBLIC HEARING
Variance	■	■	
Conditional Use Permit	■	■	■
Zoning Map Amendment	■	■	■
Planned Unit Development	■	■	■
Zoning Text Amendment			■
Development Agreement			■
Certificate of Appropriateness			■

3. *Public Notice and Hearings*

c. *Public Notice Required* – Required public notices are summarized above in Table 8.2. More detailed information may be included with each specific procedure.

d. *Notice of Public Hearing* – All notices for public hearing shall contain:

i. The date, time and place of the hearing.

ii. The section of this Ordinance under which the subject matter of the hearing will be considered.

iii. The name of the applicant.

iv. A brief description of the location of any land proposed for development and the subject matter to be considered at the hearing.

v. A statement that the application and supporting materials are available for public inspection and copying at the office of the Town of St. Francisville Building Official.

vi. A brief description of the appeal process, which is available by right after public hearing before the Planning Commission or any further automatic review by the Board of Aldermen.

e. *Written Notice of Public Hearing* – At least ten (10) days prior to a public hearing, a good faith attempt to notify the owner of record shall be made by sending an official notice by U.S. Mail of the time, place and subject matter of the hearing. Where more than ten (10) parcels are to be initially zoned or rezoned, no written notice is required.

f. *Posted Notice of Public Hearing* – Posted notice in bold type shall be posted for at least ten (10) consecutive days prior to a public hearing on signs not less than 11”x17”, prepared, furnished and placed by the Building Official on each block of each street adjoining the area proposed for a change in zoning classification. The applicant shall remove posted notices from the subject area no more than ten (10) days after the public hearing has been held.

g. *Published Notice of Public Hearing* – Notice of the time and place of a public hearing shall be published once a week in three (3) different weeks in the official journal, if designated, or a newspaper of general circulation in the area. The first notice shall be published at least fifteen (15) days prior to the hearing.

B. *Zoning Verification*

4. When Required

   a. A zoning verification is required for the following:

      i. Building permits that do not require site plan review.

      ii. Temporary uses.

      iii. Sign permits

   b. It shall be unlawful to begin moving, constructing, altering or repairing (except ordinary maintenance or repairs) any building or other structure on a site, including an accessory structure, until a zoning verification has been issued.

   c. No certificate of occupancy may be issued without a properly issued zoning verification, when applicable.

5. *Application and Fees*

   a. A pre-application conference is optional.

   b. All applications for administrative review shall be filed in writing with the Building Official (See Section 8.1.A Common Review Procedures).

   c. Application shall be made prior to, or concurrent with the application for a building permit.

6. *Decision by Building Official*

   a. The Building Official may refer the application to other affected or interested agencies for review and comment.

   b. In deciding to approve, approve with conditions, or deny the proposed zoning request, the Building Official shall consider relevant comments of all interested parties and the review criteria in Section 8.1.B.4.

   c. The Building Official may attach any condition to the permit necessary to protect the health, safety and welfare of the Town of St. Francisville and minimize adverse impacts on adjacent properties.

7. *Review Criteria* - The Building Official shall consider the following criteria in determining a zoning verification:

   a. The proposed development is consistent with the pertinent elements of the Town of St. Francisville Master Plan and any other adopted plans.

   b. The proposed development meets the requirements of this development code.

   c. The proposed development will reinforce the existing or planned character of the neighborhood and the Town of St. Francisville.

8. *Appeal* – A final decision by the Building Official on a zoning verification may be appealed to the Board of Zoning Adjustment (See Section 8.1.E, Appeal of Administrative Decision).

9. *Expiration* – A zoning verification expires after six (6) months if a building permit application has not been filed.

C. Administrative Adjustment

1. *When Allowed* – The administrative adjustment procedure allows the Building Official or his duly authorized representative to approve modest variations from the standards of this development code. Administrative adjustment is allowed for the following:

   a. A reduction of any required setback or yard by up to fifteen percent (15%).

   b. An increase in the maximum building height of any building by five feet (5') or five percent (5%), whichever is less.

   c. An increase in lot coverage by no more than five percent (5%).

   d. Any other administrative adjustment authorized by a specific section of this development code.

2. *Application and Fees*

   a. A pre-application conference is optional.

   b. All applications for administrative review shall be filed in writing with the Building Official (See Section 8.1.A Common Review Procedures).

3. *Decision by Building Official*

   a. The Building Official may refer the application to other affected or interested agencies for review and comment.

   b. In deciding to approve, approve with conditions, or deny the proposed zoning request, the Building Official shall consider relevant comments of all interested parties and the review criteria in Section 8.1.C.4.

   c. The Building Official may attach any condition to the permit necessary to protect the health, safety and welfare of the Town of St. Francisville and minimize adverse impacts on adjacent properties.

4. *Review Criteria*

   a. The Building Official shall consider the following criteria in approving or denying a administrative adjustment:

      i. The proposed development is consistent with the pertinent elements of the Town of St. Francisville Master Plan and any other adopted plans.

      ii. The proposed development meets the requirements of this development code.

      iii. The proposed development will reinforce the existing or planned character of the neighborhood and the Town.

