

**Exhibit 2 - Airport and St. Mary Parish Zoning**

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## Sec. 15-126. - Short title of article.

This article shall be known and may be cited as "The Harry P. Williams Memorial Airport Hazard Zoning Ordinance."

(Code 1969, § 2½-21)

## Sec. 15-127. - Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Airport* means the Harry P. Williams Memorial Airport, located near Patterson (St. Mary Parish), Louisiana.

*Airport elevation* means the highest point of the airport's usable landing area measured in feet from mean sea level, specifically nine feet above mean sea level.

*Approach surface* means for aircraft, a surface longitudinally centered on the extended runway centerline, extending outward and upward from the end of the primary surface and at the same slope as the approach zone height limitation slope set forth in section 15-129 of this article. In plan, the perimeter of the approach surface coincides with the perimeter of the approach zone. For helicopters, the approach surface begins at each end of the heliport primary surface with the same width as the primary surface and extends outward and upward for a horizontal distance of 4,000 feet where its width is 500 feet. The slope of the approach surface is 8 to 1.

*Approach, transitional, horizontal, and conical zones* means zones which apply to the areas under the approach, transitional, horizontal, and conical surfaces defined in Federal Aviation Regulations (FAR) Part 77, and as set forth in section 15-128 of this article.

*Board of appeal* means a board consisting of five members appointed by the parish council as prescribed by section 386(c) of title 2 of the Louisiana Revised Statutes and as provided for in section 15-134 of this article.

*Conical surface* means a surface extending outward and upward from the periphery of the horizontal surface at

a slope of 20 to 1 for a horizontal distance of 4,000 feet.

*FAA* means the Federal Aviation Administration of the U.S. Department of Transportation.

*Hazard to air navigation* means an obstruction determined to have a substantial adverse effect on the safe and efficient utilization of the navigable airspace.

*Height* means, for the purpose of determining the height limits in all zones set forth in this article and shown on the zoning map, mean sea level elevation unless otherwise specified.

*Heliport* means the specified areas of the Harry P. Williams Memorial Airport used or intended to be used for the landing and takeoff of helicopters.

*Horizontal surface* means a horizontal plane 150 feet above the established airport elevation, the perimeter of which, in plan, coincides with the perimeter of the horizontal zone.

*Larger than utility runway* means a runway that is constructed for and intended to be used by propeller-driven aircraft of greater than 12,500 pounds maximum gross weight and jet-powered aircraft.

*Nonconforming use* means any preexisting structure, object of natural growth, or use of land which is inconsistent with the provisions of this article or any amendment thereto.

*Nonprecision instrument runway or heliport* means a runway or heliport having an instrument approach procedure utilizing air navigation facilities with only horizontal guidance or area type navigation equipment, for which a straight-in nonprecision instrument approach procedure has been approved or planned.

*Obstruction* means any structure, growth, or other object, including a mobile object, which exceeds a limiting height set forth in [section 15-129](#) of this article.

*Precision instrument runway or heliport* means a runway or heliport having an instrument approach procedure utilizing an instrument landing system (ILS) or a precision approach radar (PAR). Also, a runway or heliport for which a precision approach system is planned and is so indicated on an approved airport layout plan or any other planning document.

*Primary surface* means a surface longitudinally centered on a runway. When the runway has a specially prepared hard surface, the primary surface extends 200 feet beyond each end of that runway; when the runway has no specially prepared hard surface or planned hard surface, the primary surface ends at each end of that runway. The width of the primary surface is set forth in [section 15-128](#) of this article. The elevation of any point on the primary surface is the same as the elevation of the nearest point on the runway centerline. For helicopters, the area of the primary surface coincides in size and shape with the designated takeoff and landing area of a heliport. This surface is a horizontal plane at the elevation of the established heliport elevation.

*Runway* means a defined area on the airport prepared for landing and takeoff of aircraft along its length.

*Seaway* means a defined area on the airport specially designed for landing and takeoff of aircraft equipped with flotation devices for operations on water. For purposes of this article, all imaginary surfaces and zones are calculated as though the seaway were a utility runway.

*Structure* means an object, including a mobile object, constructed or installed by man, including but without limitation, buildings, towers, smokestacks, earth formations, and overhead transmission lines.

*Transitional surfaces* means, for aircraft, surfaces which extend outward at 90-degree angles to the runway centerline and the runway centerline extended at a slope of seven feet horizontally for each foot vertically from the sides of the primary and approach surfaces to where they intersect the horizontal and conical surfaces. Transitional surfaces, for those portions of the precision approach surfaces which project through and beyond the limits of the conical surface, extend a distance of 5,000 feet measured horizontally from the edge of the approach surface and at 90 degrees to the extended runway centerline. For helicopters, these surfaces extend outward and upward from the

lateral boundaries of the heliport primary surface and up from the approach surfaces at a slope of 2 to 1 for a distance of 250 feet, measured horizontally from the centerline of the primary and approach surfaces.

*Tree* means any object of natural growth.

*Utility runway* means a runway that is constructed for and intended to be used by propeller-driven aircraft of 12,500 pounds maximum gross weight and less.

*Visual runway* means a runway intended solely for the operation of aircraft using visual approach procedures.

