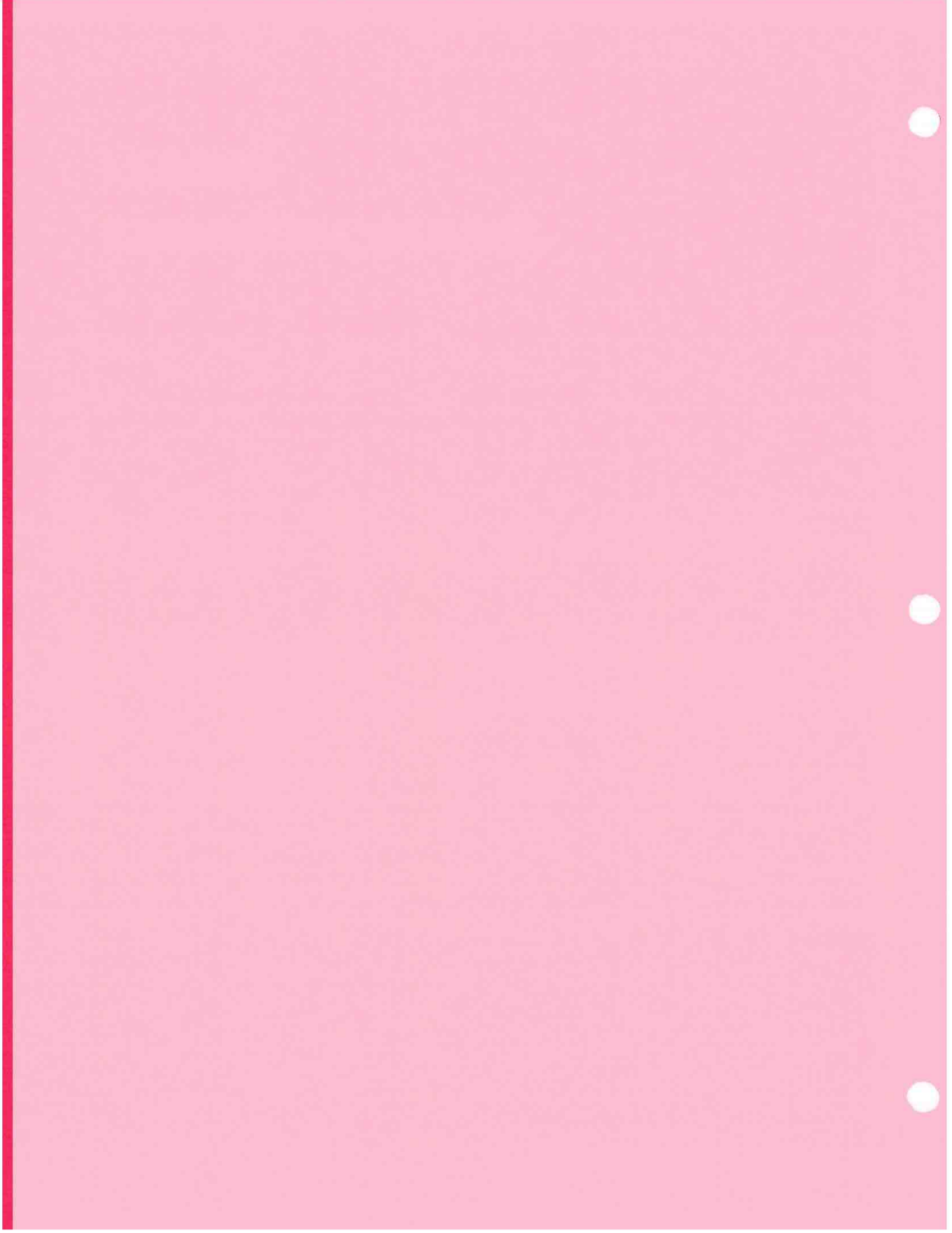
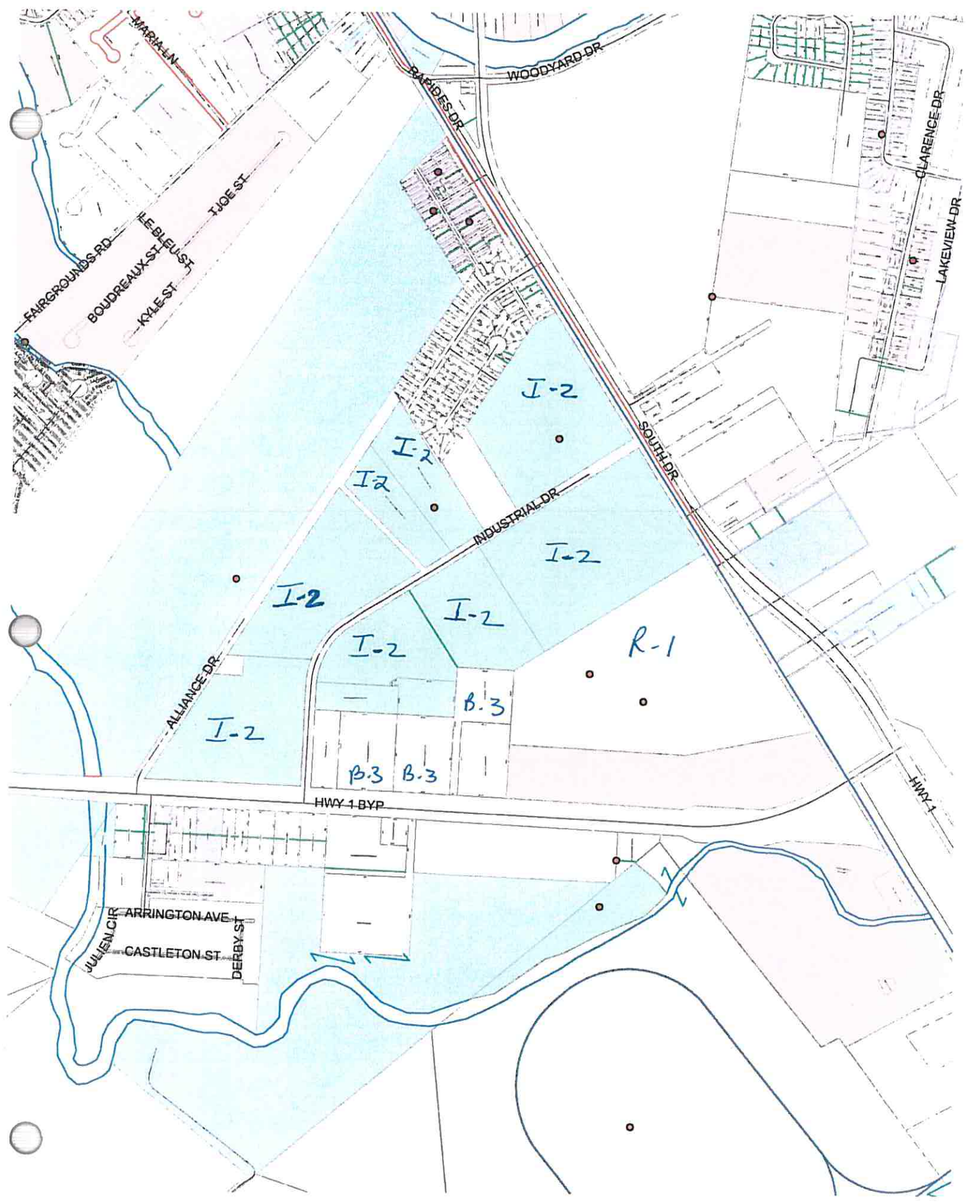


