

## Exhibit J3b: Lake Charles Zoning Ordinance Part B

### Chennault Site 2-2A

- (ii) Five hundred (500) square feet per individual sign face within a collector or arterial roadway corridor; and
  - (iii) Seven hundred (700) square feet per individual sign face within an interstate highway corridor.
- (b) *Business and Downtown and Lakefront Districts.* Subject to the provisions of paragraphs (d), (e), (f), and (g) below, off-premises signs not to exceed:
  - (i) Five hundred (500) square feet per individual sign face within a collector or arterial roadway corridor; and
  - (ii) Seven hundred (700) square feet per individual sign face within an interstate highway corridor.
- (c) *Industrial District.* Subject to the provisions of paragraphs (d), (e), (f) and (g) below, off-premises signs not to exceed:
  - (i) Five hundred (500) square feet per individual sign face within collector and arterial roadway corridor; and
  - (ii) One thousand (1,000) square feet per individual sign face within an interstate highway corridor.
- (d) *Roadway corridors.* No off-premises sign shall be located outside of a roadway corridor. For the purposes of this section, a roadway corridor shall be an area parallel to and lying on either side of the centerline of a roadway as follows:
  - (i) Collector: One hundred (100) feet on each side;
  - (ii) Arterial: Two hundred (200) feet on each side; and
  - (iv) Interstate: Three hundred (300) feet on each side.
- (e) *Spacing.* In adjoining or intersecting roadway corridors, the minimum distance between any off-premise sign shall be no less than three hundred (300) feet in any direction from any other off-premises sign. No off-premises sign shall be located less than the following minimum distances from any other off-premises sign in the same roadway corridor:
  - (i) If neither sign has more than two hundred fifty (250) square feet area per individual sign face, five hundred (500) feet;
  - (ii) If either sign has more than two hundred fifty (250) but neither has more than five hundred (500) square feet of area per individual sign face, seven hundred fifty (750) feet; and
  - (iii) If either sign has more than five hundred (500) square feet of area per individual sign face, one thousand (1,000) feet.
- (f) *Landscaping or architectural treatment of off-premises signs.*
  - (i) All off-premises signs having more than one hundred (100) square feet of area per individual sign face shall be landscaped or installed on a wood, stone or other base structure that meets the following standards:
    - (aa) Signs of two hundred fifty (250) or less square feet of area per individual sign face shall be installed with a base treatment of at least two (2) feet in height which is at least one-half as wide as the sign face erected on the sign structure and one-fourth as deep as the width of the sign face erected on the sign structure;
    - (bb) Signs of greater than two hundred fifty (250) square feet of area per individual sign face shall be installed with a base treatment of at least three (3) feet in height which is at least one-fourth as wide as the sign structure, not to exceed fifteen (15) feet, and at least one-half as deep as the base is wide.
  - (ii) In the event a sign is erected on a multiple pole or piling structure, the base treatment required herein shall be apportioned among each of the upright members. All base treatments shall be low maintenance plants and/or constructed of stone, masonry or wood treated against water damage and insect assault.

- (g) *Signs per structure.* No more than one sign face may be installed on a sign structure unless the configuration of the signs is such that no more than one face of a sign or any portion thereof is visible from any point of view. For the purposes of this section, visible shall mean so much of a sign so that the viewer is able to determine the type or identity of product or message displayed on the sign. In no case shall the interior angle between any two (2) sign faces erected on the same structure exceed a maximum of forty-five (45) degrees.

**Sec. 5-212. Towers.**

- (1) *Purpose.* In order to accommodate the communication needs of residents and business while protecting the public health, safety, and general welfare of the community.
- (2) *General Prohibition.* No persons shall develop, install, locate or construct any tower in any district in the City of Lake Charles except as expressly authorized in this section and in conformance with all other ordinances of the city.
- (3) *Regulations of general applicability.*
  - (a) *Co-location requirements.* All wireless telecommunication towers erected, constructed, or located within the City shall comply with the following requirements:
    - (i) A proposal for a new wireless telecommunication service tower shall not be approved unless the Planning Department finds that the telecommunication equipment planned for the proposed tower cannot be accommodated on an existing or approved tower or building within a one mile radius if the proposed tower equals or exceeds 120 feet in height.
    - (ii) A proposal for a new wireless telecommunication service tower shall not be approved unless the Planning Department finds that the proposed tower cannot be accommodated on an existing or approved tower or building within one-half (1/2) mile radius if the proposed tower is less than 120 feet in height.
    - (iii) 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.
    - (iv) All towers must be buffered according to Section 5-209 for an intermediate difference in land use and meet the minimum landscaping requirements in Section 5-210 of this Code.
  - (b) *Tower Setbacks.* Towers shall conform to the following minimum setback requirements:
    - (i) 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.
  - (c) *Tower Lighting.* Towers shall be illuminated by artificial means and not display strobe lights unless such lighting is specifically required by the Federal Aviation Administration or other federal or state authority for a particular tower. When tower lighting is not required by the FAA, red beacons shall be installed on towers greater than or equal to 100 feet in height.
  - (d) *Signs and Advertising.* The use of any portion of a tower for other than warning or equipment information signs is prohibited.
  - (e) *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.

- (f) *Abandoned Towers.* In the event the use of any communication tower has been discontinued for a period of 180 consecutive days (6 months), the tower shall be deemed abandoned. Determination of the date of abandonment shall be made by the Director of Planning and Development who shall have the right to request documentation and/or affidavits from the communication tower owner/operator regarding the issue of tower usage. Upon such abandonment, the owner/operator of the tower shall have an additional 180 days within which to: (1) reactivate the use of the tower or transfer the tower to another owner/operator who makes actual use of the tower; or, (2) dismantle and remove the tower. At the earlier of 181 days 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.
- (g) *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 Director of Planning, 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.
- (h) *Additional Submittal Requirements.* In addition to the information elsewhere in this Code, development applications for towers shall include the following supplemental information:
  - (i) Applicant must submit plans and specifications certified by a licensed professional engineer in the state of Louisiana, that demonstrate compliance with the Building Code as adopted by the City of Lake Charles.
  - (ii) Identification of the owners of all antennas and equipment to be located on the site.
  - (iii) Written authorization from the site owner for application.
  - (iv) Additional information as required to determine that all applicable zoning regulations are met.
  - (v) Evidence that a valid FCC license for the proposed activity has been issued.
  - (vi) Documentation that the proposed tower complies with regulations administered by the Federal Aviation Administration.
  - (vii) Documentation that all reasonable options for joint use have been exhausted.
  - (viii) 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 city.
  - (ix) Documentation that all manufactured equipment to be installed on the structure meets or exceeds the Federal Communication Commission's standards.
  - (x) Applicant must file with the Director of Planning and Development a written indemnification of the municipality and proof of liability insurance or financial ability to respond to claims up to One Million (\$1,000,000.00) Dollars in the aggregate which may arise from the operation of the facility during its life, at no cost to the municipality, in form approved by the City Attorney.
  - (xi) Applicant must submit to the Director of Planning, structural integrity reports for the telecommunication tower on a biannual basis commencing two (2) years after completion of such tower.

### **PART 3. DISTRICT REGULATIONS**

#### **Sec. 5-301. Residential dwelling district.**

- (1) *Purpose.* To provide a residential neighborhood comprised of low-density residential uses predominated by detached structures.
- (2) *Permitted uses.*
  - (a) Single-family detached dwellings. Provided it does not exceed seven (7) dwelling units per acre.
  - (b) Accessory Uses.

- (c) Home Occupations.
  - (d) Public Uses.
  - (e) Agriculture.
  - (f) Accessory Uses to the Residential Uses.
- (3) *Conditional Uses.*
- (a) *Minor conditional uses:*
    - (i) Home businesses, provided that:
      - (aa) No more than one nonresident is employed at the business and if the resident of the premises is handicapped;
      - (bb) No more than two hundred fifty (250) feet of floor area is devoted to the home business; and
      - (cc) The home business meets all other criteria for a home occupation in Section 5-207 except for the nonresident employee.
    - (ii) Low-intensity recreational uses, provided that:
      - (aa) The parcel proposed for low-intensity recreational use has an area of a sufficient size to reasonably accommodate the use;
      - (bb) The operation of the use will not adversely affect the residential character of the neighborhood.
    - (iii) Churches, provided that:
      - (aa) The lot on which the church is located fronts on a collector or arterial street; and
      - (bb) The structure and any parking areas are buffered in accordance with the requirements of Section 5-209 for an intermediate difference in land use.
    - (iv) Vocational or Trade Schools, provided that:
      - (aa) The floor area ratio of all buildings on the parcel does not exceed .35;
      - (bb) All outside lighting is shielded and/or directed to ensure that the lumen of the light does not fall outside of the boundaries of the parcel on which the school is located; and
      - (cc) All structures or parking areas within fifty (50) feet of any side or rear lot line are buffered in accordance with the requirements of Section 5-209 for an intermediate difference in land use.
    - (v) Hunting or fishing camps, provided that the parcel of land on which the development is located is within three hundred (300) feet of the banks of the Calcasieu River or other body of water subject to periodic flooding.
    - (vi) Manufactured housing units other than mobile homes, provided that:
      - (aa) The number of dwelling units does not exceed seven (7) units per gross acre of land;
      - (bb) The dwelling units are similar in appearance to other dwelling units permitted in the neighborhood;
      - (cc) The dwelling units are permanently installed;
      - (dd) No single dimension of a dwelling unit shall exceed two (2) times either dimension;
      - (ee) Off-street parking is provided in accordance with Section 5-208 and in a manner consistent with the predominant character of the neighborhood.
    - (vii) Bed and Breakfast, provided that:
      - (aa) The use is located within the historic district.
      - (bb) The facility maintains a residential appearance.
      - (cc) The use, structures, and parking areas are buffered in accordance with Section 5-209 for an intermediate difference in land use and 5-210 minimum landscape requirements.
  - (b) *Major conditional uses:*
    - (i) Single family attached structures, provided that:
      - (aa) The density does not exceed seven (7) units per acre.
      - (bb) No more than two (2) dwelling units are located on an individual lot.

- (cc) The use is buffered in accordance with the requirements of Section 5-209 for an intermediate difference in land use.

(c) *Plan Development:*

All other proposed uses in this District must be reviewed and approved meeting the requirements for a Major Plan Development as provided in Part 4 of the Ordinance.

(4) *Development standards.*

- (a) The proportion of the lot area covered by buildings shall not exceed a maximum of forty (40) percent on any parcel within this district.
- (b) No more than one residential use per lot.
- (c) Except as provided for by an approved conditional use, all development in the Residential Dwelling District shall conform to the development standards set out in Figure 1:

RESIDENTIAL DISTRICT

Figure 1.

Use	Density	Lot Size	Front (feet)	Yards Side (feet)	Rear (feet)	Max Height (feet)
Single-family detached	7 du/a	6,000 sq. ft.	30	5	10	35
Single-family attached	(7 du/a)	6,000 sq. ft.	30	5	10	35
Churches	(-)	1 acre	50	10	10	35
Manufactured housing development	(7du/a)	6,000 sq. ft.	30	5	10	35
Schools	FAR .35	1 acre	50	10	10	35
Public Uses	FAR .35	1 acre	50	10	10	35
Accessory Uses	-	-	30	5	5	35
Recreation (low intensive)	(-)	-	50	5	5	35
Bed and Breakfast facilities	(-)	6,000 sq. ft.	30	5	10	35

( ) Parentheses indicate intensity permitted as a conditional use.

**Sec. 5-302. Neighborhood district.**

- (1) *Purpose.* The purpose of this district is to provide a residential neighborhood with neighborhood service uses at a level consistent with and unlikely to disturb the long-term viability of the neighborhood as a residential neighborhood and to provide greater flexibility for the development of nonresidential uses in neighborhoods with a legally established nonresidential component.
- (2) *Permitted uses:*
- (a) Single-family attached and detached dwellings provided it does not exceed ten (10) dwelling units per acre.
- (b) Public uses.
- (c) Low-intensive recreational uses.
- (d) Churches.
- (e) Accessory uses.
- (f) Agriculture.
- (g) Home occupations.