(Code 1969, § 2½-22)

**Cross reference**— *Definitions and rules of construction generally, § 1-2.*

## Sec. 15-128. - Zones—Types.

In order to carry out the provisions of this article, there are hereby created and established certain zones which include all of the land lying within the approach zones, transitional zones, horizontal zones, and conical zones as they apply to the Harry P. Williams Memorial Airport. Such zones are shown on the Harry P. Williams Memorial Airport Hazard Zoning Map consisting of one sheet, prepared by Dawson Engineers, Inc., and dated March, 1982. An area located in more than one of the following zones is considered to be only in the zone with the more restrictive height limitation. The various zones are hereby established and defined as follows:

- (1) *Utility runway visual approach zone.* The inner edge of this approach zone coincides with the width of the primary surface and is 250 feet wide. The approach zone extends outward uniformly to a width of 1,250 feet at a horizontal distance of 5,000 feet from the primary surface. Its centerline is the continuation of the centerline of the runway.
- (2) *Utility runway nonprecision instrument approach zone.* The inner edge of this approach zone coincides with the width of the primary surface and is 500 feet wide. The approach zone expands outward uniformly to a width of 2,000 feet at a horizontal distance of 5,000 feet from the primary surface. Its centerline is the continuation of the centerline of the runway.
- (3) *Runway larger than utility visual approach zone.* The inner edge of this approach zone coincides with the width of the primary surface and is 500 feet wide. The approach zone expands outward uniformly to a width of 1,500 feet at a horizontal distance of 5,000 feet from the primary surface. Its centerline is the continuation of the centerline of the runway.
- (4) *Runway larger than utility with a visibility minimum greater than three-quarter-mile nonprecision instrument approach zone.* The inner edge of this approach zone coincides with the width of the primary surface and is 500 feet wide. The approach zone expands outward uniformly to a width of 3,500 feet at a horizontal distance of 10,000 feet from the primary surface, its centerline being the continuation of the centerline of the runway.
- (5) *Runway larger than utility with a visibility minimum as low as three-quarter-mile nonprecision instrument approach zone.* The inner edge of this approach zone coincides with the width of the primary surface and is 1,000 feet wide. The approach zone expands outward uniformly to a width of 4,000 feet at a horizontal distance of 10,000 feet from the primary surface. Its centerline is the continuation of the centerline of the runway.
- (6) *Transitional zones.* For aircraft, these zones are hereby established as the areas beneath the transitional surfaces. For helicopters, these zones extend outward from the sides of the primary surface and the heliport approach zones a horizontal distance of 250 feet from the primary surface centerline and the heliport approach zone centerline.
- (7) *Horizontal zone.* The horizontal zone is hereby established by swinging arcs of 5,000 feet radii for the seaway and 10,000 feet for the runway 5/23 from the center of each end of the primary surface of each runway and connecting the adjacent arcs by drawing lines tangent to those arcs. The horizontal zone does not include the approach and transitional zones.
- (8) *Conical zone.* The conical zone is hereby established as the area that commences at the periphery of the horizontal zone and extends outward therefrom a horizontal distance of 4,000 feet. The conical

zone does not include the precision instrument approach zones and the transitional zones.

- (9) *Heliport approach zone.* The approach zone begins at each end of the heliport primary surface with the same width as the primary surface and extends outward and upward for a horizontal distance of 4,000 feet where its width is 500 feet. The slope of the approach surface is 8 to 1 for civil heliports.
- (10) *Precision instrument runway approach zone.* The inner edge of this approach zone coincides with the width of the primary surface and is 1,000 feet wide. The approach zone expands outward uniformly to a width of 16,000 feet at a horizontal distance of 50,000 feet from the primary surface. Its centerline is the continuation of the centerline of the runway.

(Code 1969, § 2½-23)

## Sec. 15-129. - Same—Height limitations.

Except as otherwise provided in this article, no structure shall be erected, altered, or be maintained, and no tree shall be allowed to grow in any zone created by this article to a height in excess of the applicable height limit established in this section for each of the zones in question, as follows:

- (1) *Utility runway visual approach zone.* Slopes 20 feet outward for each foot upward beginning at the end of and at the same elevation as the primary surface and extending to a horizontal distance of 5,000 feet along the extended runway centerline.
- (2) *Utility runway nonprecision instrument approach zone.* Slopes 20 feet outward for each foot upward beginning at the end of and at the same elevation as the primary surface and extending to a horizontal distance of 5,000 feet along the extended runway centerline. For purposes of this article, both ends of the seaway are covered by this criteria.
- (3) *Runway larger than utility visual approach zone.* Slopes 20 feet outward for each foot upward beginning at the end of and at the same elevation as the primary surface and extending to a horizontal distance of 5,000 feet along the extended runway centerline.
- (4) *Runway larger than utility with a visibility minimum greater than three-quarter-mile nonprecision instrument approach zone.* Slopes upward 34 feet outward for each foot upward beginning at the end of and at the same elevation as the primary surface and extending to a horizontal distance of 10,000 feet along the extended runway centerline.
- (5) *Heliport approach zone.* The inner edge of this approach zone coincides with the width of the primary surface and is 300 feet wide. The approach zone extends outward uniformly to a width of 500 feet at a horizontal distance of 4,000 feet from the primary surface.
- (6) *Runway larger than utility with a visibility minimum as low as three-quarter-mile nonprecision instrument approach zone.* Slopes 34 feet outward for each foot upward beginning at the end of and at the same elevation as the primary surface and extending to a horizontal distance of 10,000 feet along the extended runway centerline.
- (7) *Heliport approach zone.* Slopes eight feet outward for each foot upward beginning at the end of and at the same elevation as the primary surface and extending to a distance of 4,000 feet along the heliport approach zone centerline.
- (8) *Transitional 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 the airport elevation, which is nine feet above mean sea level. 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.
- (9) *Heliport transitional zones.* Slopes two feet outward for each foot upward beginning at the sides of and at the same elevation as the primary surface and the heliport approach zones and extending a distance of 250 feet measured horizontally from and at 90-degree angles to the primary surface centerline and heliport approach zones centerline.
- (10) *Horizontal zone.* 150 feet above the airport elevation or a height of 159 feet above mean sea level.
- (11) *Conical zone.* Slopes 20 feet outward for each foot upward beginning at the periphery of the horizontal zone and at 150 feet above the airport elevation and extending to a height of 350 feet above the airport