EXHIBIT # 4

ZONING MAP AND ORDINANCE





MARIA LN

FAIRGROUNDS RD

LE BLEU ST

BOUDREAU ST

KYLE ST

TIGE ST

RAPIDES DR

WOODYARD DR

CLARENCE DR

LAKEVIEW DR

SOUTH DR

INDUSTRIAL DR

ALLIANCE DR

HWY 1 BYP

HWY 1

JULIEN CIR

ARRINGTON AVE

CASTLETON ST

DERBY ST

I-2

I-2

I-2

I-2

I-2

I-2

I-2

I-2

B.3

B.3

B.3

R-1



APPENDIX B ZONING REGULATIONS ⁽¹⁾

AMENDED ZONING ORDINANCE

Ordinance No. 1103 of 1974

For the comprehensive regulation, by districts or zones, of the location, height, bulk, number of stories, and size of buildings and other structures, the percentage of the lot which may be occupied, the size of yards, courts, and other open spaces, the density of population, and the uses of buildings, structures, and land for trade, industry, residence, recreation, civic activities, and other purposes. Pursuant to this purpose the said Zoning Ordinance and Zoning Map attached thereto as a part thereof create and divide the affected areas into districts; regulate the use of land, building, and structures, provide for uses by right, uses requiring Planning Commission approval and special exception uses, regulate the erection and alteration of buildings and structures, regulate building site areas and the size of front, rear and side yards, within the said districts; provide for policies, conditions and procedure in connection with planned building groups; establish certain off-street parking and off-street truck loading regulations including minimum required areas, define and regulate nonconforming uses and structures; provide for administration and enforcement including the requiring of permits, licenses, and certificates of occupancy; provide for penalties for violation of the ordinances; establish the Office of Zoning Administration and regulate its powers and duties; and establish an amendment policy and procedure.