(3) *Conditional uses:*

(a) *Minor conditional uses:*

- (i) Single family attached and detached dwellings provided it does not exceed twelve (12) dwelling units per acre, and buffering is provided in accordance with the requirements of 5-209(3) for bufferyards.
- (ii) Home businesses, provided that:
  - (aa) No more than one nonresident is employed at the business;
  - (bb) No more than five hundred (500) feet of floor area is devoted to the home business; and
  - (cc) The home business meets all the requirements for a home occupation in Section 5-207 except for the nonresident employee.
- (ii) Vocational or Trade Schools, provided that:
  - (aa) The floor area ratio of all buildings on the parcel does not exceed .35;
  - (bb) All outside lighting is shielded and/or directed to ensure that the lumen of the light does not fall outside of the boundaries of the parcel on which the school is located; and
  - (cc) All structures or parking areas within fifty (50) feet of any side or rear lot line are buffered in accordance with the requirements of Section 5-209 for an intermediate difference in land use.
- (iii) Day care centers, provided that:
  - (aa) The site on which the facility is located fronts on a collector or arterial;
  - (bb) The facility is fenced or otherwise enclosed so that children cannot leave the premises without adult assistance;
  - (cc) No parking, loading or unloading areas are located between the structure and an adjacent residential lot;
  - (dd) All play areas are screened from adjacent residential lots.
- (iv) Manufactured housing units, other than mobile homes, provided that:
  - (aa) The number of dwelling units does not exceed seven (7) units per gross acre of land in the development;
  - (bb) The dwelling units are similar in appearance to other dwelling units in the neighborhood;
  - (cc) The dwelling units are permanently installed;
  - (dd) No single dimension of a dwelling unit shall exceed two (2) times any other dimension;
  - (ee) Off-street parking is provided in accordance with Section 5-208 and in a manner consistent with the predominant character of the neighborhood.
- (v) Bed and Breakfast, provided that:
  - (aa) The use is located within the historic district
  - (bb) The facility maintains a residential appearance.
  - (cc) The use, structures, and parking areas are buffered in accordance with Section 5-209 for an intermediate difference in land use and 5-210 minimum landscape requirements.

(b) *Major conditional uses:*

- (i) Single-family attached and detached dwellings provided it does not exceed eighteen (18) dwelling units per acre and buffering is provided in accordance with the requirements of 5-209(3) for bufferyards.
- (ii) Manufactured housing units, other than mobile homes, provided that:
  - (aa) The number of dwelling units does not exceed twelve (12) units per acre.
  - (bb) The dwelling units are similar in appearance to other dwelling units permitted in the neighborhood;
  - (cc) The dwelling units are permanently installed;
  - (dd) No single dimensions of a dwelling unit shall exceed two (2) times either dimension;
  - (ee) Off-street parking is provided in accordance with Section 5-208 and in a manner consistent with the predominant character of the neighborhood.

- (iii) Neighborhood commercial uses, provided that:
  - (aa) The use is intended to provide goods and services to the residents of the neighborhood;
  - (bb) All parking areas are located or buffered so that the head lamps of automobiles approaching, entering or departing the use do not shine onto the adjacent parcels of land;
  - (cc) All outside lighting and signage is shielded and/or directed to ensure that light does not shine directly into or onto any adjacent land;
  - (dd) The hours of operation of the use are limited to between 6:00 am and 11:00 pm;
  - (ee) No curb cut is located within fifty (50) feet of the corner of the intersection;
  - (ff) The use involves no more than three thousand (3,000) square feet of gross floor area, when the use fronts a collector or arterial street;
  - (gg) The use does not involve the sale of petroleum products other than lubricants in sealed containers;
  - (hh) There is no outside storage except for screened waste disposal areas; and
  - (ii) If the parcel of land on which the use is developed is located at an intersection no less intense than an intersection of a collector and a local street; no single use occupies more than two thousand five hundred (2,500) square feet; and no more than five thousand (5,000) total square feet of nonresidential uses are located within two hundred (200) feet of any corner of the intersection; or
  - (jj) If the parcel of land on which the use is developed is not located at an intersection and there is an established nonresidential character in the interior of the block at the time of filing an application for development approval; and
  - (kk) The use involves no more than one thousand five hundred (1,500) square feet of gross floor area when the use fronts a local street. The use shall occupy no more than twenty-five (25) percent of the front footage of any block.
  - (ll) On collector and arterial streets, nonresidential uses including the uses proposed for development, occupies no more than fifty (50) percent of the front footage of any block and no single use occupies more than two thousand five hundred (2,500) square feet.
- (iv) Intensive recreational facilities, provided that:
  - (aa) The parcel of land on which the use is located fronts on a collector or arterial street;
  - (bb) All parking areas are located or buffered so that the head lamps of automobiles approaching, entering or departing the use do not shine on to adjacent parcels of land;
  - (cc) All outside lighting and signage is shielded and/or directed to ensure that light does not shine directly into or onto any adjacent land.
- (v) Restaurants, provided that:
  - (aa) The use involves no more than two thousand five hundred (2,500) square feet of gross floor area;
  - (bb) The parcel of land on which the use is developed is located at an intersection no less intense than the intersection of a collector street and a local street;
  - (cc) The hours of operation of the use are limited to between 6:00 am and 11:00 pm;
  - (dd) All parking areas are located or buffered so that the head lamps of automobiles approaching, entering or departing the use do not shine on to adjacent parcels of land;
  - (ee) All outside lighting and signage is shielded and/or directed to ensure that light does not shine directly into or onto any adjacent land;
  - (ff) No curb cut is located within fifty (50) feet of the intersection; and
  - (gg) The use does not involve the sale of alcoholic beverages to be consumed off the premises.

- (vi) Bars, provided that:
  - (aa) The use involves no more than one thousand five hundred (1,500) square feet of gross floor area;
  - (bb) The parcel of land on which the use is developed is located at an intersection no less intense than a collector street;
  - (cc) The hours of operation of the use are limited to between 8:00 am and 11:00 pm;
  - (dd) All parking areas are located or buffered so that the head lamps of automobiles approaching, entering or departing the use do not shine on to adjacent parcels of land;
  - (ee) All outside lighting and signage is shielded and/or directed to ensure that light does not shine directly into or onto any adjacent land;
  - (ff) No curb cut is located within fifty (50) feet of the intersection; and
  - (hh) The property line of the proposed use is no less than three hundred feet (300') from the nearest property line of any land located in a Residential Dwelling District or Neighborhood District. For purposes of this subsection, a bar or lounge shall be defined as an establishment that serves alcohol which is not eligible for a Restaurant endorsement permit pursuant to the Code of Ordinances for the City of Lake Charles, Sec. 3-8.1.
- (vii) Offices, provided that:
  - (aa) The use involves no more than two thousand five hundred (2,500) square feet on gross floor area; and
  - (bb) The parcel of land on which the use is developed is located at an intersection no less intense than the intersection of a collector street and a local street.
  - (cc) All parking areas are located or buffered so that the head lamps of automobiles approaching, entering or departing the use do not shine on to adjacent parcels of land;
  - (dd) All outside lighting and signage is shielded and/or directed to ensure that light does not shine directly into or onto any adjacent land.

(c) *Planned Development as a Conditional Use:*

Planned Development in a Neighborhood District must meet criteria set forth in Part 4 of Section 5 of this Zoning Ordinance.

(4) *Development Standards.*

- (a) The proportion of lot area covered by buildings shall not exceed a maximum of forty (40) percent on any parcel within this district.
- (b) Except as provided for an approved conditional use, all development in the Neighborhood District shall conform to the development standards set out in Figure 2:



# NEIGHBORHOOD DISTRICT

Figure 2.

Use	Density	Lot Size	Front (feet)	Yards Side (feet)	Rear (feet)	Max Height (feet)
Single-family detached	10 du/a (12 du/a)	6,000 sq. ft. 6,000 sq. ft.	30 30	5 5	10 10	35 35
Single-family attached	10 du/a (12 du/a)	6,000 sq. ft. 6,000 sq. ft.	30 30	5 5	10 10	35 35
Schools	FAR .35	1 acre	50	10	10	35
Churches	-	1 acre	50	10	10	35
Public uses	FAR .35	-	50	10	10	35
Recreation (low intensive)	-	-	50	10	10	35
Recreation (intensive)	(FAR .35)	-	50	10	10	35
Neighborhood commercial	(2,500 sqft)	5,000 sq. ft.	30	10	10	35
Restaurants	(1,500 sqft)	5,000 sq. ft.	30	10	10	35
Bars	(1,000 sqft)	5,000 sq. ft.	30	10	10	35
Manufactured housing development	7 du/a	6,000 sq. ft.	30	5	10	35
Bed and Breakfast	(-)	6,000 sq. ft.	30	5	10	35

( ) Parentheses indicate intensity permitted as a conditional use.

## Sec. 5-303. Mixed Use District.

- (1) *Purpose.* The district is intended to accommodate a diversity of land uses in a neighborhood with a character defined by a balance of residential and nonresidential uses. The character of the district is contemplated to be defined on a block-by-block basis and conserved through the use of bufferyards rather than limitations on use.
- (2) *Permitted uses.*
  - (a) Single-family attached and detached dwellings provided it does not exceed twelve (12) dwelling units per acre.
  - (b) Schools.
  - (c) Recreational uses (low intensity and intensive).
  - (d) Churches.
  - (e) Public uses.
  - (f) Home occupations.
  - (g) Home businesses, subject to the limitations in Section 5-302(3)(a)(ii).
  - (h) Accessory uses.
  - (i) Agriculture.
  - (j) Bed and Breakfast facilities.

(3) *Conditional uses:*

(a) *Minor conditional uses:*

- (i) Single-family attached and detached dwellings provided it does not exceed eighteen (18) dwellings units per acre, and buffering is provided in accordance with the requirements of 5-209(3) for bufferyards.
- (ii) Manufactured housing units, other than mobile homes, provided that:
  - (aa) The density does not exceed eighteen (18) units to the acre;
  - (bb) The dwelling units are similar in appearance to other dwelling units in the neighborhood;
  - (cc) The dwelling units are permanently installed;
  - (dd) No single dimension of a dwelling unit shall exceed two (2) times any other dimension; and
  - (ee) Off-street parking is provided in accordance with Section 5-208 and in a manner consistent with the predominant character of the neighborhood.
- (iii) Day care centers, provided that:
  - (aa) The site on which the facility is located is adjacent to a collector or arterial; Access must be available from the collector or arterial street.
  - (cc) The facility is fenced or otherwise enclosed so that children cannot leave the premises without adult assistance;
  - (dd) No parking, loading or unloading areas are located between the structure and an adjacent residential lot;
  - (dd) All play areas are screened from adjacent residential lots.
- (iv) Indoor retail sales and service uses, provided that:
  - (aa) The floor area ratio does not exceed .5;
  - (bb) The parcel on which the use is located fronts on a collector or arterial street; and
  - (cc) The use is buffered in accordance with the requirements for bufferyards set in Section 5-209 for an intermediate difference in land use.
- (v) Offices, provided that:
  - (aa) The floor area ratio does not exceed .5;
  - (bb) The parcel on which the use is located fronts on a collector or arterial street; and
  - (cc) The use is buffered in accordance with the requirements for bufferyards set out in Section 5-209 for an intermediate difference in land use.
- (vi) Institutional uses, provided that:
  - (aa) The floor area ratio does not exceed 1;
  - (bb) The parcel on which the use is located fronts on a collector or arterial street; and
  - (cc) The use is buffered in accordance with the requirements for bufferyards set out in Section 5-209 for an intermediate difference in land use.
- (vii) Financial institutions, including banks and savings and loans, provided that:
  - (aa) The floor area ratio does not exceed .25;
  - (bb) The parcel on which the use is located fronts on a collector or arterial street;
  - (cc) The use is buffered in accordance with the requirements for bufferyards for intermediate differences in land uses set out in Section 5-209 of this ordinance; and
  - (dd) No more than two (2) drive-in facilities are permitted on the parcel.
- (viii) Restaurants, provided that:
  - (aa) The facility and use does not involve more than two thousand five hundred (2,500) square feet of gross floor area.
  - (bb) All parking areas are located or buffered so that the head lamps of automobiles approaching, entering or departing the use do not shine on to adjacent parcels of land;
  - (cc) All outside lighting and signage is shielded and/or directed to ensure that light does not shine directly into or onto any adjacent land;
  - (ee) No curb cut is located within fifty (50) feet of another curb cut; and
  - (ee) The use does not involve the sale of alcoholic beverages to be consumed off the premises.