elevation.

- (12) *Excepted height limitations.* Nothing in this article shall be construed as prohibiting the construction or maintenance of any structure or growth of any tree to a height up to 50 feet above the surface of the land.
- (13) *Approach zone precision instrument runway.* The inner edge of this approach zone coincides with the width of the primary surface and is 1,000 feet wide. The approach zone expands outward uniformly to a width of 16,000 feet at a horizontal distance of 50,000 feet from the primary surface. Its centerline is the continuation of the centerline of the runway.

Where an area is covered by more than one height limitation, the more restrictive limitation shall prevail.

(Code 1969, § 2½-24)

### Sec. 15-130. - Use restrictions.

Notwithstanding any other provisions of this article, no use may be made of land or water within any zone established by this article in such a manner as to create electrical interference with navigational signals or radio communications between the airport and aircraft, make it difficult for pilots to distinguish between airport lights and others, result in glare in the eyes of pilots using the airport, impair visibility in the vicinity of the airport, create bird strike hazards, or otherwise in any way create a hazard or endanger or interfere with the landing, takeoff or maneuvering of aircraft intending to use the airport.

(Code 1969, § 2½-25)

### Sec. 15-131. - Nonconforming uses.

- (a) *Regulations not retroactive.* The regulations prescribed by this article shall not be construed to require the unreasonable removal, lowering, or other changes or alteration of any structure or tree not conforming to the regulations as of the effective date of this article, or otherwise interfere with the continuance of a nonconforming use. Nothing contained in this article shall require any unreasonable change in the construction, alteration, or intended use of any structure, the construction or alteration of which was begun prior to the effective date of this article and was diligently prosecuted.
- (b) *Marking and lighting.* Notwithstanding the preceding provisions of this section, the owner of any existing nonconforming structure or tree is hereby required to permit the installation, operation, and maintenance thereon of such markers and lights as shall be deemed necessary by the assistant secretary, office of aviation, department of transportation and development to indicate to the operators of aircraft in the vicinity of the airport the presence of such airport hazards. Such markers and lights shall be installed, operated, and maintained at the expense of the state department of transportation and development.

(Code 1969, § 2½-26)

### Sec. 15-132. - Permits.

- (a) *Future uses.* Except as specifically provided in subsections (1), (2) and (3) of this section, no material change shall be made in the use of land, and no structure or tree shall be erected, altered, planted, or otherwise established in any zone hereby created unless a permit therefor shall have been applied for and granted. Each application for a permit shall indicate the purpose for which the permit is desired, with sufficient particularity to permit it to be determined whether the resulting use, structure, or tree would conform to the regulations prescribed in this section. If such determination is in the affirmative, the permit shall be granted. No permit for a use inconsistent with the provisions of this article shall be granted unless a variance has been approved in accordance with subsection (d) of this section.
- (1) In the area lying within the limits of the horizontal zone and conical zone, no permit shall be required for a tree or structure of less than 75 feet of vertical height above the ground, except when, because of terrain, land contour, or topographic features, such tree or structure would extend above the height limits prescribed for such zones.
- (2) In areas lying within the limits of the approach zones, but at a horizontal distance of not less than 4,200 feet from each end of the runway, no permit shall be required for any tree or structure less than 75 feet

of vertical height above the ground, except when, because of terrain, land contour, or topographic features, such tree or structure would extend above the height limits prescribed for such zones.

- (3) In the areas lying within the limits of the transition zone beyond the perimeter of the horizontal zone, no permit shall be required for any tree or structure less than 75 feet of vertical height above the ground, except when, because of terrain, land contour, or topographic features, such tree or structure would extend above the height limits prescribed for such zones.

Nothing contained in any of the exceptions of this section shall be construed as permitting or intending to permit any construction or alteration of any structure or growth of any tree in excess of any height limits established by this section except as set forth in [section 15-129\(l\)](#).