5. *Appeal* – A final decision by the Building Official on an administrative adjustment may be appealed to the Board of Zoning Adjustment (See Section 8.1.E Appeal of Administrative Decision).

D. Variance

1. *When Allowed* – The Board of Zoning Adjustment shall have the authority to grant variances from the terms of this Ordinance, subject to terms and conditions fixed by the Board, where literal enforcement of the provisions of this Ordinance will result in practical difficulties or unnecessary hardship, if in granting such variance the general intent and purpose of this Zoning Ordinance will be preserved.

2. *Application and Fees*

   a. No pre-application conference is necessary.

   b. All applications for variance shall be filed in writing with the Building Official (See Section 8.1.A Common Review Procedures).

3. *Review by Building Official* – The Building Official may refer the application to other affected or interested agencies for review and comment.

4. *Public Hearing and Decision by Board of Zoning Adjustment*

   a. Following notice and a public hearing as required by Section 8.1.A of this Ordinance, the Board of Zoning Adjustment shall allow, allow with conditions, or deny the proposed variance request, the Building Official shall consider relevant comments of all interested parties and the review criteria in Section 8.1.D.4.

   b. The Board may attach any condition to the permit necessary to protect the health, safety and welfare of the community and minimize adverse impacts on adjacent properties.

5. *Review Criteria* - No variance shall be authorized unless the Board of Zoning Adjustment finds that all of the following conditions exist:

   a. That the variance will not authorize a use other than those uses allowed in the district.

   b. That, due to exceptional and/or extraordinary circumstances, literal enforcement of the provisions of this Ordinance will result in practical difficulties or unnecessary hardship.

   c. That the practical difficulties or unnecessary hardship were not created by the owner of the property or the applicant and are not due to or the result of general conditions in the district in which the property is located.

   d. That the practical difficulties or unnecessary hardship are not solely financial.

   e. That the variance will not substantially or permanently injure the allowed uses of adjacent conforming property.

   f. That the applicant has adequately addressed any concerns raised by the Building Official.

6. *Appeal* – A final decision by the Board of Zoning Adjustment on a variance may be appealed to the West Feliciana Parish Civil District Court.

7. *Expiration* – A variance runs with the land and does not expire unless the Board of Zoning Adjustment or the West Feliciana Parish Civil District Court assigns an expiration date as a condition.

E. *Appeal of Administrative Decision*

1. *When Allowed* – Appeals to the Board of Adjustment may be filed by any person aggrieved, or by any official or department of the Town of St. Francisville affected by any decision of the Building Official. Appeals shall be made within thirty (30) days of the decision.

2. *Application and Fees*

   a. No pre-application conference is necessary.

   b. All appeals of administrative decisions shall be filed in writing with the Town Clerk (See Section 8.1.A Common Review Procedures).

   c. The appellant shall provide a written statement citing the decision that is being appealed, and any reasons why the appeal should be granted.

3. *Stay of Proceedings* – An appeal stays all proceedings in furtherance of the action appealed, unless the Building Official certifies to the Board of Adjustment after the notice of appeal has been filed, that a stay would cause imminent peril of life or property. In such case proceedings shall not be stayed except my restraining order that may be granted by the West Feliciana Civil District Court.

4. *Public Hearing and Decision by Board of Adjustments*

   a. Following notice and a public hearing as required by Section 8,1.A of this Ordinance, the Board of Adjustment shall hear and decide appeals where it is alleged there is error in any order, requirement, decision, or determination made by the Building Official.

   b. The Board may reverse or affirm, wholly or partly, or may modify the order, requirement, decision or determination appealed from and may make such order, requirement, decision or determination as ought to be made, and to that end shall have the powers of the Building Official.

   c. Any party may appear at the proceedings in person, by agent or by attorney.

5. *Testimony and Evidence* – The Board of Adjustment shall limit testimony and other evidence to that contained in the record at the time that Administrator took final action on the administrative decision.

6. *Review Criteria* – The Board of Adjustment shall consider the following criteria in deciding an appeal:

   a. Whether the decision by the Building Official was in accordance with the intent and requirements of this Ordinance;

   b. Whether the Building Official made erroneous findings based on the evidence and information presented in the original application, or failed to fully consider mitigating measures or revisions offered by the applicant that would have brought the proposed project into compliance; or

c. Whether the Building Official acted arbitrarily or capriciously.

7. *Appeal* – A final decision by the Board of Adjustment on an administrative appeal may be appealed to the West Feliciana Civil District Court.

F. Site Plan Review

1. *When Required*

a. *Major Site Plan* - Major site plan review by the Planning Commission is required for:

i. Construction or expansion of three (3) or more residential units in a single structure on a platted lot of record.

ii. Construction or expansion of any multi-family or mixed-use residential building type; and commercial, industrial or institutional land uses.

b. *Minor Site Plan* – Minor site plan review by the Building Official is required for:

i. Creation of more than one thousand (1,000) square feet of impervious surface (paving).

ii. Construction of accessory structures in non-residential districts.

c. *No Site Plan Review Required* – No site plan review is required for the following:

i. Construction or expansion of one (1) or two (2) units in a single structure on a platted lot of record.

ii. Creation of less than one thousand (1,000) square feet of impervious surface (paving).

iii. Construction of accessory structures in non-residential districts.