- (ix) Bars, lounges, etc., provided that:
  - (aa) The facility and use does not involve more than one thousand five hundred (1,500) square feet of gross floor area.
  - (bb) The use is located on a collector or arterial street.
  - (cc) All parking areas are located or buffered so that the head lamps of automobiles approaching, entering or departing the use do not shine on to adjacent parcels of land;
  - (dd) All outside lighting and signage is shielded and/or directed to ensure that light does not shine directly into or onto any adjacent land;
  - (ff) No curb cut is located within fifty (50) feet of the intersection; and
  - (ff) The property line of the proposed use is no less than three hundred feet (300') from the nearest property line of any land located in a Residential Dwelling District or Neighborhood District. For purposes of this subsection, a bar or lounge shall be defined as an establishment that serves alcohol which is not eligible for a Restaurant endorsement permit pursuant to the Code of Ordinances for the City of Lake Charles, Sec. 3-8.1.
- (x) Towers, provided that:
  - (aa) All outside lighting is shielded and/or directed to ensure that light does not shine directly onto adjacent property.
  - (bb) Comply with all requirements set out in Sec. 5-212.
- (b) *Major conditional uses.*
  - (i) Single-family attached and detached dwellings provided it does not exceed thirty (30) dwelling units per acre, and buffering is provided in accordance with the requirements of 5-209(3) for bufferyards.
  - (ii) Drive-in or drive-thru facilities for the sale of food or beverages, provided that:
    - (aa) The facility is installed on a permanent foundation;
    - (bb) The facility and use does not involve more than two thousand five hundred (2,500) square feet of gross floor area;
    - (cc) The parcel on which the use is located fronts on a collector or arterial street;
    - (dd) The use is buffered in accordance with Section 5-209.
    - (ee) Parking and stacking for vehicles are provided in accordance with Section 5-208.
  - (iii) Manufactured housing, other than mobile homes, provided that:
    - (aa) The number of dwelling units does not exceed thirty (30) dwelling units per acre;
    - (bb) The dwelling units are similar in appearance to other dwelling units are permitted in the neighborhood;
    - (cc) The dwelling units are permanently installed;
    - (dd) No single dimension of a dwelling unit shall exceed two (2) times either dimension;
    - (ee) Off-street parking is provided in accordance with Section 5-208 and in a manner consistent with the predominant character of the neighborhood.
  - (iv) Wholesale and warehousing uses, provided that:
    - (aa) The parcel on which the use is located fronts on an arterial or collector street;
    - (bb) All outside lighting and signage is shielded and/or directed to ensure that light does not shine directly into or onto any adjacent residentially used land; and
    - (cc) The use is buffered in accordance with the requirements set out in Section 5-209.
    - (dd) Exterior storage not allowed under this provision.
  - (v) Manufacturing uses, provided that:
    - (aa) The parcel on which the use is located fronts on an arterial or collector street;
    - (bb) All outside lighting and signage is shielded and/or directed to ensure that light does not shine directly into or onto any adjacent residentially used land;

- (cc) The use does not involve the use of hazardous or toxic chemicals within one thousand (1,000) feet of a residential land use.
- (dd) The use is buffered in accordance with the requirements set out in Section 5-209.
- (ee) Exterior storage is not allowed under this provision.
- (vi) Kennels, provided that:
  - (aa) The parcel on which the use is located fronts on a collector or arterial street;
  - (bb) All structures are set back twenty-five (25) feet from any residential use;
  - (cc) The use is buffered in accordance with the requirements of Section 5-209 for intermediate differences in land uses.
- (vii) Indoor retail sales and service uses, offices, institutional uses, and day care centers, when the use does not meet the requirements set forth in this subsection for a Minor Conditional Use (5-303(3)(a)).

(c) *Planned Development as a Conditional Use:*

Planned Development in a Mixed Use District must meet criteria set forth in Part 4 Section 5 of this Zoning Ordinance.

- (4) *Development Standards.* Except as provided for an approved conditional use, all development in the Mixed Use District shall conform to the development standards set out in Figure 3:

**MIXED USE DISTRICT**  
Figure 3.

Use	Density	Lot Size	Front (feet)	Yards Side (feet)	Rear (feet)	Max Height (feet)
Single-family Residential	12 du/a	5,000 s.f.	20	5	10	35
	Minor: (18 du/a) Major: (30 du/a)	4,000 s.f.	20	5	10	35
Churches	-	.5 acre	50	10	10	35
Schools	FAR .5	.5 acre	50	10	10	35
Public uses	FAR .5	.5 acre	50	10	10	35
General Retail	(FAR .50)	10,000 s.f.	20	5	10	35
Office	(FAR 1)	10,000 s.f.	20	5	10	35
Financial institution	(FAR .25)	5,000 s.f.	20	5	10	35
Restaurants	(1,500 s.f.)	5,000 s.f.	20	5	10	35
Bars	(1,000s.f.)	5,000 s.f.	20	5	10	35
Wholesale & Warehousing	(FAR .5)	10,000 s.f.	20	10	10	35
Manufacturing and industrial	(FAR .5)	10,000 s.f.	20	10	10	35
Recreational facilities	(FAR .5)	.5 acre	20	5	10	35
Industrial Manufactured Housing	(12-30 du/a)	5,000 s.f.	20	5	10	35
Bed and Breakfast Facilities		5,000 s.f.	20	5	10	35
Towers	≥ 120 feet then 1 mile radius <120 feet then ½ mile radius	10,000 s.f.	½ height	½ height	½ height	N/A

( ) Parentheses indicate intensity permitted as a conditional use.

**Sec. 5-304. Business District.**

- (1) *Purpose.* The district is intended to provide an area of ordinary commerce devoted primarily to retail and service needs of the citizens of the City of Lake Charles.
- (2) *Permitted uses:*
  - (a) Residential.
  - (b) Indoor general retail and service establishments.
  - (c) Offices.

- (d) Financial institutions.
  - (e) Restaurants.
  - (f) Entertainment.
  - (g) Institutional uses.
  - (h) Hotels and motels.
  - (i) Public uses.
  - (j) Schools.
  - (k) Kennels.
  - (l) Recreational facilities.
  - (m) Churches.
  - (n) Agriculture.
  - (o) Day care centers, provided the facility is fenced or enclosed so that children cannot leave the premises without adult supervision and the premises is buffered in accordance with Section 5-209.
  - (p) Drive-in or drive-thru facilities for the sale of food or beverages, provided that:
    - (A) The facility is installed on a permanent foundation;
    - (B) The facility and use does not involve more than two thousand five hundred (2,500) square feet of total gross floor area;
    - (C) The parcel of land on which the use is located fronts on a collector or arterial street;
    - (D) The use is buffered in accordance with Section 5-209; and
    - (E) Parking and stacking for vehicles are provided in accordance with Section 5-208.
  - (q) Outdoor retail sales and service establishments when the facility is buffered and landscaped in accordance with Section 5-209 and 5-210, and the floor area ratio does not exceed .5, excluding tow yards or wrecker companies and storage of vehicles related thereto.
  - (r) Bed and Breakfast facilities.
- (3) *Conditional uses.*
- (a) *Minor conditional uses:*
    - (i) Manufactured housing, other than mobile homes; provided that:
      - (aa) The density does not exceed thirty (30) dwelling units to the acre;
      - (bb) The dwelling units are similar in appearance to other dwelling units permitted in the neighborhood;
      - (cc) The dwelling units are permanently installed;
      - (dd) No single dimension of a dwelling unit shall exceed two (2) times either dimension;
      - (ee) Off-street parking is provided in accordance with Section 5-208 and in a manner consistent with the predominant character of the neighborhood.
    - (ii) Residential attached and detached dwellings, provided that:
      - (aa) The facility is fenced or otherwise enclosed so that children cannot leave the premises without adult assistance; and
      - (bb) All parking, loading and unloading areas are buffered in accordance with the requirements set out in Section 5-209;
      - (cc) No parking, loading or unloading areas are located between the structure and an adjacent residential lot;

- (dd) All play areas are screened from adjacent residential lots.
    - (ee) The density does not exceed thirty (30) dwelling units to the acre.
  - (iii) Indoor and outdoor retail sales and service establishments, provided that the facility is buffered and landscaped in accordance with Section 5-209 and 5-210, and the floor area ratio is greater than .5 but does not exceed 1.
    - (aa) The facility is installed on a permanent foundation;
    - (bb) The facility does not involve more than one thousand five hundred (1,500) square feet of floor area;
    - (cc) The parcel on which the use is located fronts on a collector or arterial street;
    - (dd) The use is buffered in accordance with the requirements for bufferyards for an intermediate difference in land uses, set out in Section 5-209 of this ordinance; and
    - (ee) Parking and stacking spaces for vehicles are provided as follows:
      - (A) If the facility contains less than one thousand (1,000) square feet, five (5) parking spaces and twenty (20) stacking spaces;
      - (B) If the facility contains one thousand (1,000) square feet or more, ten (10) parking spaces and twenty (20) stacking spaces.
  - (iv) Offices, restaurants, institutional uses and hotels and motels provided the facility is buffered and landscaped in accordance with Section 5-209 and 5-210 and when the floor area ratio is greater than 1 but does not exceed 2.
    - (aa) All outside storage, service or display areas which abut a public street are landscaped in accordance with the requirements set out in Section 5-210(2) for landscaping of off-street parking areas adjacent to public rights-of way;
    - (bb) Access from the parcel to public roadways is controlled in accordance with the requirements of Section 5-203(3); and
    - (cc) The use is buffered in accordance with the requirements set out in Section 5-209.
  - (v) Indoor general retail and service establishments, provided that:
    - (aa) The floor area ratio does not exceed one; and
    - (bb) The use is buffered in accordance with the requirements set out in Section 5-209.
  - (vi) Truck stop facilities and other gaming establishments, provided that:
    - (aa) The parcel on which the use is located fronts on a major collector or arterial street;
    - (bb) The parcel on which the use is located shall be at least five (5) developed contiguous acres;
    - (cc) The parcel on which the use is located must be located adjacent to a major state or interstate highway;
    - (dd) The use is buffered in accordance with requirements set out in Section 5-209 of this appendix;
    - (ee) Off-street parking is provided in accordance with Section 5-208 if this appendix;
    - (ff) No portion of the parcel on which the use is located is within one thousand (1000) feet of any property which is on the National Historic Registry, any public playground, or a building used exclusively as a church, synagogue, public library, or school; and
    - (gg) The use complies with all applicable provisions set forth in LA R.S. 33:4862.14 as well as any other state statutes applicable to truck stop facilities licensed for video draw poker device operation.
  - (vii) Towers, provided that:
    - (aa) All outside lighting is shielded and/or directed to ensure that light does not shine directly onto adjacent property.
    - (bb) The use must conform to Section 5-212.
- (b) *Major conditional uses:*
  - (i) Manufacturing, wholesale and warehousing uses, provided that:
    - (aa) The street on which the use is located is adjacent to and has access to an arterial or collector street;

- (bb) The use is buffered and landscaped in accordance with Section 5-209 and 5-210.

This does not apply to a building or structure five thousand (5,000) square feet or less in gross floor area which is used for the sale and service of products at wholesale prices.

- (ii) Offices, institutional uses, and hotels and motels, provided that:
- (aa) The floor area ratio does not exceed two (2);
  - (bb) The parcel on which the use is located fronts on a collector or arterial street, or is connected to an arterial or collector by a street having no existing residential frontage within any Residential, Neighborhood or Mixed Use District; and
  - (cc) The use is buffered in accordance with the requirements set out in Section 5-209.
- (c) *Planned Development as a Conditional Use.* Planned Development in a Business District must meet criteria set forth in Part 4 Section 5 of this Zoning Ordinance.
- (4) *Development standards.* Except as provided for an approved conditional use, all development in the Business District shall conform to the development standards set out in Figure 4:

**BUSINESS DISTRICT**  
Figure 4.

Uses	Density	Lot Size (square feet)	Front (feet)	Yards Side (feet)	Rear (feet)	Max Height (feet)
Residential	(30 du/a)	5,000	20	5	10	50
General Retail and Service	FAR .5	5,000	20	5	10	50
Offices	FAR 1	5,000	20	5	10	50
Restaurants	FAR 1	5,000	20	5	10	50
Manufactured housing	(30 du/a)	5,000	20	5	10	50
Wholesale	(FAR 1)	10,000	20	5	10	50
Manufacturing and industrial	(FAR 1)	10,000	20	5	10	50
Entertainment	FAR 1	5,000	20	5	10	50
Institutional uses	FAR 1	10,000	20	5	10	50
Hotels and Motels	FAR 1	25,000	20	5	10	50
Public uses	FAR 1	10,000	20	5	10	50
Schools	-	10,000	20	5	10	50
Kennels	-	10,000	20	5	10	50
Recreation facilities	FAR .5	10,000	20	5	10	50
Churches	-	10,000	20	5	10	50
Bed and Breakfast facilities		5,000	20	5	10	50
Towers	≥ 120 feet then 1 mile radius, < 120 feet then ½ mile radius	10,000	½ height	½ height	½ height	N/A

( ) Parentheses indicated intensity permitted as a conditional use.

- (a) Bars and lounges shall not be permitted if the property line of the proposed use is less than three hundred feet (300') from the nearest property line of any land located in a Residential Dwelling District or Neighborhood District. For purposes of this subsection, a bar or lounge shall be defined as an establishment that serves alcohol which is not eligible for a Restaurant endorsement permit pursuant to the Code of Ordinances for the City of Lake Charles, Sec. 3-8.1.