- (b) *Existing uses.* No permit shall be granted that would allow the establishment or creation of an airport hazard or permit a nonconforming use, structure, or tree to become a greater hazard to air navigation than it was on the effective date of this article or any amendments thereto or than it is when the application for a permit is made. Except as indicated, all applications for such a permit shall be granted.
- (c) *Nonconforming uses abandoned or destroyed.* Whenever the assistant secretary, office of aviation, department of transportation and development advises the parish council that it has been determined that a nonconforming tree or structure has been abandoned or more than 80 percent torn down, physically deteriorated, or decayed, no permit shall be granted that would allow such structure or tree to exceed the applicable height limit or otherwise deviate from the zoning regulations.
- (d) *Variances.* Any person desiring to erect or increase the height of any structure, permit the growth of any tree, or use his property not in accordance with the regulations prescribed in this article, may apply to the board of appeal for a variance from such regulations. The application for a variance shall be accompanied by a determination from the Federal Aviation Administration as to the effect of the proposal upon the operation of air navigation facilities and the safe, efficient use of navigable airspace. Such variances shall be allowed where it is duly found that a literal application or enforcement of the regulations would result in unnecessary hardship and relief granted would not be contrary to the public interest, would not create a hazard to air navigation, but will do substantial justice and be in accordance with the spirit of this article. Additionally, no application for variance from the requirements of this article may be considered by the board of appeal unless a copy of the application has been furnished to the assistant secretary, office of aviation, department of transportation and development for advice as to the aeronautical effects of the variance. If the assistant secretary does not respond to the application within 15 days after receipt, the board of appeal may act on its own to grant or deny such application.
- (e) *Obstruction marking and lighting.* Any permit or variance granted may, if such action is deemed advisable to effectuate the purpose of this article and be responsible in the circumstances, be so conditional as to require the owner of the structure or tree in question to install, operate, and maintain, at the owner's expense, such markings and lights as may be necessary. If deemed proper by the board of appeal, this condition may be modified to require the owner to permit the state department of transportation at its own expense, to install, operate, and maintain the necessary markings and lights.

(Code 1969, § 2½-27)

### Sec. 15-133. - Enforcement.

- (a) It shall be the duty of the parish council to administer and enforce the regulations prescribed in this article. Applications for permits and variances shall be made to the secretary-treasurer upon a form furnished by the council.
- (b) Applications required by this article to be submitted to the parish council shall be promptly considered and granted or denied by them. Applications for actions by the board of appeal shall be forthwith transmitted by the secretary-treasurer upon the discretion of the council.

(Code 1969, § 2½-28)

### Sec. 15-134. - Board of appeal.

- (a) *Creation, powers.* There is hereby created a board of appeal to have and exercise the following powers:
- (1) Hear and decide appeals from any order, requirement, decision, or determination made by the parish

- council in the enforcement of this article;
- (2) Hear and decide special exceptions to the terms of this article upon which such board of appeal under such regulations may be required to pass;
  - (3) Hear and decide specific variances.
- (b) *Members, terms.* The board of appeal shall consist of five members appointed by the president of the parish council and each shall serve for a term of three years and until his successor is duly appointed and qualified. Of the members first appointed, two shall be appointed for a term of three years, two for a term of two years, and one for a term of one year. Members shall be removable by the appointing authority for cause, upon written charges, after a public hearing.
  - (c) *Rules, meetings.* The board of appeal shall adopt rules for its governance and in harmony with the provisions of this article. Meetings of the board of appeal shall be held at the call of the chairperson and at such other times as the board of appeal may determine.
  - (d) *Hearing procedures, minutes.* The chairperson, or in the absence of the chairperson, the acting chairperson may administer oaths and compel the attendance of witnesses. All hearings of the board of appeal shall be public. The board of appeal shall keep minutes of its proceedings showing the vote of each member upon each question; or if absent or failing to vote, indicating such fact, and shall keep records of its examinations and other official actions, all of which shall immediately be filed in the office of the secretary-treasurer and on due cause shown.
  - (e) *Findings of fact and conclusions.* The board of appeal shall make written findings of facts and conclusions from such facts in reversing, affirming, or modifying any order, requirement, decision, or determination which comes before it, under the provisions of this article.
  - (f) *Voting.* The concurring vote of a majority of the members of the board of appeal shall be sufficient to reverse any order, requirement, decision, or determination of the council to decide in favor of the applicant on any matter upon which it is required to pass under this article, or to effect variation to this article.

(Code 1969, § 2½-29)

### Sec. 15-135. - Appeals.

- (a) Any person aggrieved or any taxpayer affected by any decision of the parish council made in their administration of this article may appeal to the board of appeal.
- (b) All appeals pursuant to the provisions of this article must be taken within a reasonable time, as provided by the rules of the board of appeal, by filing with the secretary-treasurer a notice of appeal specifying the grounds thereof. The secretary-treasurer shall forthwith transmit to the board of appeal all the papers constituting the record upon which the action appealed from was taken.
- (c) An appeal shall stay all proceedings in the furtherance of the action appealed from unless the president of the parish council certifies to the board of appeal, after the notice of appeal has been filed with it, that by reason of the facts stated in the certificate a stay would, in the president's opinion, cause imminent peril to life or property. In such a case, proceedings shall not be stayed except by order of the board of appeal on notice to the president, and on due cause shown.
- (d) The board of appeal shall fix a reasonable time for hearing appeals, give public notice and due notice to the parties in interest, and decide the appeal within a reasonable time. Upon the hearing, any party may appear in person, by agent, or by attorney.
- (e) The board of appeal may, in conformity with the provisions of this article, reverse or affirm, in whole or in part, or modify the order, requirement, decision, or determination as may be appropriate under the circumstances.