2. *Application and Fees*

a. A pre-application conference is optional for minor site plan review and mandatory for major site plan review.

b. All applications for subdivision review shall be filed in writing with the Building Official (See Section 8.1.A, Common Review Procedures).

3. *Review by Building Official*

a. The Building Official may refer the application to other affected or interested agencies for review and comment.

b. The Building Official shall provide notice as outlined in Section 8.1.A, Common Review Procedures.

4. *Minor Site Plan Decision by Building Official*

a. In deciding to approve, approve with conditions, or deny the proposed site plan, the Building Official shall consider relevant comments of all interested parties and the review criteria outlined in Section 8.1.E.7. and render a decision within thirty (30) days of the receipt of complete minor site plan.

b. The Building Official may attach conditions required to make the subdivision comply with this and other Town Ordinances, or as necessary to protect the health, safety and welfare of the Town of St. Francisville and to minimize adverse impacts to adjacent properties.

5. *Major Site Plan Review by Design Review Board*

a. Following notice and public hearing as required by Section 8.1.A, Common Review Procedures, the Design Review Board shall meet within thirty (30) days following submittal of the completed application to the Building Official, except where such time period is extended by the applicant.

b. The Design Review Board shall review the plan and provide such information and guidance it deems appropriate in the form of a written report and recommendations.

6. *Major Site Plan Decision by Planning Commission*

c. Following notice and public hearing as required by Section 8.1.A, Common Review Procedures, the Planning Commission shall approve, approve with conditions, or deny the major site plan for a within sixty (60) days of filing of a complete application, except where such time period is extended by the applicant.

d. In deciding to approve, approve with conditions, or deny the proposed minor subdivision, the Planning Commission shall consider the recommendation of the Building Official, Design Review Board report and comments, relevant comments of all interested parties and the review criteria outlined in Section 8.1.E.7.

e. The Planning Commission may attach conditions required to the site plan to comply with this and/or other Town Ordinances, or as necessary to protect the health, safety and welfare of the Town of St. Francisville and to minimize adverse impacts to adjacent properties.

7. *Review Criteria* – The Building Official and the Planning Commission shall consider the following criteria in approving or denying a site plan:

a. The proposed development is consistent with the pertinent elements of the Town of St. Francisville Master Plan and any other adopted plans.

b. The proposed development meets the requirements of this development code.

c. The proposed development will reinforce the existing or planned character of the neighborhood and the Town.

d. The site plan demonstrates:

i. Compliance with any prior approvals;

ii. Site design and development intensity appropriate for and tailored to the unique natural characteristics of the site;

iii. Adequate, safe and convenient arrangement of access, pedestrian circulation, bicycle facilities, roadways, driveways and off-street parking, stacking and loading spaces;

iv. Connectivity to surrounding neighborhoods and the Town as a whole;

v. Adequate design of grades, paving, gutters, drainage and treatment of turf to handle stormwater; and

vi. Adequate access for disabled residents through the provision of special parking spaces, accessible routes between parking areas and buildings, passenger loading zones and access to other facilities.

e. Any adverse impacts on adjacent properties have been minimized or mitigated.

8. *Building Permit* – No building permit shall be issued for development requiring site plan until the site plan has been approved.

9. *Dedication and Improvements*

a. For development of property requiring a site plan under this Ordinance, the applicant must dedicate any additional right-of-way necessary to the width required by the Town of St. Francisville for streets adjoining the property, install curbs and gutters and pave all streets adjoining the property, and install sidewalks and street trees based on the standards of Section 8.1.F of this Ordinance.

b. The applicant shall bear the costs of installation of any on-site or off-site improvements required by this Ordinance, including provisions for stormwater management, paving and utilities.

10. *Improvement Guarantee*

a. Prior to the approval of any site plan, the applicant shall submit a cost estimate and time schedule for installation of each phase of subdivision improvements.

c. A bond shall be required guaranteeing all on-site and off-site improvements. The bond shall be in an amount equal to one hundred fifteen percent (115%) of the improvement cost estimate, and in a form approved by the Town of St. Francisville Attorney.

d. As each phase of improvements is installed and inspected by the Building Official or his duly authorized representative, the bond may be reduced by the cost of the installed improvements.

11. *Modification of Approved Site Plan* – The Building Official is authorized to approve minor modifications to an approved site plan. All modifications not listed as minor below shall be considered by the body that approved the original site plan. The following modifications shall be considered minor:

a. Up to ten percent (10%) increase or any decrease in gross floor area of a single building;

b. Up to a ten percent (10%) reduction or any increase in the approved setbacks from exterior property lines;

c. Relocation of parking areas, internal streets or structures where such relocation occurs more than one hundred feet (100') for exterior property lines.

12. *Appeal*

a. A final decision by the Building Official on a minor site plan may be appealed to the Planning Commission.

b. A final decision by the Planning Commission on a major site plan may be appealed to the Board of Aldermen.

13. *Expiration* – A site plan expires after one (1) year where a final plat application has not been filed for all or part of said development.