#### **Sec. 5-304.5 Light Manufacturing District.**

- (1) *Characteristics.* The purpose of these districts is to provide areas for the exclusive development of Light Manufacturing (a/k/a Light Industrial) uses within enclosed structures near or adjacent to Residential and Mixed Use Districts. It is the intent of this ordinance that land uses by compatible with abutting districts, such as Commercial Districts, which will serve as transitional zones between the industrial users and the lower intensity residential uses. The uses permitted in Light

Manufacturing Districts shall generate no objectionable odor, smoke, dust, release materials, fumes, vibration, or excessive noise. Such limited manufacturing and related uses shall be located only in areas directly accessible to major thoroughfares or railroads. It is further the intent of this Ordinance that encroachment by all residential uses be prohibited.

- (2) *Purpose.* The provide of the Light Manufacturing District is to provide for a wide variety of light manufacturing, processing or fabricating, wholesale distributing and warehousing uses located in the vicinity of major streets or railroads for access. Light or limited manufacturing conducted wholly within completely enclosed buildings, except that the temporary storage of articles, materials, or other matter to be processed, assembled, or otherwise changed may be permitted in the Light Manufacturing District as a conditional use (See Development Standards). Commercial uses are permitted, but new residential development is excluded except as a conditional use. The following limited light manufacturing uses shall be permitted, provided they are not offensive to neighboring land uses due to the emission of dust, gas, smoke, noise, fumes, odors, vibrations, fire hazards, or other objectionable influences:

- (3) *Permitted uses:*

- (a) Indoor/outdoor retail and service establishments.
- (b) Indoor woodworking, including cabinet makers and furniture manufacturing.
- (c) Welding shops.
- (d) Restaurants.
- (e) Entertainment.
- (f) Agriculture.
- (g) Repair of scientific or professional instruments.
- (h) Building, heating, plumbing, or electrical warehousing.
- (i) Printing, publishing, and lithography.
- (j) Exterminators; janitorial and building maintenance warehouses.
- (k) Coatings, clothing or textile manufacturing.
- (l) Financial institutions.
- (m) Offices.
- (n) Public Uses.
- (o) Structured parking facility, public or commercial.
- (p) Towers, provided that the use conforms to Sec. 5-212.
- (q) Multimodal, warehousing and distribution operations.
- (r) Transit station or terminal.
- (s) Artisan/craft product manufacturing.
- (t) Hotels and motels.
- (u) Recreational facilities.
- (v) Drive-in or drive-through facilities for the sale of food or beverages, provided that:



- (A) The facility is installed on a permanent foundation;
  - (B) The facility and use does not involve more than 2,500 square feet of total gross floor area;
  - (C) The parcel of land on which the use is located fronts on a collector or arterial street;
  - (D) The use is buffered in accordance with Section 5-209; and
  - (E) Parking and stacking for vehicles are provided in accordance with Section 5-208.
- (w) Outdoor retail sales and service establishments when the facility is buffered and landscaped in accordance with Section 5-209 and 5-210, and the floor area ratio does not exceed 0.5, excluding tow yards or wrecker companies and storage of vehicles related thereto; and
- (x) Accessory uses, including permanent storage vessels.
- (4) *Conditional uses.*
- (a) *Major conditional uses:*
    - (i) Residential attached/detached, and live-work units (up to 30 d/u per acre);
    - (ii) Temporary outdoor storage of materials;
    - (iii) Dry stack boat storage and other exterior storage facilities;
    - (iv) Agriculture;
    - (v) Day care centers, provided the facility is fenced or enclosed so that children cannot leave the premises without adult supervision and the premises are buffered in accordance with Section 5-209; and
    - (vi) Bed and breakfast facilities.
  - (b) *Minor conditional uses:*
    - (i) Institutional uses;
    - (ii) Schools; and
    - (iii) Churches.
  - (c) *Planned Development as a Conditional Use.* Planned development in a Light Manufacturing District must meet criteria set forth in Part 4 of Article V of this Zoning Ordinance.
- (5) *Development Standards.* All development in the Light Manufacturing District shall conform to the development standards set out in Figure 5:

#### LIGHT MANUFACTURING DISTRICT

Figure 5.

Use	Density	Lot Size (square feet)	Front (feet)	Yards Side (feet)	Rear (feet)	Max Height (feet)
General retail and service	FAR 1	5,000	0 min/12 max	0 to 24 max	5	50
Wholesale	FAR 1	5,000	0 min/12 max	0 to 24 max	5	50
Warehousing	FAR 1	5,000	0 min/12 max	0 to 24 max	5	50
Manufacturing	FAR 1	5,000	0 min/12 max	0 to 24 max	5	50
Offices	FAR 1	5,000	0 min/12 max	0 to 24 max	5	50
Public uses	FAR 1	5,000	0 min/12 max	0 to 24 max	5	50
Accessory/OutBlds	Lot coverage 90% max					
Towers	≤ 120 feet then 1 mile radius <120 feet then ½ mile radius		10,000	½ height	½ height	½ height

Parking Provisions: Uncovered parking spaces may be provided within the 3<sup>rd</sup> layer (defined as not less than 20' plus the setback from the principal frontage. Temporary storage yards, outbuildings, trash containers, loading docks, heavy vehicle driveways, and warehouse entrances shall be permitted only in the 3<sup>rd</sup> layer.

**Sec. 5-305. Industrial District.**

- (1) *Purpose.* To provide an area for the development of manufacturing uses and to limit uses in the district to those, which are tolerant of the traffic, noise and odor attendant with manufacturing process.
- (2) *Permitted uses:*
  - (a) General retail sales and services establishments.
  - (b) Wholesale.
  - (c) Warehousing.
  - (d) Industrial uses.
  - (e) Offices.
  - (f) Public uses.
  - (g) Agriculture.
  - (h) Towers; provided that the use conforms to Sec. 5-212.
- (3) *Development Standards.* All development in the Industrial District shall conform to the development standards set out in Figure 5:

INDUSTRIAL DISTRICT  
Figure 5.

Use	Density	Lot Size (square feet)	Front (feet)	Yards Side (feet)	Rear (feet)	Max Height (feet)
General retail and service	FAR 1	5,000	10	5	5	50
Wholesale	FAR 1	5,000	10	5	5	50
Warehousing	FAR 1	5,000	10	5	5	50
Manufacturing	FAR 1	5,000	10	5	5	50
Offices	FAR 1	5,000	10	5	5	50
Public uses	FAR 1	5,000	10	5	5	50
Towers	≤ 120 feet then 1 mile radius <120 feet then ½ mile radius	10,000	½ height	½ height	½ height	N/A

- (a) Bars and lounges shall not be permitted if the property line of the proposed use is less than three hundred feet (300') from the nearest property line of any land located in a Residential Dwelling District or Neighborhood District. For purposes of this subsection, a bar or lounge shall be defined as an establishment that serves alcohol which is not eligible for a Restaurant endorsement permit pursuant to the Code of Ordinances for the City of Lake Charles, Sec. 3-8.1.

**Sec. 5-306. Downtown/Lakefront District.**

SmartCode attachment.

**Sec. 5-307. Historical Districts (Charpentier and Margaret Place) and Historical Landmarks.**

- (1) *Purposes.* It is the purpose of the Charpentier District and Margaret Place District and historic landmark provisions in this section to recognize, preserve, and protect the cultural and historic resources of the City of Lake Charles by preserving individual landmarks and maintaining and

fostering development in areas within the city of special significance to the history and tradition of the city and the region.

- (2) *Standards for designation.* The city council shall consider the following standards in designating the boundaries of the Charpentier District and Margaret Place District and individual landmarks:
  - (a) The presence of structures, sites, or areas associated with the events of significance to the cultural, political, economic or social history of the city; or
  - (b) The presence of structures, sites, or areas associated with the lives of persons or institutions of significance to the cultural, political, economic or social history of the city; or
  - (c) The presence of structures which represent distinctive characteristics of a type, period or method of construction of significance to the cultural, political, economic or social history of the city.
- (3) *Procedures for designation of districts and landmarks.* The city council shall designate the boundaries of the Charpentier District and Margaret Place District and historic landmarks in accordance with the procedures set forth in Section 4-207 for amending this ordinance and zoning map.
- (4) *Designation of structures.* All structures which are either eligible for the National Register of Historic Places or are structures actually designated under the provisions of Section 101(a)(1) of the National Historic Preservation Act of 1966 and 36 C.F.R. Part 60 shall be categorized as structures of major significance.
- (5) *Overlay district.* The regulations set forth in this Section 5-307 are applicable to development in the Charpentier District and Margaret Place District in addition to all other regulations in the underlying zoning district.
- (6) *Conditional uses required.* The following forms of development in the Charpentier District and Margaret Place District and all landmarks shall require the issuance of a certificate of appropriateness in the form of a conditional use permit:
  - (a) *Exterior alterations.*
    - (i) Structures of major significance and/or contributing elements. Exterior alterations to a structure of major significance and/or contributing elements, other than ordinary maintenance and repair, which require a building permit and which are visible from a public street shall require the issuance of a major conditional use permit in accordance with the procedures set forth in Section 4-203(5).
    - (ii) Exterior alteration standards. In considering whether a conditional use permitting exterior alterations to a structure of major significance and/or a contributing element shall be granted, the planning commission shall consider:
      - (aa) The extent the alteration affects the distinctive character or architectural features of the structure, including consideration of the harmony of materials, details, height, mass, proportion, rhythm, scale, setback, shape, street accessories, and workmanship;
      - (bb) The degree to which the proposed work would isolate the structure from its historical or architectural surroundings;
      - (cc) The degree to which the proposed work is compatible with the original design concept of the structure or with the general design characteristics of the era which the structure represents;
      - (dd) The degree to which the proposed building materials are compatible with the aesthetic and structural appearance of the structure including the texture, style, color of the materials and the proposed combination of materials such as brick, stone, concrete, shingle, wood, or stucco;
      - (ee) The degree to which the proposed work is compatible with the development guidelines approved by the planning commission; and
      - (ff) The degree to which the proposed work is compatible with the Department of the Interior's Standards for Historic Preservation Projects, 36 C.F.R. Section 68.1, et seq.

- (iii) Structures of minor significance and/or non-contributing elements. Exterior alterations to a structure of minor significance and/or a non-contributing element, other than ordinary maintenance and repair, which require a building permit and which are visible from a public street shall require the issuance of a minor conditional use permit in accordance with procedures set forth in Section 4-203(4).
  - (iv) Exterior alterations to structures of minor significance and/or a non-contributing element shall be reviewed by the Planning Department staff and shall include consideration of:
    - (aa) The extent the alteration affects the distinctive character or architectural features of the structure, including consideration of harmony of materials, details, height, mass, proportion, rhythm, scale, setback, shape, street accessories, and workmanship;
    - (bb) The degree to which the proposed work would isolate the structure from its historical or architectural surroundings;
    - (cc) The degree to which the proposed building materials are compatible with the aesthetic and structural appearance of the structure including texture, style, color of materials and the proposed combination of materials such as brick, stone, concrete, shingle, wood, or stucco; and
    - (dd) The degree to which the proposed work is compatible with the development guidelines approved by the planning commission.
- (b) *Demolition of structures of major significance.*
  - (i) Conditional use required. The demolition or relocation of a structure of major significance shall require the issuance of a major conditional use permit in accordance with the procedures set forth in Section 4-203(5).
  - (ii) Standards for demolition permit. No conditional use permit shall be issued unless the applicant has demonstrated that:
    - (aa) It is not economically feasible to maintain the structure;
    - (bb) The applicant has explored preservation options, such as the sale of the structure to an individual or group interested in preserving the structure;
    - (cc) The applicant has posted on the premises of the structure, in a manner easily visible from the public way, notice of intended demolition for a period of six (6) months prior to application for a conditional use permit; and
    - (dd) The applicant has sought and been denied a conditional use permit for an alternate use, pursuant to Section 5-307(5)(d).
  - (iii) Emergency. Notwithstanding any other provision of this section, where the building official determines that demolition or alteration of a structure is necessary to correct a condition that is dangerous to life, health or safety, a conditional use permit may be issued under the signatures of the building official, Director of Planning, and the mayor.
- (c) *New development.* The development of new buildings or structures shall conform with the underlying district regulations and shall be generally of such design, form, proportion, mass, configuration, building material, texture, color, and location on a lot as to be compatible with other buildings and structures in the district, and in particular with those buildings and structures in the immediate vicinity of the proposed new building or structure. The planning commission shall develop, or cause to be developed guidelines for determining such compatibility. All new development in this district shall require the issuance of a minor conditional use permit under the provisions of Section 4-203(4) unless the underlying district requires a major conditional use permit, in which case review and approval shall be in accordance with the provisions of Section 4-203(5).
- (d) *Alternate uses.*
  - (i) A conditional use permit may be approved, in accordance with the procedures set forth in Section 4-203(5), to permit a use not otherwise permitted in the underlying zoning district in a structure of major significance, provided that the applicant has demonstrated that:
    - (aa) The proposed alternate use will not alter the exterior appearance of the structure;

- (bb) The presence of the alternate use will not establish a precedent which will change the character of the neighborhood;
    - (cc) The alternate use is economically necessary to preserve the structure; and
    - (dd) The structure has been offered for sale for its existing use for a period of six (6) months and no bona fide offer has been received.
  - (ii) No conditional use permit for an alternate use shall be issued for industrial or heavy commercial uses.
  - (iii) In considering whether the applicant for an alternate use has demonstrated compliance with the standards in subsection (i), the planning commission shall consider whether the structure for the proposed use is in a neighborhood, the characteristics of the neighborhood, whether the proposed use will irreversibly shift the character of the neighborhood, and whether the site can adequately accommodate any additional parking which may be required as a result of the change in use.
- (e) All development within the Charpentier District and Margaret Place District that requires a conditional use permit shall be submitted to the Calcasieu Preservation Society and/or Margaret Place Review Board, respectively, for their review and comments. Such comments shall become a part of the staff findings for any application for a conditional use permit.
- (7) *Maps defining the boundaries.* Maps defining the boundaries of the Charpentier Historical District and the Margaret Place Historical District are located in Exhibits C and D of this ordinance.