(Code 1969, § 2½-30)

### Sec. 15-136. - Judicial review.

Any person aggrieved, or any taxpayer affected by any decision of the board of appeal, may appeal to the district court of the parish having jurisdiction as provided in section 8 of Act 118 of the Public Laws of the state enacted by the 1944 session of the legislature.

(Code 1969, § 2½-31)

### Sec. 15-137. - Adoption and amendments.

- (a) No airport zoning regulations shall be adopted, amended, or changed under this article except by action of the parish council, after a public hearing in relation thereto, at which parties of interest and citizens shall have an opportunity to be heard. Thirty days' notice of the hearing date, time, and place shall be published in the official journal of the parish.
- (b) Such airport zoning regulations adopted by the parish council after such public hearing is held shall have the consent and approval of the state department of transportation and development, as provided for in the Louisiana Revised Statutes 2:139 of 1936. Any changes or amendments to the Harry P. Williams Memorial Airport Hazard Zoning Ordinance shall have the consent and approval of the state department of transportation and development prior to adoption by the council.

*(Code 1969, § 2½-33)*

### Sec. 15-138. - Penalty for violation of this article.

Each violation of this article or of any regulation, order, or ruling promulgated in this article shall constitute a misdemeanor and be punishable by a fine of not more than \$100.00 or imprisonment for not more than 90 days, or both. Each day a violation continues to exist shall constitute a separate offense.

*(Code 1969, § 2½-32)*

### Secs. 15-139, 15-140. - Reserved.

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#### FOOTNOTE(S):

<sup>(39)</sup> **State Law reference**— *Aeronautics, R.S. 2:1 et seq.; authority to operate airports, R.S. 33:4622; airplanes, R.S. 45:1 et seq.* [\(Back\)](#)

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**DIVISION 4. - DEVELOPMENT STANDARDS**

- [Sec. 15-181. - Residential district standards.](#)
- [Sec. 15-182. - Non-residential district standards.](#)
- [Sec. 15-183. - Additional standards.](#)
- [Secs. 15-184—15-190. - Reserved.](#)

**Sec. 15-181. - Residential district standards.**

A. *Dimensional standards.* The following table illustrates the dimensional standards that apply to the residential districts:

Standard	Residential Districts				
	Agriculture	Single-family	High Density Residential	Mixed Residential	Manufactured Homes
<b>Lot Dimensions (per DU)</b>					
Lot Area, Minimum	One-half Acre	6,000 SF	2,420 SF	5,000 SF*	5,000
Lot Width, Minimum	100 feet	60 feet	—	50 feet	50
Lot Width, Corner	100 feet	70 feet	—	60 feet	60
Lot Depth, Minimum	200 feet	100 feet	—	100 feet	100
<b>Yards, Minimum</b>					
Front Yard	40 feet	25 feet	25 feet	15 feet	15 feet
Rear Yard	25 feet	10 feet	15 feet	5 feet	5 feet
Side Yard	10 feet	5 feet	10 feet	5 feet	5 feet
Side Yard, Interior	—	—	0 feet	—	—
End Unit	—	—	10 feet	—	—
Corner Side Yard	20 feet	10 feet	20 feet	10 feet	10 feet
<b>Height, Maximum</b>					
Stories	2.5 stories	2.5 stories	3 stories	2.5 stories	2.5 stories
Distance	35 feet	35 feet	45 feet	35 feet	35 feet

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\*The minimum lot area of 2,450 square feet applies to multiple family units. The minimum lot area for all other dwelling types shall be consistent with their respective districts.

DU = Dwelling unit

SF = Square feet

B. *Lot dimensions.* No building permit or development approval may be issued for a lot that does not meet the minimum lot area requirements as shown in the table above, except in the case of a nonconforming lot in accordance with section 15-215, nonconforming lots.

C. *Required yards.*

(1) The depth of the required front and rear yards are determined by measuring along the side lot lines, beginning at the respective front and rear lot lines and extending to the required minimum distances. The depth of the required side and corner yards are determined by measuring along the front and rear yards, beginning at the respective side and corner lot lines and extending to the required minimum distances.

(2) Except as otherwise provided in these regulations, a building must not be erected, established, altered, converted, or relocated so as to be located or extend within the required front, side, corner or rear yard.

(3) In applying these zoning regulations, the front yard of a corner lot may be parallel to either street upon which the lot abuts provided all minimum lot dimensions and setbacks are maintained.

(4) On lots having double frontage, the required front yard shall be provided on both streets.

(5) Every part of a required front yard must be open and unobstructed of structures from ground level of the graded lot to the sky, except as follows:

- a. Trees, shrubbery and other landscape materials.
- b. Driveways in front and corner yards.
- c. Sidewalks in any required yard.
- d. Uncovered porches and steps to building entrances and uncovered decks and balconies extending up to six feet into any required yard setback.
- e. Sills, belt courses, cornices, buttresses, chimneys, flues, eaves and other architectural features may extend up to two feet into any required yard.
- f. Accessory structures that do not require a building permit.