G. Conditional Use Permit

1. *When Required* – A conditional use permit is required for any use or building type that requires particular considerations as to its proper location to adjacent, established or intended uses in a district, or to the planned growth of the community. More detailed information may be included with each specific Section of this Ordinance that establishes the uses requiring a conditional use permit and conditions controlling the location and operation of such special uses. Any change to a conditional use involving major structural alterations, enlargements, intensifications of use, or similar change must be approved in the same manner as the original conditional use.

2. *Application and Fees*

a. A pre-application conference with the Building Official is necessary.

b. All applications for a conditional use permit shall be filed in writing with the Building Official (See Section 8.1.A, Common Review Procedures). The application shall include material necessary to demonstrate that the grant of a conditional use will be in harmony with the general intent and purpose of this Ordinance, will not be injurious to the neighborhood or to adjoining properties, or otherwise detrimental to the public welfare. Such material required may include but is not limited to the following, when applicable:

i. Site and development plans at an appropriate scale showing proposed placement of structures on the property; provisions for ingress and egress, off-street parking and off-street loading access, refuse and service areas, and required yards and open spaces.

ii. Plans showing proposed locations for utilities hook-ups.

iii. Plans for screening, buffering and landscaping.

iv. Proposed signs and lighting, including type, dimensions and character.

3. *Review by Building Official* - The Building Official may refer the application to other affected or interested agencies for review and comment.

4. *Review by Design Review Board*

a. Following notice and public hearing as required by Section 8.1.A, Common Review Procedures, the Design Review Board shall meet within thirty (30) days following submittal of the completed application to the Building Official, except where such time period is extended by the applicant.

b. The Design Review Board shall review the plan and provide such information and guidance it deems appropriate in the form of a written report and recommendations.

5. *Public Hearing and Decision by Planning Commission*

a. Following notice and a public hearing as required by Section 8.1.A of this Ordinance, the Planning Commission shall recommend to approve, approve with conditions, or deny the proposed conditional use permit within sixty (60) days of filing of a complete application, except where such time period is extended by the applicant.

b. In making this recommendation, the Planning Commission shall consider the recommendation of the Building Official, Design Review Board report and comments, relevant comments of all interested parties and the review criteria in Section 8.1.F.7.

c. The Commission may attach any condition to the permit necessary to protect the health, safety and welfare of the community and minimize adverse impacts on adjacent properties. These conditions may include, but are not limited to the following:

i. Stipulate the exact location as a means of minimizing hazards to life, limb, property damage, erosion or traffic;

ii. Increase the required lot size or yard dimension;

iii. Limit the height, size or location of buildings, structures and facilities;

iv. Control the location and number of vehicle access points;

v. Increase the street width;

vi. Increase the number of required off-street parking spaces;

vii. Limit the number, size, location or lighting of signs;

viii. Require additional fencing, screening, landscaping or other facilities to protect adjacent or nearby property;

ix. Designate sites for open space;

x. Provide ease of access to major roadways; or

xi. Assure that the degree of compatibility to the surrounding land use shall be maintained with respect to the particular use on the particular site and in consideration of other existing and potential uses within the general area in which the use is proposed to be located.

6. *Public Hearing and Decision by the Board of Aldermen*

a. Following notice and a public hearing as required by Section 8.1.A of this Ordinance, the Council shall accept, accept with conditions, or deny the Planning Commission's recommendation on the conditional use permit within thirty (30) days of the Planning Commission's final action.

b. In making this recommendation, the Council shall consider the recommendations of the Building Official and the Planning Commission, relevant comments of all interested parties and the review criteria in Section 8.1.F.7.

c. The Board of Aldermen may attach any condition to the permit necessary to protect the health, safety and welfare of the community and minimize adverse impacts on adjacent properties. Such conditions may include, but are not limited to, additional screening or buffering, limitations in scale or limitations to hours of operation.

d. Failure to act shall result in an approval of the Planning Commission's recommendation.

7. *Review Criteria* – The Planning Commission and the Board of Aldermen shall consider the following criteria in approving or denying a conditional use permit:

   a. The proposed conditional use permit is consistent with the pertinent elements of the Town of St. Francisville Master Plan and any other adopted plans.

   b. The proposed development meets the requirements of this development code.

   c. The proposed development will reinforce the existing or planned character of the neighborhood and the Town.

   d. The conditional use permit complies with any specific use standards or limitations in Section 8.1.F of this Ordinance.

   e. Any adverse impacts on adjacent properties attributable to the conditional use have been minimized or mitigated.

8. *Effect of Denial* – The denial of a conditional use permit application shall ban the subsequent application for the same or similar use at the same location for a period of twelve (12) months.

9. *Appeal* – A final decision by the Board of Aldermen on a conditional use permit may be appealed to the West Feliciana Parish Civil District Court.

10. *Expiration*

    a. A conditional use permit shall expire after twelve (12) months if a building permit application has not been filed.

    b. Where conditional use has been granted but no substantial construction other than clearing and grubbing has been executed within twelve (12) months from date of such conditional use permit, the property shall revert to its original state prior to such conditional use.

    c. Once the building is constructed and occupied, the conditional use permit shall expire after six (6) months if the use is abandoned or discontinued. The property owner and/or business must apply for a new conditional use, or upgrade to meet all requirements of this ordinance before occupancy.

    d. Buildings that are actively available for lease and occupancy, or are being remodeled pursuant to permit shall not have its use considered abandoned or discontinued for twelve (12) months.