#### **Sec. 5-308. Airport Environs District.**

- (1) *Purposes.* It is the purpose of the Airport Environs District in this section to promote the health, safety and general welfare of the inhabitants of the city, by preventing the creation or establishment of airport hazards, thereby protecting the lives and property of the users of the public airport and of the occupants of the land in its vicinity and preventing destruction or impairment of the utility of the airport and the public investment therein in accordance with and as a part of any future comprehensive masterplan of the airports of the city area.
- (2) *Applicability.* The Airport Environs District is an overlay district and shall represent a mapped geographic area applied to the official zoning map. Unless expressly stated otherwise in this section, all lands encumbered by this district shall conform to all other applicable provisions of this Code.
- (3) *Land use and safety zones.* Zones established in order to carry out the purpose of this section, as set forth above, and also in order to restrict those uses which may be hazardous to the operational safety of aircraft operating to and from the airport and furthermore to limit population and building density in the runway approach areas, thereby creating sufficient open space so as to protect life and property in case of an accident, all of the land within 50,000 feet of the established airfield reference point is divided into heightlimiting zones, the boundaries of which and the height applicable thereto are shown on the zoning map, and hereby created and established are the following land use safety zones:
  - (a) *Height limits.* Except as otherwise provided in this section, no structure or natural growth shall be erected, altered, allowed to grow, or maintained in the height limiting zones described below to a height in excess of the height specified therefor or established for the zone.
    - (i) For the purpose of this section, the following height limits are established for each of the height limiting zones in question:

Radical Conical Zone (Identify from Plan)	Maximum Permissible Height (Feet)
10,000 ft.	150
11,000 ft.	200
12,000 ft.	250
13,000 ft.	300
14,000 ft.	350

- (ii) An existing object, including a mobile object, is, and a future object would be, an obstruction to air navigation if it is of greater height than any of the following heights or surfaces:
  - (aa) 500 feet above ground level (AFL) at the site of the object.
  - (cc) 200 feet AFL or above the established airport elevation (EAR), whichever is higher, within three nautical miles of the established reference point (ARP) of the airport, and that height increases in the proportion of 100 feet for each additional nautical mile of distance from the airport up to a maximum of 500 feet.
- (b) *Imaginary surfaces.*
  - (i) Precision runway approach zone. Slopes 50 feet outward for each foot upward beginning at the end of and at the same elevation as the primary surface for 10,000 feet upward. It extends an additional 40,000 feet at a slope of 40 feet outward for each foot upward. These areas begin with a width of 1,000 feet and end at a width of 16,000 feet.
  - (ii) Transition zones. Slopes seven feet outward for each foot upward beginning at the sides of and at the same elevation as the primary surface and the approach surface, and extending to a height of 150 feet above airport elevation. In addition to the foregoing, there are established height limits sloping seven feet outward for each foot upward beginning at the sides of and at the same elevation as the approach surface, and extending to where they intersect the conical surface.
  - (ii) Horizontal zone. Established at 150 feet above the airport elevation.
  - (iii) Conical zone. Slopes 20 feet outward for each foot upward beginning at the periphery of the horizontal zone and at 150 feet above airport elevation and extends horizontally 4,000 feet to a height of 350 feet above the airport elevation.
- (c) All zones defined in this section shall be governed by all applicable Federal Aviation Regulations.
- (4) *Development permits.*
  - (a) *Future uses.* Except as specifically provided in paragraphs (a) and (b) hereunder, no material change shall be made in the use of land and no structure shall be erected, altered, or otherwise established in any zone hereby created unless a development permit therefor shall have been applied for and granted by the City of Lake Charles through the Office of Planning and Development, as hereinafter provided for. Each application for a development permit shall indicate the purpose for which the permit is desired, with sufficient particularity to permit it to conform to the regulations herein prescribed. If such determination is in the affirmative, the development permit shall be granted.
  - (b) *Existing uses.* No development permit shall be granted that would allow the establishment or creation of an obstruction or permit a nonconforming use, structure, or vegetation to become a greater hazard to air navigation than it was on the effective date of this section or any amendments thereto or than it is when the application for a development permit is made. A copy of each development permit application along with Form 7460-1 (available through the Zoning Office) sent by the applicant by certified mail to the F.A.A. except as indicated all applications for such a development permit shall be granted.

- (5) *Administration and enforcement.* It shall be the duty of the director of the Department of Planning to administer and enforce the regulations prescribed herein. Applications for permits and variances shall be made to the director, department of planning, upon a form published for that purpose. Applications required by this ordinance to be submitted to the director, department of planning, shall be promptly considered and granted or denied.
- (6) *Conflicting regulations.* Where there exists a conflict between any of the regulations or limitations prescribed in this ordinance and any other regulations applicable to the same area, whether the conflict be with respect to the height of structures or vegetation, and the use of land, or any other matter, the more stringent limitations or requirements shall govern and prevail.
- (7) *Airport zoning map.* (See Appendix E)

#### **PART 4. PLANNED DEVELOPMENT**

##### **Sec. 5-401. Purpose.**

The use of improved techniques for land development is often difficult under traditional zoning regulations designed to control single buildings on individual lots. Private redevelopment of congested and blighted areas within the City of Lake Charles, together with advantageous development of larger areas of substantially vacant land, require that a more flexible approach be available to both the City and the landowner.

##### **Sec. 5-402. Planned Development in all districts.**

Except as otherwise provided in this Part, Planned Developments shall be permitted in any district in accordance with the standards and procedures set forth in this Part.

##### **Sec. 5-403. Minimum size.**

Except as otherwise provided in this part, there shall be no minimum lot size for development of a planned development. There shall be no minimum lot size for a Planned Development except:

- (1) A Planned Development which included only dwelling units and which is located in a Residential Dwelling District or a Neighborhood District shall occupy no less than one (1) acre of land. All other Planned Developments in Residential Dwelling Districts and Neighborhood Districts shall occupy no less than three (3) acres of land.

##### **Sec. 5-404. Planned development as a conditional use.**

- (1) Planned developments in districts marked with an "x" shall be approved as a minor conditional use, pursuant to the procedures set out in Section 4-203 of this ordinance and the procedures and standards of this part. When such planned development involves a subdivision of land for which planning commission approval is required by the subdivision regulations of the City of Lake Charles, a conditional use permit shall not be approved for such development until the final subdivision plat has been approved by the planning commission.
- (2) Planned developments other than those provided in subsection (1) above shall be approved as a major conditional use, pursuant to the procedures set out in Section 4-203 of this ordinance and the procedures and standards of this part.

**Sec. 5-405. Effect of district regulations in a planned development.**

Except as modified by and approved in the approved conditional use permit a planned development shall be governed by the regulations of the district or districts in which the planned development is located.

**Sec. 5-406. Modification of district regulations.**

A conditional use permit approving the final development plan may provide for deviations from district regulations governing use, lot size, bulk, parking and subdivisions standards and regulations, as may be necessary or desirable to achieve the objectives of the proposed planned development, provided that such deviations are consistent with the standards and criteria contained in this part and further provided that no modification of the district regulations or the subdivision standards and regulations may be allowed when such proposed modification would result in:

- (1) Inconvenient or unsafe access to the planned development;
- (2) Undue traffic congestion in the streets which adjoin the planned development;
- (3) An undue or disproportionate burden on public parks, recreational areas, schools, fire and police protection and other public facilities which serve or are proposed to serve the planned development; or
- (4) A development which will be incompatible with the purpose of this ordinance.

**Sec. 5-407. General standards and criteria.**

Subject to review by the city council in accordance with the provisions of Sections 4-203(4) and 4-203(5) of this ordinance, the planning commission may grant a conditional use permit which modifies the applicable zoning district regulations and subdivision regulations upon finding that the planned development meets the applicable standards and criteria contained in this part and the standards applicable to all conditional uses in Section 4-203(2).

- (1) The proposed development will not injure or damage the use, value and enjoyment of the surrounding property nor hinder or prevent the development of surrounding property in accordance with the current published policies and plans of the City of Lake Charles;
- (2) The proposed development can be substantially completed within the period of time specified in the schedule of development submitted by the applicant;
- (3) The entire tract or parcel of land to be occupied by the proposed development shall be held in single ownership, or if there are two (2) or more owners, the application for such proposed development shall be filed jointly by all such owners;
- (4) A potable water supply, community wastewater treatment and disposal, and storm water drainage facilities that are adequate to serve the proposed development have been or shall be provided;
- (5) The location and arrangement of structures, parking areas, walks, lighting and appurtenant facilities shall be compatible with the surrounding land uses, and any part of a proposed development not used for structures, parking and loading areas, or accessways, shall be landscaped or otherwise improved;
- (6) The dominant use in the proposed planned development shall be consistent with the recommendations of the published policies and plans of the City of Lake Charles for the area containing the project, including Article III of this ordinance;
- (7) Any modification of the zoning or other regulations that would otherwise be applicable to the site are warranted by the design of the development plan, and the amenities incorporated in it, and are consistent with the interest of the public generally;



- (8) The density or intensity of a planned development shall not exceed two (2) times the density or intensity permitted in the underlying zoning district in which the planned development is to be located.

**Sec. 5-408. Required covenants and easements.**

The development plan for a planned development shall contain such proposed covenants, easements and other provisions relating to the bulk and location of buildings, uses and structures, and public facilities as are necessary for the welfare of the planned development and as are consistent with the best interest of the city.

Such covenants, easements and other provisions, if part of the development plan is finally approved, may be modified, removed or released only with the consent of the city council after a public hearing before, and recommendation by, the planning commission. All such covenants shall specifically provide for enforcement by the city in addition to the landowners within the development.