D. *Side yard setback reductions.* Where the front, interior side and rear setbacks of the zoning district reduce the buildable width of a corner lot to less than 40 feet, the zoning administrator shall be authorized to reduce the required front setback on the longer street side as much as necessary to increase the buildable width to 40 feet. In the event the street sides of such lot are of equal length, the reduction shall be made on the side which lies on the shorter side of the block.

E. *Height.* Unless otherwise expressly stated, the height limitations of these regulations shall not apply to any of the following:

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- (1) Electrical power transmission lines;
- (2) Flagpoles, belfries, cupolas, spires, domes, monuments, chimneys, radio/television receiving antennas or chimney flues; or
- (3) Bulkhead, elevator, water tank, or any other similar structure or necessary mechanical appurtenance extending above the roof of any building where such structure does not occupy more than 33 percent of the area of the roof.
- (4) Sports lighting facilities owned by or under the control of a governmental entity and utility poles and towers owned by a utility and used for the transmission and distribution of electricity may be erected to any height in any zoning district, unless prohibited by airport height hazard zoning regulations (refer to Chapter 15, Planning and Zoning, of the St. Mary Parish Code).

F. *Accessory structures.* The following requirements apply to all development in single-family and mixed residential zoned districts.

- (1) Garages and carports require a minimum rear setback of ten feet. A minimum side street setback of ten feet is required for garages or carports that face onto side streets.
- (2) Accessory buildings or structures for living quarters.
  - a. Accessory buildings or structures used for living quarters for family or servants must meet the minimum rear setback for the district in which the accessory building or structure is located.
  - b. The maximum size shall not exceed 600 square feet in size.
- (3) All other accessory buildings and structures:
  - a. Accessory buildings, structures or uses other than garages, carports and living quarters for family or servants require a minimum rear setback of five feet, a maximum building eave height of ten feet on accessory building structures on lots under a 100-foot wide or less and 16 feet for lots over 100 feet wide is allowed;
  - b. The total coverage of the accessory building(s) and living quarters shall not occupy more than 50 percent of the required rear yard.

G. *Manufactured homes.*

- (1) Each manufactured home, within 90 days of issuance of a building permit, shall have permanent skirting around its perimeter to screen its wheels and undercarriage from view. All skirting materials shall be of durable quality, shall be compatible in appearance with the home, and shall allow for adequate ventilation and drainage.
- (2) The average height of a manufactured home frame above ground elevation, measured at 90° to the frame, shall not exceed four feet from the top of the foundation pad, except for purposes of flood damage prevention subject to Chapter 9, Flood Damage Prevention, of the St. Mary Parish Code.
- (3) All manufactured homes shall be served with sanitary sewer, water, and electrical power.

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(4) All manufactured homes shall be provided with a foundation pad, subject to Chapter 12, Mobile Homes and Mobile Home Parks, of the St. Mary Parish Code.

(5) Each residential dwelling unit is hereby required to have a garage or some enclosed, lockable area for outdoor storage of lawn equipment, bicycles, and other storage items. Such garage or enclosed storage area shall be permanently affixed to the land. The minimum floor space for a storage area which is not designed to enclose or house an automobile shall be 80 square feet.

(6A) A greenbelt or landscape buffer of not less than ten feet in width and a minimum of six feet in height shall be located along all manufactured home park boundary lines. Such greenbelt/buffer shall provide natural screening and shall be continuously maintained and shall be devoted exclusively for common open space and landscaping.

OR

(6B) A solid fence of wood, masonry, plastic, fiberglass, or metal construction, at least six feet in height and not more than ten feet in height and of a uniform size, shall be constructed along the boundaries of a manufactured home park. All fencing material shall be constructed of wood, brick, stone, split-face concrete block, PVC plastic, fiberglass, decorative metal, or similar material that is commonly used, marketed and sold for such purposes. In no instance shall plain material including but not limited to concrete block, fiberglass, wood, or metal sheeting be allowed.

H. *Conservation district.* Uses within the conservation "CN" district shall comply with all state and federal requirements, as applicable, including proper permits and licenses, and shall otherwise at a minimum comply with the standards and provisions of agriculture residential district pertaining to lot dimensions, minimum yards, maximum height and other provisions of these zoning regulations.

(Ord. No. 1738, § 4.1, 9-13-06; Ord. No. 1872, Exh. C, 6-23-10)

**Sec. 15-182. - Non-residential district standards.**

A. *Dimensional standards.* The following table illustrates the dimensional standards that apply to the non-residential districts:

Standard	Nonresidential Districts				
	Neighborhood Commercial	General Commercial	Highway Commercial	Light Industrial	Heavy Industrial
Lot Dimensions (per DU)					
Lot Area, Min.	7,500 SF	9,000 SF	10,000 SF	20,000 SF	20,000 SF
Lot Width, Min.	75 feet	75 feet	80 feet	100 feet	100 feet
Lot Width, Cor.	85 feet	85 feet	90 feet	110 feet	110 feet
Lot Depth, Min.	100 feet	100 feet	125 feet	200 feet	200 feet
Yards, Minimum					
Front Yard	30 feet	30 feet	50 feet	30 feet	30 feet

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Rear Yard	15 feet	20 feet	25 feet	20 feet	25 feet
Side Yard	10 feet	15 feet	15 feet	15 feet	15 feet
Corner Yard	15 feet	20 feet	20 feet	20 feet	20 feet
Height, Maximum					
In Feet	35 feet	35 feet	35 feet	50 feet	60 feet
Bldg Coverage, Max.					
Percentage	50%	75%	75%	75%	80%

SF = Square Feet

% = Percent

B. *Lot dimensions.* No building permit or development approval may be issued for a lot that does not meet the minimum lot area requirements as shown in the table above, except in the case of a nonconforming lot in accordance with section 7.5, nonconforming lots.