11. *Revocation of Conditional Use Permit* – if any conditions of a conditional use permit or other requirements of this Ordinance are violated, the Town of St. Francisville may revoke the conditional use permit.

H. Zoning Map Amendment

1. *When Allowed* – The boundaries of zoning districts as shown on any zoning map may, from time to time, be amended or modified, as determined by the Board of Aldermen.

2. *Application and Fees*

   a. A pre-application conference with the Building Official is required.

   b. All applications for a zoning map amendment shall be filed in writing with the Building Official (See Section 8.1.A Common Review Procedures).

3. *Review by Building Official* - The Building Official may refer the application to other affected or interested agencies for review and comment.

4. *Public Hearing and Decision by Planning Commission*

   a. Following notice and a public hearing as required by Section 8.1.A of this Ordinance, the Planning Commission shall recommend to approve, approve with conditions, or deny the proposed zoning map amendment within sixty (60) days of filing of a complete application, except where such time period is extended by the applicant.

   b. In making this recommendation, the Planning Commission shall consider the recommendations of the Building Official, relevant comments of all interested parties and the review criteria in Section 8.1.I.6.

5. *Public Hearing and Decision by the Board of Aldermen*

   a. Following notice and a public hearing as required by Section 8.1.A of this Ordinance, the Board of Aldermen shall accept, accept with conditions, or deny the Planning Commission's recommendation on the zoning map amendment within thirty (30) days of the Planning Commission's final action.

   b. In making this recommendation, the Board of Aldermen shall consider the recommendations of the Building Official and the Planning Commission, relevant comments of all interested parties and the review criteria in Section 8.1.I.6.

   c. Failure to act shall result in an approval of the Planning Commission's recommendation.

6. *Review Criteria* – The Planning Commission and the Board of Aldermen shall consider the following criteria in approving or denying a zoning map amendment:

   a. The proposed zoning map amendment is consistent with the pertinent elements of the Town of St. Francisville Master Plan and any other adopted plans.

   b. The proposed zoning map amendment is consistent with the adjacent zoning classifications and uses.

   c. The proposed zoning map amendment will reinforce the existing or planned character of the neighborhood and the Town.

   d. The site is appropriate for the development allowed in the proposed district.

   e. There are substantial reasons why the property cannot be used according to existing zoning.

f. Public facilities and services including schools, roads, recreation facilities, wastewater treatment, water supply, stormwater management, police and fire are adequate for the development allowed in the proposed district.

g. The zoning map amendment will not substantially or permanently injure the appropriate use of adjacent conforming properties.

7. *Effect of Denial* – The denial of a zoning map amendment application shall ban the subsequent application for the same or similar use at the same location for a period of twelve (12) months.

8. *Appeal* – A final decision by the Board of Aldermen on a zoning map amendment may be appealed to the West Feliciana Parish Civil District Court.

9. *Expiration* – An approved zoning map amendment shall not expire.

I. *Planned Unit Development*

1. Components of a Planned Unit Development

a. Approval of an overlay and concept plan by the Board of Aldermen; and

b. Approval of subsequent subdivision plats and site plans consistent with the concept plan.

2. Intent of Planned Unit Development – A planned unit development is intended to encourage innovations in development techniques so that the growing demands of the community may be met with greater flexibility and variety in type, use, design and layout of sites and buildings, and by the conservation and more efficient use of open spaces and other amenities generally enhancing quality of life. Planned unit developments are not intended to circumvent traditional zoning requirements, but rather enhance existing zoning to promote a harmonious variety of uses, and/or provide an economy of shared services and facilities to foster the creation of attractive, healthful, efficient and stable environments for living, shopping or working. The regulations contained within planned development concept plans are intended to have enough flexibility to produce each of the following:

a. Maximum housing choice in the types of living environments.

b. Open space and recreational areas directly related to the intended users, and if permitted as part of the project, more convenience in the location of accessory commercial uses and services;

c. A development pattern which preserves and utilizes natural topography, scenic vistas, trees and other vegetation, and prevents erosion and the disruption of natural drainage patterns;

d. A stable development in character with the land use density, transportation facilities, and community facilities objectives of the Town of St. Francisville Master Plan;

e. A higher quality site design than would be possible through the strict application of other available zoning districts.

1. *Eligibility* - The PUD district is designed to allow an applicant to submit a proposal for consideration, for any uses or mixture of uses that are consistent with the Town of St. Francisville Master Plan, and to allow the Town to approve any proposal that it determines to be in the best interest of the public health, safety and welfare, along with any conditions or requirements or limitations thereon that the Town deems advisable. The approval of a planned unit development request rests with the Planning Commission and the Board of Aldermen. However, no rezoning to a planned unit development shall be eligible for approval unless the following minimum conditions are met:

   a. The minimum area required for an application to develop a planned unit development is three (3) acres for purely residential developments and five (5) acres for mixed-use, commercial and industrial developments.

   b. The tract of land for which the planned unit development is made shall be contiguous with sufficient width and depth to accommodate the proposed use.

   c. All land included for the purpose of development within a planned unit development shall be owned by or be under the complete control of the applicant for such zoning designation. The applicant shall provide the Town all of the necessary documents and information that may be required, as determined by the Town Attorney, to assure that the development project may be lawfully completed according to the plans sought to be approved. No application shall be considered until the applicant fully complies with the requirements of this Section.