**Sec. 5-409. Planned residential development.**

In addition to the standards and criteria set forth in Section 5-406, planned residential developments shall comply with the following standards and criteria:

- (1) *Perimeter setback requirements.* All buildings, on the perimeter of a planned development shall be located in such a way that the front, side or rear yard setbacks on the perimeter of the development shall not be less than those required by the zoning ordinance for the district in which such development is located, or which such development abuts, whichever are more restrictive. Greater setbacks may be required when necessary to protect the privacy of residents in both a planned residential development and the existing adjacent uses.
- (2) *Screening requirements.* If topographical or other barriers do not provide adequate privacy for the planned residential development and for existing uses adjacent to the development, or when nonresidential uses or structures in the planned residential development abut a residence or residentially zoned district, or when nonresidential uses or structures abut residential buildings in the same development; all structures located along the perimeter of the planned residential development shall be permanently screened by utilizing one of the following techniques:
- (a) A neat, orderly or healthy screen of evergreen or other suitable plant material not less than three (3) feet in height at planting;
  - (b) A wooden, masonry or other fence with a maximum height of six (6) feet; or
  - (c) Any other method which will provide sight-proof screening of the adjacent uses.
- (3) *Usability and preservation of common open space.* If common open space is provided, it shall meet the following standards:
- (a) The location, shape, size and character of the common open space must be suitable for the planned residential development;
  - (b) Common space must be useable for recreational purposes or for provision of visual, aesthetic and environmental amenities. The uses authorized for the common space must be appropriate to the scale and character of the planned residential development, considering its size, density, expected population, topography, and the number and type of dwellings to be provided;
  - (c) Layout of parking and loading areas, service areas, entrances, exits, yards, courts and landscaping and the control of signs, lighting, noise or other potentially adverse influences shall be such that residential areas within or adjoining the development shall be protected;

- (d) Such facilities by reason of their location, construction, manner of timing of operation shall avoid adverse effects on residential uses within or adjoining the development, and traffic congestion or hazard to vehicular or pedestrian traffic;
  - (e) Common open space must be improved except that areas containing natural features worthy of preservation may be left unimproved. The buildings, structures, and improvements located in the common open space must be appropriate to the uses which are authorized therefore, and must conserve and enhance the amenities of the common open space having regard to its topography and unimproved condition;
  - (f) The development schedule which is part of the final development plan must coordinate the improvement of the common open space, the construction of the buildings, structures, and improvements in the common open space, and the construction of residential dwellings in the planned residential development, but in no event shall building permits for any phase of a final development plan be issued unless and until the open space which is part of that phase has been dedicated and improved;
  - (g) No portion of a planned residential development shall be conveyed or dedicated to public use by the developer or any other person to any public body or homeowner's association unless the character and quality of the tract to be conveyed makes it suitable for the purposes for which it is intended, taking into consideration the size and character of the dwellings to be constructed within the planned residential development, the topography and existing trees, ground cover, and other natural features; the manner in which the open space is to be improved and maintained for recreational or amenity purposes; and the existence of public parks or other public recreational facilities in the vicinity;
  - (h) All land shown on the final development plan as common open space must either be:
    - (i) Conveyed to a public body, if said public body agrees to accept conveyance and to maintain the common open space and any buildings, structures or improvements which have been placed on it; or
    - (ii) Conveyed to a homeowner's association or similar group organized for the purpose, among others, of owning and maintaining common buildings, areas and land within the planned residential development. The common open space must be conveyed subject to the covenants required by Section 5-407 which restrict the common open space to the uses specified on the final development plan, and which provide for the maintenance of the common open space in a manner which assures use for its intended purpose.
- (4) *Accessibility of site.* Any streets, alleys and driveways proposed shall be adequate to serve the residents, occupants, visitors and other anticipated traffic of the planned residential development, but may be designed to discourage through traffic from traversing the development. Traffic controls on public roadways within or adjacent to the development will be provided by the city council as and where determined necessary by the city council, but the city council may require, as a condition of approval of a proposed planned residential development, that the cost of installing such traffic controls be borne by the developer. Traffic-control device installations shall be in accordance with the installation schedules and standards as ordinarily applied on all public streets. If traffic control devices are required to prevent or relieve hazards or congestion on adjacent streets and the proposed control device is not within the normal or scheduled sequences of installations, such devices may be provided by the developer upon permission by the city council for installation by the city.
- (5) *Off-street parking.* Off-street parking shall be conveniently accessible to all dwelling units and other uses. Where appropriate, common driveways, parking areas, walks and steps may be provided, maintained and lighted for night use.
- (6) *Pedestrian circulation.* The pedestrian circulation system and its related walkways shall be insulated as completely as possible from the vehicular street system in order to provide separation of pedestrian and vehicular movement. This may include pedestrian underpasses or overpasses in the vicinity of schools, playgrounds, local shopping areas, nonresidential areas and other neighborhood uses which generate a considerable amount of pedestrian traffic.

- (7) *Utilities.* The planned residential development shall provide, if possible, for underground installation of utilities (including electricity and telephone) in both public ways and private extensions thereof. Provisions shall be made for acceptable design and construction of storm-water facilities including grading, gutter, piping, and treatment of turf and maintenance of facilities.
- (8) *Privacy.* The planned residential development shall provide reasonable visual and acoustical privacy for dwelling units including fences, insulation, walks, barriers, protection and aesthetic enhancement of property and the privacy of its occupants. High-rise buildings shall be located within the development in such a way as to dissipate any adverse impact on adjoining low-rise buildings and shall not invade the privacy of the occupants of such low-rise buildings.
- (9) *Neighborhood commercial centers.* Neighborhood commercial centers may be located within a planned residential development subject to the following restrictions:
  - (a) Such centers shall be located, designed and operated to serve primarily the needs of residents within the planned residential development and shall have direct pedestrian access to residential areas;
  - (b) The lot area of such centers shall not exceed twenty (20) percent of the total lot area of the planned residential development.

**Sec. 5-410. Planned commercial or industrial development.**

In addition to the standards and criteria set forth in Sections 5-405, 5-406, and 5-407, planned developments which contain commercial and/or industrial uses shall comply with the following standards and criteria:

- (1) *Residential use.* No buildings shall be designed, constructed, structurally altered or used for dwelling purposes in a planned development which includes an industrial use.
- (2) *Perimeter setback.* No building or other structure that exceeds thirty-five (35) feet in height shall be located within twenty-five (25) feet of the lot line of such development. In no event shall any building in a planned commercial or industrial development be located nearer than 50 feet to a residential building.
- (3) *Screening.* When structures or uses in a planned commercial or industrial development abut a residence district or residential buildings in the same development, sight-proof screening shall be provided in accordance with the specifications set forth in Section 5-209(4) of this ordinance for major differences in land use.
- (4) *Display of merchandise.* All business, manufacturing and processing, shall be conducted, and all merchandise and materials shall be displayed and stored within a completely enclosed structure, provided, however, that when an automobile service station is permitted in a planned commercial development, gasoline may be sold from pumps outside of a structure.
- (5) *Accessibility.* The site shall be accessible from public roads that are adequate to carry the traffic that will be generated by the proposed development and the streets and driveways on the site of the proposed development will be adequate to serve the enterprises located in the proposed development. Traffic control signals shall be provided without expense to the city when the city council determines that such signals are required to prevent traffic hazards or congestion in adjacent streets.
- (6) *Utilities.* The planned commercial or industrial development shall provide, if possible, for underground installation of utilities including electricity and telephone in both public ways and private extensions thereof. Provisions shall be made for acceptable design and construction of storm water facilities including grading, gutter, piping, and treatment of turf.
- (7) *Landscaping.* The location and arrangement of buildings, parking areas, roads, driveways and other features shall be adjusted to the surrounding land uses. Parts of the site not used for

structures, parking and accessways shall be landscaped with grass, trees and shrubs sufficient in character and extent to form a permanent screen.

- (8) *Storage.* No materials, products or equipment shall be stored in the open on the site.
- (9) *Roads.* All roads, parking and loading areas and walks shall be suitably graded and drained and paved with hard-surface material meeting all applicable specifications.
- (10) *Industrial uses.* Office, laboratory and manufacturing uses which do not create any danger to health and safety, in surrounding areas and which do not generate any offensive noise, vibration, smoke, dust, odors, heat or glare and which, by reason of high value in relation to size and weight of merchandise handled, create very little traffic may be included in the planned development.

#### **Sec. 5-411. Mixed planned developments.**

Planned developments which do not qualify as a planned residential development and which are not exclusively intended for commercial or industrial uses shall be subject to all relevant standards governing both planned residential and planned commercial or industrial developments.

#### **Sec. 5-412. Planned mobile home communities.**

In addition to the standards and criteria set forth in Sections 5-405, 5-406, and 5-407, planned mobile home communities shall comply with the following standards and criteria.

- (1) *Location.* Planned mobile home communities may be permitted in the Mixed Use and Business Districts.
- (2) *Minimum size.* A planned mobile home community shall be located on a parcel of land with an area of at least five (5) acres.
- (3) *Mobile home lot standards.*
  - (a) No dimension of a lot shall be less than fifty (50) feet.
  - (b) The minimum area of every lot shall be five thousand four hundred (5,400) square feet.
  - (c) Permanent pads of concrete or equivalent materials shall be provided for every lot to provide an adequate foundation for the placement and tie-down of the mobile home.
  - (d) The installation of mobile homes shall comply in all respects with all applicable federal, state and local regulations.

#### **Sec. 5-413. Application for preliminary development plan approval.**

An application for preliminary development plan approval shall be submitted to the Director of Planning for all planned developments which contain a gross area of five (5) or more acres, or which involve a subdivision of land for which a preliminary plat approval is required by the subdivision regulations of the City of Lake Charles. The application shall be submitted in accordance with the provisions of Section 4-201(1)-(3), accompanied by a nonrefundable fee as established from time to time by the city council.

#### **Sec. 5-414. Preliminary development plan approval.**

- (1) Within sixty (60) days of receiving a preliminary development plan complete in all respects, or a final development plan in the event a preliminary development plan is not required, the application shall be approved, approved with conditions, or disapproved in accordance with the applicable procedures in Sections 4-203 and 5-404.

- (2) No building shall be issued and no plats recorded for any parcel which is subject to an approved preliminary development plan until a final development plan has been approved. However, the approval of the preliminary development plan shall bind the applicant and the city with respect to the following parameters of development.
  - (a) Categories of uses to be permitted;
  - (b) Overall maximum density of residential uses and intensity of nonresidential uses;
  - (c) General location of vehicular and pedestrian circulation systems;
  - (d) General location and extent of public and private open space;
  - (e) General location of residential and nonresidential land uses;
  - (f) Staging of development; and
  - (g) Exception to district regulations.
- (3) Unless the applicant shall fail to meet time schedules for filing final development plans or shall fail to comply with any condition of this part or any approval granted pursuant to it, a preliminary development plan which has been approved, or approved with modifications which have been accepted by the applicant, shall not be modified, revoked or otherwise impaired, pending the application for approval of a final development plan, by any action of the city without the consent of the applicant.

**Sec. 5-415. Application for final development plan approval.**

An application for final development plan approval shall be submitted to the Director of Planning in accordance with the provisions of Section 4-201(1)-(3), accompanied by a nonrefundable fee as established from time to time by the city council.

**Sec. 5-416. Final development plan approval.**

- (1) If the preliminary development plan approval provides for staged development, the applicant may request final approval of only a portion of the land included in the plan, and may delay, within the time authorized by the preliminary development plan approval, application for final approval of other portions.
- (2) A plan submitted for final approval may be deemed to be in substantial compliance with the preliminary development plan provided any modification by applicant of the preliminary development plan does not:
  - (a) Vary the proposed gross density or intensity of use by more than ten (10) percent;
  - (b) Involve a reduction of the area set aside for common open space;
  - (c) Increase by more than five (5) percent the floor area proposed for nonresidential use;
  - (d) Increase by more than ten (10) percent the total ground area covered by building;
  - (e) Relocate approved circulation elements to any extent that would adversely affect their relation to surrounding lands and circulation elements or reduce their effectiveness as buffers or amenities;
  - (f) Significantly alter the arrangement of land uses within the planned development;
  - (g) Delay by more than one year any stage of an approved staging plan or significantly alter the content of any such stage; and

- (h) Modify the location and design of streets or facilities for water and for disposal of storm water and sanitary sewerage.

**Sec. 5-417. Final development plans that are in substantial compliance with the approved preliminary development plan.**

- (1) If the Director of Planning finds that the final development plan is in substantial compliance with the preliminary development plan, the application shall be reviewed and approved in accordance with the applicable procedures in Section 4-203. If the final development plan contains no variations from the approved preliminary development plan, the review and approval of the final development plan shall follow the procedure set forth in Section 4-203(4) for a minor conditional use.
- (2) In the event the plan contains variations from the approved preliminary development plan but remains in substantial compliance with the preliminary development plan, the planning commission may, after a meeting with the applicant, refuse to approve the final development plan and shall, within thirty (30) days from the filing of the final development plan, so advise the applicant in writing of said refusal, setting forth in the notice the reasons why one or more of the variations are not in the public interest.
- (3) In the event of such refusal, the applicant may file his application for final approval without the variations objected to by the planning commission. If the applicant shall fail to re-file within thirty (30) days, he shall be deemed to have refused to accept such requirements and final approval shall be deemed to have been denied.

**Sec. 5-418. Final development plans that are not in substantial compliance with the approved preliminary development plan.**

- (1) In the event that the final development plan is not in substantial compliance with the preliminary development plan the planning commission shall, within thirty (30) days of the date the application for final approval is filed, so notify the applicant in writing, setting forth the particular ways in which the plan is not in substantial compliance.
- (2) The applicant may either re-file his plan in form which is in substantial compliance with the preliminary development plan, or he shall file a written request with the planning commission that it hold a public hearing on his final development plan.
- (3) If the applicant wishes to take either such alternate action he may do so at any time within the period originally provided for application for final approval, or within sixty (60) additional days if the time for applying for final approval shall have already passed at the time when the planning commission advised the applicant the plan was not in substantial compliance.
- (4) In the event the applicant shall fail to take either of these alternate actions within said time, he shall be deemed to have abandoned the plan. Any such public hearing shall be held sixty (60) days after request for the hearing is made by the applicant and notice thereof shall be given and the hearing shall be conducted in the manner prescribed in Section 4-201(4) of this ordinance.
- (5) Within thirty (30) days after the conclusion of the hearing, the planning commission shall by resolution recommend to the city council either approval or denial of the final development plan. The grant or denial shall, in cases arising under this paragraph, be in the form and contain the findings required for a resolution on a preliminary development plan.
- (6) An approved final development plan shall be certified without delay by the city clerk and shall be filed or record forthwith in the office of the parish recorder before any development shall take place in accordance therewith. Pending completion within a reasonable time of said planned development or of a section thereof, as the case may be, that has been finally approved, no modification of the provisions of said plan, or section thereof, as finally approved, shall be made except with the consent of the applicant.