C. *Required yards.*

(1) No part of a yard required in connection with any building, lot, or use for the purpose of complying with these regulations shall be included for any other building, lot or use as part of a yard.

(2) The depth of the required front and rear yards are determined by measuring along the side lot lines, beginning at the respective front and rear lot lines and extending to the required minimum distances. The depth of the required side and corner yards are determined by measuring along the front and rear yards, beginning at the respective side and corner lot lines and extending to the required minimum distances.

(3) Except as otherwise provided in these regulations, a building must not be erected, established, altered, converted, or relocated so as to be located or extend within the required front, side, corner or rear yard.

(4) In applying these zoning regulations, the front yard of a corner lot may be parallel to either street upon which the lot abuts provided all minimum lot dimensions and setbacks are maintained.

(5) On lots having double frontage, the required front yard shall be provided on both streets.

(6) Off-street parking facilities may be located within the required front yard of any nonresidential establishment in a nonresidential district, but shall conform to the height and area regulations and development standards of the applicable district.

(7) Every part of a required front yard must be open and unobstructed of structures from ground level of the graded lot to the sky, except as follows:

- a. Trees, shrubbery and other landscape materials.
- b. Fences and walls.
- c. Driveways in front and corner yards.

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- d. Sidewalks in any required yard.
- e. Mechanical equipment such as air conditioning units and similar equipment.
- f. Uncovered porches and steps to building entrances and uncovered decks and balconies extending up to six feet into any required yard setback.
- g. Sills, belt courses, cornices, buttresses, chimneys, flues, eaves and other architectural features may extend up to two feet into any required yard.
- h. Accessory structures that do not require a building permit.

D. *Side yard setback reductions.* Where the front, interior side and rear setbacks of the underlying zoning district reduce the buildable width of a corner lot to less than 40 feet, the zoning administrator shall be authorized to reduce the required front setback on the longer street side as much as necessary to increase the buildable width to 40 feet. In the event the street sides of such lot are of equal length, the reduction shall be made on the side which lies on the shorter side of the block.

E. *Height.* Unless otherwise expressly stated, the height limitations of these regulations shall not apply to any of the following:

- (1) Electrical power transmission lines;
- (2) Flagpoles, belfries, cupolas, spires, domes, monuments, chimneys, radio/television receiving antennas or chimney flues; or
- (3) Bulkhead, elevator, water tank, or any other similar structure or necessary mechanical appurtenance extending above the roof of any building where such structure does not occupy more than 33 percent of the area of the roof.
- (4) Sports lighting facilities owned by or under the control of a governmental entity and utility poles and towers owned by a utility and used for the transmission and distribution of electricity may be erected to any height in any zoning district, unless prohibited by airport height hazard zoning regulations (refer to Chapter 15, Planning and Zoning, of the St. Mary Parish Code).

F. *Maximum building coverage.* The portion of a site covered by principal and accessory buildings and structures, as measured from the outside of the building or structure at ground level, shall not exceed the percentage of the net lot area shown above in the dimensional standard table for non-residential uses for the district in which the use is located.

G. *Performance standards.*

- (1) Artificial lighting used to illuminate the premises and/or signage shall be directed away from adjacent or nearby residential properties.
- (2) Materials and equipment not offered for sale or rent may be stored outside if they are within an area that is 100 percent screened on all sides from public view.
- (3) Customary passenger vehicles, trailers, recreational vehicles, motor vehicles and other motorized machinery and equipment for sale or lease may be displayed on an unlimited basis outside a building on a display area or lot, provided that the display area shall not be placed within a required parking/paving setback area and shall not reduce the capacity of a parking lot below

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that required by these regulations for the use.

(4) Non-residential development shall provide an opaque screen fence or wall of wood or masonry construction not less than six feet in height along all rear and side property lines that are common to residentially zoned property. Screening shall not be required where similar screening exists on the abutting residential property.

(5) All uses and activities permitted in this district shall conform to the environmental standards of noise, vibration, smoke emissions, odors, toxic or noxious matter, nuclear radiation, electromagnetic radiation and interference, and heat or glare, provided in section 15-183 C., environmental performance standards.

(Ord. No. 1738, § 4.2, 9-13-06)

**Sec. 15-183. - Additional standards.**

A. *Site distance requirements.* Within the triangular area formed by the right-of-way lines of intersecting streets and a line connecting points 25 feet on either side of such intersecting rights-of-way, including triangles formed from centerlines of driveways, there shall be clear space and no obstruction to vision. Fences, walls, plantings and signs shall be restricted to a height of 30 inches or less above the average grade of each street as measured at the centerlines of the streets.