3. *Application and Fees*

   a. A pre-application conference with the Building Official is required.

   b. All applications for a planned unit development shall be filed in writing with the Building Official (See Section 8.1.A Common Review Procedures).

   c. The application shall include the following additional materials:

      i. A narrative explaining and tabulating the land uses by net acre, number of dwelling units by housing type, residential density, open space acreage, square footage of non-residential uses per net acre, and the relationship of the proposed development to existing development in the area and other related development features.

      ii. A concept plan schematically showing major streets, major utilities, land uses, access to existing streets, major open space and a conceptual drainage plan.

   d. The applicant may provide concurrent applications for site plan or subdivision review.

4. *Review by Building Official* - The Building Official may refer the application to other affected or interested agencies for review and comment.

5. *Review by Design Review Board*

   a. Following notice and public hearing as required by Section 8.1.A, Common Review Procedures, the Design Review Board shall meet within thirty (30) days following submittal of the completed application to the Building Official, except where such time period is extended by the applicant.

   b. The Design Review Board shall review the plan and provide such information and guidance it deems appropriate in the form of a written report and recommendations.

6. *Public Hearing and Decision by Planning Commission*

   a. Following notice and a public hearing as required by Section 8.1.A of this Ordinance, the Planning Commission shall recommend to approve, approve with conditions, or deny the proposed planned unit development and concept plan within sixty (60) days of filing of a complete application, except where such time period is extended by the applicant.

   b. In making this recommendation, the Planning Commission shall consider the recommendations of the Building Official, relevant comments of all interested parties and the review criteria in Section 8.1.H.8.

7. *Public Hearing and Decision by the Board of Aldermen*

   a. Following notice and a public hearing as required by Section 8.1.A of this Ordinance, the Board of Aldermen shall accept, accept with conditions, or deny the Planning Commission's recommendation on the planned unit development within sixty (60) days of the Planning Commission's final action.

   b. In making this recommendation, the Board of Aldermen shall consider the recommendations of the Building Official and the Planning Commission, Design Review Board report and comments, relevant comments of all interested parties and the review criteria in Section 8.1.H.8.

   c. Failure to act shall result in an approval of the Planning Commission's recommendation.

8. *Review Criteria* – The Planning Commission and the Board of Aldermen shall consider the following criteria in approving or denying a planned unit development:

   a. The proposed development is consistent with the pertinent elements of the Town of St. Francisville Master Plan and any other adopted plans.

   b. The proposed development is consistent with the standards and uses of the underlying and adjacent zoning districts.

   c. The proposed development will reinforce the existing or planned character of the neighborhood and the Town.

   d. The site is appropriate for the development proposed in the concept plan.

   e. The proposed development demonstrates a higher quality of site design than is possible under other available zoning districts, and is not used solely to avoid the requirements of the base zoning district.

   f. Public facilities and services including schools, roads, recreation facilities, wastewater treatment, water supply, stormwater management, police and fire are adequate for the development allowed in the proposed concept plan.

   g. The proposed development will not substantially or permanently injure the appropriate use of adjacent conforming properties.

9. *Action Following Approval* – Approval of a planned unit development concept plan authorizes the submission of subdivision plats and site plans consistent with the concept plan approval.

10. *Modification of a Concept Plan* – The Building Official is authorized to approve minor modifications to an approved concept plan. The Board of Aldermen shall consider all modifications not listed as minor below, consistent with the original approval of the planned unit development concept plan. The following modifications shall be considered minor:

    a. Up to ten percent (10%) increase or any decrease in gross floor area of a single building;

    b. Up to a ten percent (10%) reduction or any increase in the approved setbacks from exterior property lines;

    c. Relocation of parking areas, internal streets or structures where such relocation occurs more than one hundred feet (100') for exterior property lines.

11. *Effect of Denial* – The denial of a planned unit development concept plan shall ban the subsequent application for the same or similar use at the same location for a period of twelve (12) months.

12. *Appeal* – A final decision by the Board of Aldermen planned unit development concept plan may be appealed to the West Feliciana Parish Civil District Court.

13. *Expiration* – A planned unit development concept plan expires after two (2) years if no preliminary plat, site plan or building permit has been filed.

J. *Zoning Text Amendment*

1. *When Allowed* – The regulations of this Ordinance may, from time to time, be amended supplemented, changed, modified or repealed, as determined by the Board of Aldermen.

2. *Application and Fees*

    a. A pre-application conference with the Building Official is optional.

    b. All applications for a zoning map amendment shall be filed in writing with the Building Official (See Section 8.1.A Common Review Procedures).