**Sec. 5-419. Zoning administration and permits.**

- (1) The Director of Planning may issue a conditional use permit for any part of the development plan that has been approved in the area covered by the approved final development plan, for work which is in conformity with the approved final development plan and with all other applicable ordinances and regulations.
- (2) The department of inspection shall not issue an occupancy permit for any building or structure shown on the development plan of any stage of the planned development unless the open space and public facilities allocated to that stage of the development schedule have been conveyed to the proper authorities. He shall issue a certificate of occupancy for any completed building or structure located in an area covered by the approved final development plan if the completed building or structure conforms to the requirements of the approved final development plan and all other applicable regulations and ordinances.

**Sec. 5-420. Enforcement of development schedule.**

If no substantial construction has begun or no use established in the planned development within the time stated in the final development plan and construction schedule, the final development plan shall lapse upon written notice to the applicant from the Director of Planning and shall be of no further effect. In its discretion for good cause, and after a public hearing, the city council may extend for a reasonable time, not to exceed one year, the period for the beginning of construction or the establishment of a use. If a final development plan lapses under the provisions of this section, the Director of Planning shall remove the planned development permit from the official zoning map and shall file a notice of revocation with the recorded final development plan.

The zoning regulations applicable before the development was approved shall then be in effect.

- (1) The Director of Planning shall periodically review all of the permits issued for the planned development, examine all the construction that has taken place on the planned development site, and compare actual development with the approved development schedule.
- (2) If the Director of Planning shall find that owners of the property in the planned development area have failed to meet the approved development schedule, or that the rate of construction of dwelling units is greater than the rate at which common open space and public and recreational facilities have been constructed and provided, he shall revoke the planned development permit and notify the planning commission and city council. The land will then be regulated only by those zoning regulations applicable before the development was approved.
- (3) The planning commission shall within thirty (30) days of notice from the Director of Planning recommend to the city council whether the planned development permit should be modified or for good cause shown by the developer whether the limits of the development schedule should be extended for a reasonable time.

**Sec. 5-421. Amending final plan.**

No changes may be made to the approved final development plan except as provided in Section 4-203(6) or (7) of this ordinance. Any changes so approved shall be recorded as amendments to the recorded copy of the final development plan, before they are effective.

**ARTICLE VI. ENFORCEMENT**

**Sec. 6-101. Violation.**

In case any building or structure is erected, structurally altered, or maintained or any building, structure, or land is used in violation of this ordinance, any proper official of the zoned area or their duly authorized representatives, in addition to other remedies, may institute any appropriate action or proceedings to

prevent such unlawful erection, structural alterations, maintenance, use or other violations to restrain, correct, or abate such violation, to prevent the occupancy of such building, structure or land or to prevent any illegal act, conduct, business or use in or about such premises. Each day such violation continues shall constitute a separate violation. The building inspector may call upon the police department to furnish him with the necessary police personnel to carry out his orders.

**Sec. 6-102. Penalty.**

The owner or general agent of a building or premises where a violation of any provision of this regulation has been committed or shall exist, or the lessee or tenant of an entire building or entire premises where such violation has been committed or shall exist, or the owner, general agent, lessee, or tenant of any part of the building or premises in which such violation has been committed or shall exist, or the general agent, architect, builder, contractor, or any other person who commits, takes part in, assists in any such violation, or maintains any building or premises in which any such violation shall exist shall be guilty of a misdemeanor punishable either by fine of not less than ten dollars (\$10.00) and not more than twenty-five dollars (\$25.00) or not more than thirty (30) days in jail sentence, or both, for each and every day that such violation continues.

**ARTICLE VII. FEES**

**Sec. 7-101. Fees.**

The city council does hereby establish a schedule of fees for rezoning, conditional use and other zoning proceedings which shall be charged as set forth in Appendix D to this ordinance.



## APPENDIX A. APPLICATION FOR DEVELOPMENT APPROVAL

All applications for development approval shall contain the following information:

- (a) The applicant's name, address and telephone number and his interest in the subject property;
- (b) The owner's name, address and telephone number, if different from the applicant's, and the owner's signed consent to the filing of the application;
- (c) The legal description and street address, if any, of the subject property;
- (d) The present use and zoning classification of the subject property;
- (e) A brief written statement generally describing the proposed development;
- (f) The name, address and telephone number of any attorney, engineer, surveyor or other representatives for the applicant;
- (g) A plat or plan at a scale of one inch equals fifty (50) feet showing the location of all boundaries of the subject property, the location, nature and extent of all proposed development, including utilities and other improvements, buffering, and parking;
- (h) A location map, at a scale of one inch equals two hundred (200) feet including the area extending at least five hundred (500) feet beyond each boundary of the subject property, showing the nature of adjacent development and zoning classifications, if any;
- (i) In the case of an application for a variance, a statement of the provision which the applicant seeks to be varied, accompanied by a demonstration that the applicant complies with the standards set forth in Section 4-205(2);
- (j) In the case of a special exception, a statement of the provision under which the applicant seeks a special exception accompanied by a demonstration that the applicant complies with the standards set forth in Section 4-206(2).

## APPENDIX C. RESERVED

## APPENDIX D. FEE SCHEDULE

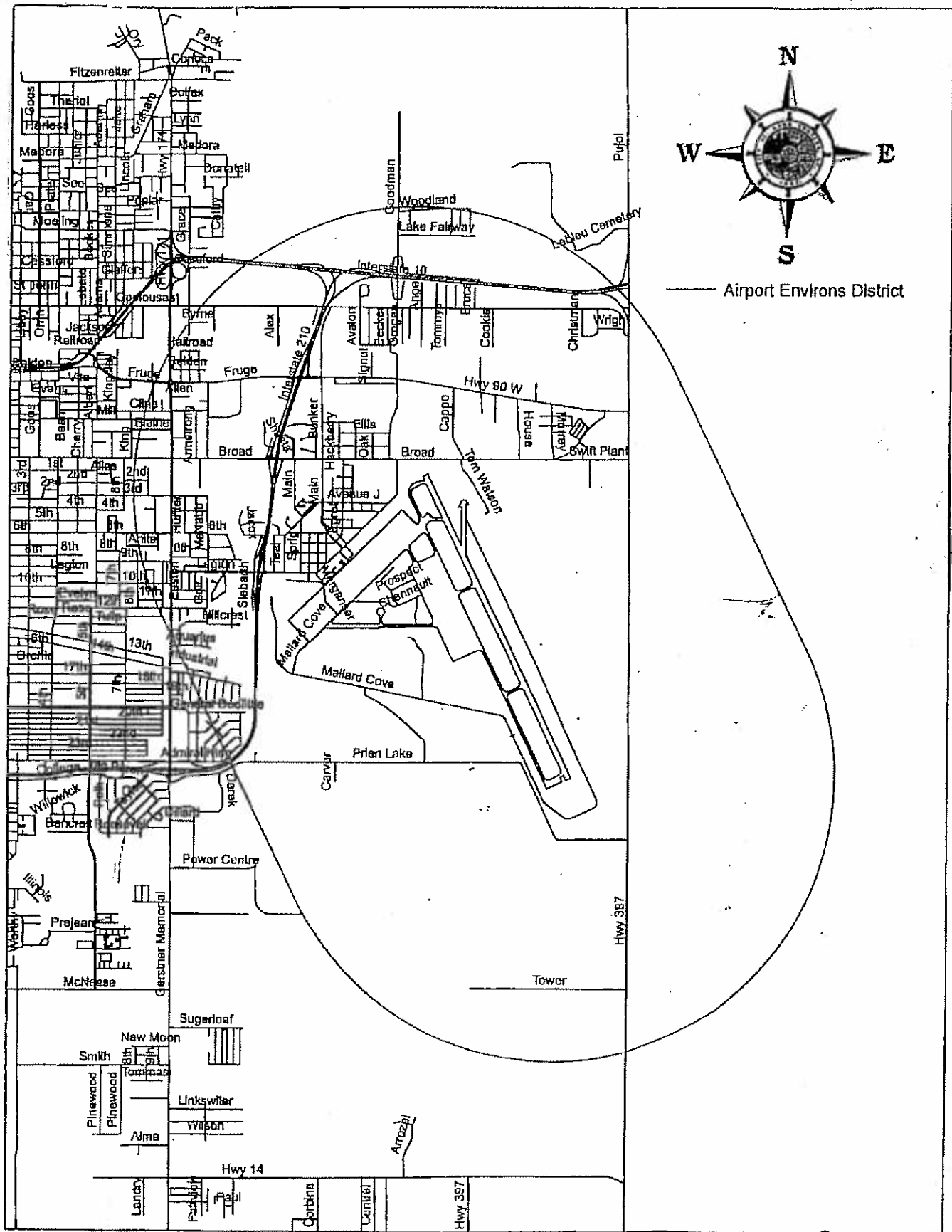
If any fee required as authorized by this ordinance is not set forth with particularity in this appendix, the city may establish a reasonable fee as amended from time to time. The following fee schedule has been determined to facilitate administrative, clerical and advertising costs associated with development review:

Amendments	\$500.00 up to 5 acres \$50.00 for each successive acre up to \$2,000.00
Planning Commission	Appeals: \$100.00 Special exceptions: \$200.00 Variances: \$200.00
Conditional Use Permits	Minor conditional use: \$75.00 (if appealed \$100.00) Major conditional use: \$250.00 (if appealed \$100.00) Planned Development: Minor: \$200.00 Major: \$250.00

### Certificate of Zoning Compliance. Plan Reviews.

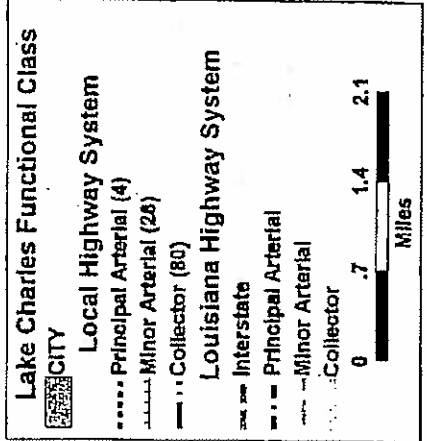
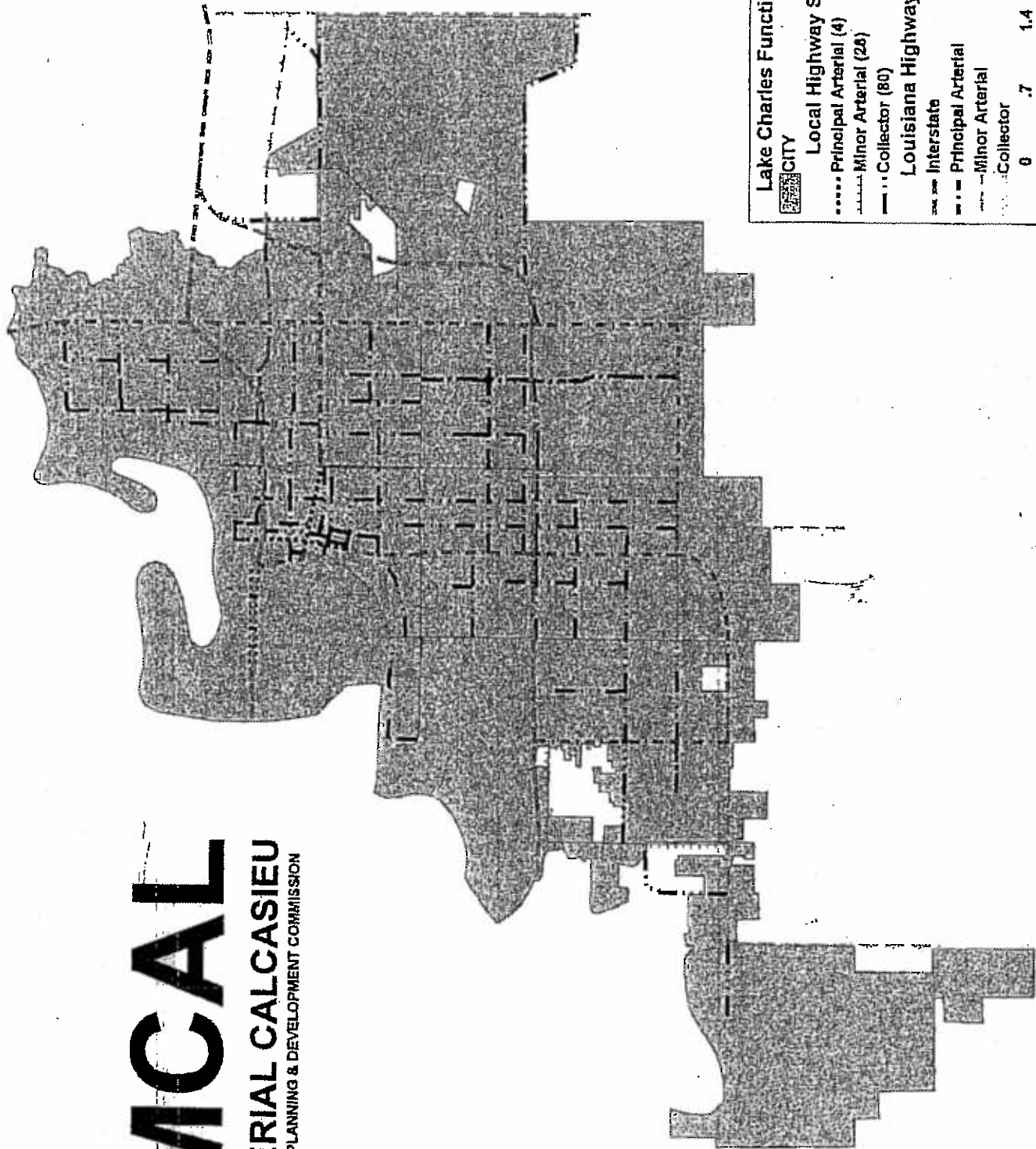
- A. Residential (includes one and two family dwellings and their accessory structures). \$25.00
- B. Commercial Uses - 10,000 sq. ft. or less of gross floor area (includes multi-family - triplexes and above). \$50.00
- C. Commercial Uses - over 10,000 sq. ft. of gross floor area. \$75.00