B. *Compatibility standards.* Compatibility standards are intended to preserve and protect low density residential uses and neighborhoods by ensuring that new development and redevelopment is compatible with the character of the area in which it is located. The compatibility standards apply to all high density "HR" and mixed "MR" residential and non-residential developments when it occurs on a lot within 150 feet of the lot line of any residential property or across the street from or adjacent to a lot containing a single-family or two-family dwelling.

1. *Building setback and height standards* - The following building setback and height standards shall apply to development that is subject to the compatibility standards of this section:

a. *Building setbacks* - On a site with 60 feet of lot width or less, no structure shall be within 20 feet of the lot line of residential property that contains a single-family or two-family dwelling. On a site with more than 60 feet of lot width, the minimum setback from the lot line of property that is zoned residential or that contains a single-family or two-family dwelling shall be 20 feet, plus two additional feet of setback for each ten additional feet of lot width, or fraction thereof (beyond 60 feet). This section shall not be interpreted as requiring a setback of more than 30 feet.

b. *Parking and driveway setbacks* - No off-street parking area or driveway shall be located within 20 feet of the lot line of residentially zoned property or that contains a single-family or two-family dwelling unless the parking and driveway are located on a site that is equal to or less than 120 feet in width. Minimum parking and driveway setbacks for sites with equal to or less than 120 feet of width shall be as follows:

0 to 60	6 feet
More than 60 to 70	8 feet
More than 70 to 80	10 feet
More than 80 to 90	12 feet

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More than 90 to 100	14 feet
More than 100 to 110	16 feet
More than 110 to 120	18 feet
More than 120	20 feet

c. *Building height* - No structure shall exceed 35 feet in height within 50 feet of the lot line of residentially zoned property or that contains a single-family or two-family dwelling. No structure shall exceed 40 feet in height within 75 feet of residentially zoned property or that contains a single-family or two-family dwelling. Structures located over 75 feet from residentially zoned property or that contains a single-family or two-family dwelling, may increase in height, if permitted by applicable district regulations, at a ratio of one foot in height for each five feet of setback. For example, a building limited to 40 feet in height at 75 feet from residentially zoned property may be increased to a height of 60 feet at a point that is 175 feet from the residentially zoned property.

2. *Buffer and screening requirements* - Non-residential and multiple family residential development, including off-street parking areas associated with such development, shall be screened from view of adjacent single-family and two-family dwellings and residentially zoned property. Such visual screening shall be accomplished through the use of a solid fence of wood or masonry construction, including wood, brick, stone, split-face concrete block, or other similar material, at least six feet in height and of a uniform size. In no instance will plain concrete block, fiberglass, or metal sheeting be allowed. Mechanical equipment, outdoor storage areas and refuse collection areas shall be completely shielded from view of adjacent single-family and two-family dwellings, major and minor arterial roadways and residentially zoned property by an opaque fence or wall that is at least one foot taller than the site feature being screened from view, provided this shall not be interpreted as requiring screening fences or walls to be taller than ten feet.

C. *Environmental performance standards.* All uses and activities permitted by these regulations within the unincorporated portion of St. Mary Parish shall conform to the following performance measures and standards, using adequate and appropriate prevention and/or mitigation techniques as necessary:

1. *Noise* - No use shall be permitted that causes serious annoyance to occupants of adjoining premises due to excessive noise.
2. *Vibration* - No use shall be permitted which produces ground vibrations noticeable without instruments at the lot line of the premises on which the use is located.
3. *Smoke emissions* - All uses shall comply with local, state and federal regulations pertaining to the emission of smoke.
4. *Odors* - No use shall be permitted to produce the emission of objectionable or offensive odors in such concentration as to be readily perceptible at any point at or beyond the lot line of the property on which the use is located, subject to applicable state air quality regulations.
5. *Toxic or noxious matter* - No use shall for any period of time discharge across boundaries of a lot line on which it is located, toxic or noxious matter in such concentrations as to be detrimental to or endanger the public health, safety, comfort, or welfare, or cause injury or damage to persons,

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property, or the use of property or land, or render unclean the waters of the state to the extent of being harmful or inimical to public health, animal or aquatic life, or the use of such waters for domestic water supply, recreation, or other legitimate and necessary uses. Disposal of toxic or hazardous waste within the parish is specifically prohibited.

6. *Nuclear radiation* - Any operation involving radiation, i.e. the use of gamma rays, x-rays, alpha and beta particles, high speed electrons, neutrons, protons, and other atomic or nuclear particles, shall be permitted only in accordance with state and federal laws, rules, and regulations, or any other applicable regulation.

7. *Electromagnetic radiation and interference* - No person shall operate or cause to be operated for any purpose a planned or unplanned source of electromagnetic radiation which does not comply with the current regulations of the Federal Communications Commission (FCC) regarding such sources of electromagnetic radiation. No use, activity, or process shall be conducted which produces electromagnetic interference with normal radio or television reception.

8. *Heat or glare* - Any activity producing heat or glare shall be carried on in such a manner that such heat or glare is not perceptible at any lot line. Exposed sources of light, including bare bulbs and tubes and immediately adjacent reflecting surfaces, shall be shielded to avoid creating a nuisance across lot lines. The light intensity from illumination of any kind shall not exceed fifty-foot lamberts at any point along the line of the lot containing the light source.

(Ord. No. 1738, § 4.3, 9-13-06)

**Secs. 15-184—15-190. - Reserved.**