3. *Review by Building Official* - The Building Official may refer the application to other affected or interested agencies for review and comment.

4. *Public Hearing and Decision by Planning Commission*

    a. Following notice and a public hearing as required by Section 8.1.A of this Ordinance, the Planning Commission shall recommend to approve or deny the proposed zoning text amendment within sixty (60) days of filing of a complete application, except where such time period is extended by the applicant.

    b. In making this recommendation, the Planning Commission shall consider the recommendations of the Building Official, relevant comments of all interested parties and the review criteria in Section 8.1.I.6.

5. *Public Hearing and Decision by the Board of Aldermen*

    a. Following notice and a public hearing as required by Section 8.1.A of this Ordinance, the Board of Aldermen shall accept or deny the Planning Commission's recommendation on the zoning text amendment within thirty (30) days of the Planning Commission's final action.

b. In making this recommendation, the Board of Aldermen shall consider the recommendations of the Building Official and the Planning Commission, relevant comments of all interested parties and the review criteria in Section 8.1.I.6.

c. Failure to act shall result in acceptance of the Planning Commission recommendation.

6. *Review Criteria* – The Planning Commission and the Board of Aldermen shall consider the following criteria in approving or denying a zoning text amendment:

a. The proposed zoning text amendment is consistent with the pertinent elements of the Board of Aldermen Master Plan and any other adopted plans;

b. The proposed zoning text amendment is consistent with the remainder of this Ordinance;

c. The extent to which the zoning text amendment represents a new idea not considered in the existing code, or represents revisions necessitated by changing conditions over time, or whether or not the text amendment corrects an error in this Ordinance; and

d. Whether or not the text amendment revises this Ordinance to comply with State or Federal statutes or case law.

7. *Appeal* – A final decision by the Board of Aldermen on a zoning text amendment may be appealed to the West Feliciana Parish Civil District Court.

8. *Expiration* – A zoning text amendment shall not expire.

K. *Development Agreements*

1. *When Allowed* – The Town of St. Francisville may enter into a development agreement with any public or private entity in accordance with this Section.

2. *Contents*

a. A development agreement must specify the following:

i. Definition of the parties involved in the agreement;

ii. A legal description of the piece of property scheduled for development;

iii. The duration of the agreement;

iv. The permitted uses of the property;

v. The density or intensity of use;

vi. The maximum height and size of proposed buildings; and

vii. Provisions for reservation or dedication of land for public purposes.

b. The development agreement may also include the following:

i. Conditions, terms, restrictions and requirements for subsequent discretionary actions, provided that such conditions, terms, restriction and requirements for subsequent discretionary actions shall not prevent development of the land for the uses and to the density or intensity of development set forth in the agreement.

ii. Provisions for the commencement, phasing and completion of construction and other obligations such as landscaping, parking and other site development regulations.

iii. Terms and conditions relating to financing of necessary public facilities by the applicant and subsequent reimbursement of the applicant over time.

3. *Rules, Regulations and Official Policies*

   a. Unless otherwise provided by the development agreement, the rules, regulations and official policies governing permitted uses of the land, density and design, improvement, and construction standards/specifications applicable to development of the property subject to the development agreement shall be those rules, regulations and official policies in force at the time of the agreement.

   b. A development agreement shall not prevent the Town of St. Francisville, in subsequent actions applicable to the property, from applying new rules, regulations and policies which do not conflict with those rules, regulations and policies applicable to the property as set forth herein.

   c. A development agreement shall not prevent the Town of St. Francisville from approving or denying any subsequent development project application on the basis of such existing or new rules, regulations and policies.

4. *Public Hearing and Decision by Planning Commission* - Following notice and a public hearing as required by Section 8.1.A of this Ordinance, the Planning Commission shall recommend to approve, approve with conditions, or deny the proposed development agreement within sixty (60) days of filing of a complete application, except where such time period is extended by the applicant.

5. *Public Hearing and Decision by the Board of Aldermen*

   a. Following notice and a public hearing as required by Section 8.1.A of this Ordinance, the Town of St. Francisville shall approve, approve with conditions, or deny the proposed development agreement the Planning Commission's recommendation on the zoning text amendment within thirty (30) days of the Planning Commission's final action.

   b. A development agreement shall be approved by ordinance by the Board of Aldermen.

   c. Failure to act shall result in an acceptance of the Planning Commission's recommendation.

6. *Amendment or Cancellation* – A development agreement may be amended or cancelled in whole or in art by mutual consent between the parties or their successors in interest. Notice of intention to amend or cancel any portion of the agreement shall be given in the manner provided in Section 8.1.A, Common Review Procedures.

7. *Recording Copy of Agreement; Effect* – No later than ten (10) days after the Town of St. Francisville enters into a development agreements, a copy of the agreement shall be filed with the West Feliciana Parish Clerk of Courts, which shall describe the land subject to the agreement. From and after the time of such recordation, the agreement shall impart such notice to all persons as is afforded by the recording laws of the State. The burdens of the agreement shall be binding upon and the benefits of the agreement shall inure to all successors in interest to the parties of the agreement.