# APPENDIX E. AIRPORT ZONING MAP



# IMCAL

IMPERIAL CALCASIEU  
REGIONAL PLANNING & DEVELOPMENT COMMISSION



## EXHIBIT A

### LIST OF TREES AVAILABLE TO SATISFY REQUIREMENTS OF SECTION 5-210

#### CLASS A – DECIDUOUS TREES

<u>COMMON NAME</u>	<u>LATIN NAME</u>
RED MAPLE	ACER RUBRUM "DRUMONDII"
HICKORY	CARYA CORDIFORMIS
GREEN ASH	FRAXINUS PENNSYLVANICA
TULIP POPLAR	LIRIODENDRON TULIPIFERA
SWEET GUM	LIQUIDAMBAR STYRASIFLUA
SAWTOOTH OAK	QUERCUS ACUTISSIMA
WHITE OAK	QUERCUS ALBA
SOUTHERN RED OAK	QUERCUS FALCATA
CHERRYBARK OAK	QUERCUS FALCATA 'PAGODIFOLIA'
OVERCUP OAK	QUERCUS LYRATA
BASKET OAK	QUERCUS MICHAUXII
WATER OAK	QUERCUS NIGRA
NUTTAL OAK	QUERCUS NUTALLII
WILLOW OAK	QUERCUS PHELLOS
SHUMARD OAK	QUERCUS SHUMARDII
CYPRESS	TAXODIUM DISTICHUM
AMERICAN BASSWOOD	TILIA AMERICANA
WINGED ELM	ULMUS ALTA
AMERICAN ELM	ULMUS AMERICANA
CEDAR ELM	ULMUS CRASSIFOLIA
LACEBARK ELM, DRAKE ELM	ULMUS PARVIOFOLIA

#### CLASS A – EVERGREEN TREES

<u>COMMON NAME</u>	<u>LATIN NAME</u>
RED CEDAR	JUNIPERUS VIRGINIANA
DEODORA CEDAR	CERCIS DEODARA
SOUTHERN MAGNOLIA	MAGNOLIA GRANDIFLORA
SLASH PINE	PINUS ELLIOTTII
SHORT LEAF PINE	PINUS ECHINITA
SPRUCE PINE	PINUS GLABRA
LOBLOLLY PINE	PINUS TAEDA
JAPANESE EVERGREEN OAK	QUERCUS ACUTA
LAUREL LEAF OAK	QUERCUS LAURIFOLIA
SOUTHERN LIVE OAK	QUERCUS VIRGINIANA

**EXHIBIT A – CONTINUED**

**CLASS B – DECIDUOUS TREES**

<u>COMMON NAME</u>	<u>LATIN NAME</u>
RIVER BIRCH	BETULA NIGRA
RED BUD	CERCIS CANADENSIS
SILVER BELL	HALESIA DIPTERA
HOLLY SPECIES	ILEX SPECIES
(MATURING OVER FIFTEEN (15) FT. IN HEIGHT)	
CRAPE MYRTLE	LAGERSTROEMIA INDICA
OSAGE ORANGE (MALE ONLY)	MACLURA PORNIFERA
MAGNOLIA SPECIES	MAGNOLIA SPECIES
(MATURING OVER FIFTEEN (15) FT. IN HEIGHT)	
SOUTHERN CRABAPPLE	MALUS ANGUSTIFOLIA
(RUST RESISTANT)	
CHINESE PISTACIO	PISTACIA CHINESIS
TAIWAN FLOWERING CHERRY	PRUNUS CAMPANULATA
MEXICAN PLUM	PRUNUS MEXICANA
BLACK CHERRY	PRUNUS SEROTINA
BRADFORD PEAR	PYRUS CALLERYANA "BRADFORD"
(OR CULT. WITH SMALL FRUIT)	
WINGED ELM	ULMUS ALATA
LACEBARK ELM	ULMUS CRASSIFOLIA

**CLASS B – EVERGREEN TREES**

<u>COMMON NAME</u>	<u>LATIN NAME</u>
DEODARA CEDAR	CERCIS DEODARA
HOLLY SPECIES	ILEX SPECIES
(MATURING OVER FIFTEEN (15) FT. IN HEIGHT)	
SWEET BAY MAGNOLIA	MAGNOLIA VIRGINIANA
WAX MYRTLE	MYRICA CERIFERA
OSMANTHUS	OSMANTHUS FRAGRANS
RED BAY	PERSEA BARBORNIA
SLASH PINE	PINUS ELLIOTTI
CHERRY LAUREL	PRUNUS CAROLINIANA
PALM SPECIES	PALM SPECIES
(CLUSTERED TO OBTAIN FIFTEEN (15) FT. SPREAD)	
JAPANESE EVERGREEN OAK	QUERCUS ACUTA

**EXHIBIT B**  
**LISTS OF SHRUBS AVAILABLE TO SATISFY SECTION 5-209 AND 5-210**

**EIGHT (8) FOOT HEDGE**

WAXLEAF LIGUSTRUM (LIGUSTRUM LUCIDUM)

VIBURNUM MACROPHYLLUM

BURFORDI HOLLY (ILEX CORNUTA BURFORDI)

CHERRY LAUREL (PRUNUS CAROLINIANA)

OLEANDER, HARDY VARIETIES

**SIX (6) FOOT HEDGE**

CLEYERA JAPONICA (TERNSTROEMIA GYMNATHERA)

ELEAGNUS PUNGENS FRUITLANDII

CAMELIA SASANQUA

JAPANESE YEW, LARGE LEAF (PODOCARPUS MACROPHYLLUS)

YOUNG HOLLY (ILEX VOMITORIA)

OLEANDER, DWARF HARDY VARIETIES

**FOUR (4) FOOT HEDGE**

DWARF BURFORDI HOLLY (ILEX CORNUTA DWARF BURFORDI)

NEEDLEPOINT HOLLY (ILEX CORNUTA NEEDLEPOINT)

JAPANESE YEW, SMALL LEAF (PODOCARPUS MACROPHYLLUS)

AZALEAS SOUTHERN INDICA VARIETIES

INDIAN HAWTHORN (RAPHIOLEPSIS INDICA "SPRINGTIME" OR SIMILAR)

**TWO (2) FOOT HEDGE**

DWARF YOUNG HOLLY (ILEX VOMITORIA NANA)

DWARF CHINESE HOLLY (ILEX CORNUTA ROTUNDA)

CARISSA HOLLY (ILEX CORNUTA ROTUNDA)

DWARF PITTOSPORUM (PITTOSPORUM TOBIRA WHEELER DWARF)

EXHIBIT C  
CHARPENTIER HISTORICAL DISTRICT

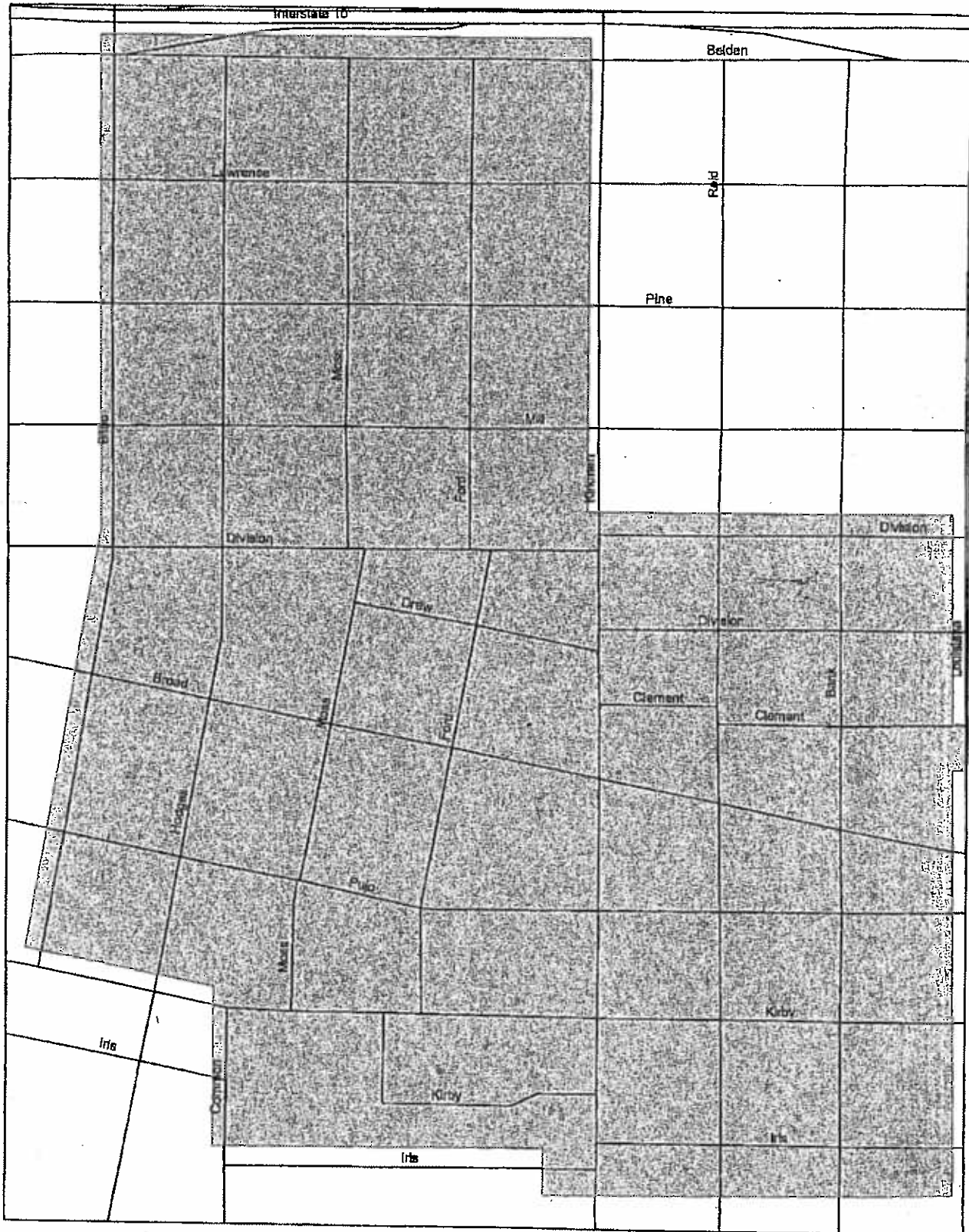




EXHIBIT D  
MARGARET PLACE HISTORICAL DISTRICT