8. *Modification or Suspension* – In the event that State or Federal laws or regulations, enacted after a development agreement has been entered into, prevent or preclude compliance with one or more provisions of the development agreement, such provisions of the agreement shall be modified or suspended as may be necessary to comply with such State or Federal laws or regulations.

9. *Periodic Review; Termination or Modification* – Any development agreement shall provide for periodic review at least every twelve (12) months, at which time the applicant or his successor in interest thereto shall be required to demonstrate good faith compliance with the terms of the agreement. If, as a result of such periodic review, the applicant or successor in interest thereto has not complied on good faith with the terms or conditions of the agreement, the Board of Aldermen may terminate or modify the agreement.

10. *Enforcement* – Unless amended, cancelled, modified or suspended, a development agreement shall be enforceable by any party to the agreement notwithstanding and change in any applicable general or specific plan, zoning, subdivision or building regulation adopted by the Town of St. Francisville entering the agreement which alters or amends the rules, regulations or policies specified in this Ordinance.

11. *Restrictions on Authority* – Nothing in the procedure shall be construed to authorize property use contrary to existing zoning classifications or to authorize the reclassification of such zones.

L. *Certificates of Appropriateness for Historic District*

1. *When Required* – A Certificate of Appropriateness is required before the commencement of any work in the Historic District that involves the following:

   a. Erection of any new building or other construction in a Historic District.

   b. Alteration or addition to any existing structure in a Historic District, including, but not limited to fences, boundary walls, light fixtures, steps paving or other appurtenant fixtures.

   c. Painting and major repairing of any existing building situated within a Historic District.

   d. Relocation of any building into a Historic District.

   e. Movement, excavation or destruction of any earthworks of historical or archaeological importance.

   f. Construction or refurbishment of any signage.

   g. "Demolition by Neglect" as regulated in Section 21.25 of the Town of St. Francisville Code of Ordinances.

2. *When Not Required* – A Certificate of Appropriateness is not required in the following instances:

a. Ordinary maintenance or repairs to structures that do not involve a change of design, color, material, or the outward appearance of the structure.

b. Where a permit was issued prior to the establishment of the Historic District within which the permitted structure or site is located.

c. Where a permit was issued prior to the establishment of the Historic District within which the permitted structure or site is located.

d. When the Board has issued a Ruling of Economic Hardship or has otherwise overruled the Historic District Commission on appeal.

e. If ordered by final decision of a court of competent jurisdiction.

f. Other actions clearly exempted in rules adopted by the Historic District Commission.

3. *Application and Fees*

a. A pre-application hearing with the Building Official is necessary.

b. All applications for Certificates of Appropriateness shall be filed in writing with the Historic District Commission (See Section 8.1.A, Common Review Procedures), in a form prescribed by the Historic District Commission. Said application shall contain the following:

i. Site and development plans at an appropriate scale showing proposed placement of structures on the property and required yards and open spaces;

ii. The proposed appearance, color, texture, or materials and to the architectural design of the exterior, including the front, sides, rear and roof of such buildings; and

iii. Alterations and/or additions of any building, out-building, accessory structure, party wall, courtyard, sidewalk, driveway, parking area, fence, sign or other dependency thereof.

4. *Building Permits* – no building permit shall be issued without a certificate of appropriateness from the Historic District Commission.

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

SECTION 8.2 VIOLATIONS

A. *Administration of Enforcement* - The provisions of these land use regulations shall be administered by the Mayor, or his/her duly authorized representative, as designated herein, who shall have the power to make inspections of buildings or premises necessary to carry out their administrative duties in the enforcement of these regulations. The Town of St. Francisville Police Department shall enforce the provisions of these regulations. The Mayor or his /her duly authorized representative may call upon the Police to furnish the necessary personnel to carry out enforcement.

B. *Violations and Enforcement Proceedings* - In case any structure is erected or structurally altered or maintained, or any structure or land is used or altered or is not maintained, in violation of these regulations, any proper Town official or his or her duly authorized representative may institute any appropriate action or proceedings to prevent such unlawful construction or alteration or use or other violations, to restrain, to correct or to prevent any illegal act, conduct any business or maintain any use in or about such premises. Furthermore, any resident of the community who believes that a violation of any of the provisions of these regulations is occurring may file a written complaint with the Town of St. Francisville. Such complaint shall fully set forth the acts or omissions constituting the alleged violation and the site or sites at which such violation or violations are alleged to be occurring. The Building Official shall record properly such complaint, promptly investigate the allegations underlying said complaint, and take action on such complaint as provided by these regulations.

C. *Responsibility for Violations* - Whenever the Building Official, on the basis of a written complaint, has reason to believe that a violation of these regulations may exist, he may require any person owning the structure or land or operating a use thereon to provide, within thirty (30) days of notification or the next available Town of St. Francisville Court date, information as may be necessary, in his judgment, to determine the existence or extent of any violation.

D. *Penalty* - Any person violating any provision of these regulations shall be guilty of a misdemeanor, and deemed a public nuisance and upon conviction shall be punished for each separate offense by a fine not exceeding five hundred dollars ($500.00). Each day any violation of any provision of these regulations shall continue to constitute a separate offense.

SECTION 8.3-8.10 RESERVED