Section I. Definitions.

Section II. Districts.

Section III. Supplementary regulations.

Section IV. Planned building groups.

Section V. Off-Street parking and off-street truck loading.

Section VI. Nonconforming uses and structures.

Section VII. Administration and enforcement.

Section VIII. Amendments.

Section IX. Interpretation and validity.

Section X. [Separability].

Section XI. [Repealer].

Section I. Definitions.

For the purpose of this ordinance certain words and phrases used herein are defined as follows:

Accessory Structure. A detached subordinate building located on the same Building Site with the main building, the use of which is incidental to that of the main building.

Accessory Use. A use customarily incidental to the principal use of a Building Site or to a building located upon the same Building Site with the accessory use.

Alley. Any public space or thoroughfare twenty (20) feet or less in width which has been dedicated or deeded for public use.

Alteration. Any structural change in the supporting or load-bearing members of a building, such as bearing walls, columns, beams, or girders.

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APPENDIX B ZONING REGULATIONS

Bed & Breakfast. A building where, for compensation, a room and/or rooms are rented for temporary residential tourist lodging. This use in no way shall allow for the occupancy of a residence by permanent boarders.

Boarding House. A building where, for compensation and by prearrangement, five or more persons other than occasional or transient customers are provided with meals.

Building. Any covered structure intended for the shelter, housing, or enclosure of persons, animals, or chattels; the term "building" shall be construed to include the term "structure".

Building Site. The land area occupied or to be occupied by a building and its accessory buildings and including such open spaces, yards, minimum area, off-street parking facilities and off-street truck loading facilities as are required by this ordinance; every Building Site shall abut upon a street.

Building Site Boundary. Any line separating a Building Site from a street, an alley, another Building Site, or any land not part of the Building Site.

Church. A building, together with its accessory buildings and uses, where persons regularly assemble for religious worship, and which building, together with its accessory buildings and uses, is maintained and controlled by a religious body organized to sustain public worship.

City Commission. The Mayor and Board of Commissioners of the City of Natchitoches, Louisiana.

Clinic, Dental or Medical. A building in which one or more physicians and/or dentists are engaged in carrying on their profession; the clinic may include a dental or medical laboratory but it shall not include in-patient care or operating rooms for major surgery.

Completely Enclosed Structure. A building enclosed by a permanent roof and by solid exterior walls pierced only by windows and customary entrance and exit doors.

Cross [Gross] Floor Area. The sum of the gross horizontal areas of the several floors of a building, including interior balconies and mezzanines; all horizontal dimensions shall be measured between the exterior faces of walls, including the walls of roofed porches having more than one wall. The gross floor area of a building shall include the floor area of accessory buildings on the same Building Site, measured the same way.

Dwelling Unit. One or more rooms in the same structure, connected together and constituting a separate, independent housekeeping unit for permanent residential occupancy and with facilities for sleeping and cooking.

Dwelling, One-family. A detached building containing one dwelling unit and used exclusively by one family.

Dwelling, Town House. Single family attached dwellings on individual lots for sale; served by servitudes of access and providing common open spaces in lieu of typical single family yards.

Dwelling, Two-Family. A detached building containing two dwelling units and used by two families living independently of each other.

Dwelling, Multiple-Family. A detached building containing three or more dwelling units and used by three or more families living independently of each other; the term includes apartment house.

Family. An individual or two or more persons who are related by blood or marriage living together and occupying a single house-keeping unit with single culinary facilities, or a group of not more than four persons living together by joint agreement and occupying a single house-keeping unit with single culinary facilities on a non-profit, cost sharing basis.

Fraternity/Sorority House. A building leased, occupied or maintained by a social association of college students, or where organization-sponsored functions are held.

Home Occupation. An occupation for gain or support conducted only by members of a family residing in a dwelling and conducted entirely within the dwelling, provided that no article is sold or offered

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APPENDIX B ZONING REGULATIONS

for sale except such as may be produced by members of the family residing in the dwelling and further provided that the occupation is incidental to the residential use of the premises and does not utilize more than twenty-five percent (25%) of the floor area of the dwelling. Home occupations shall include, in general, personal services such as are furnished by a physician, dentist, musician, artist, cosmetician, or seamstress when performed by the person occupying the building as his or her private dwelling, and not including the employment of any additional persons in the performance of such services.

Hotel. A building containing guest rooms in which lodging is provided with or without meals for compensation, and which is open to transient or permanent guest, or both, and where no provision is made for cooking in any guest room; the term includes "motel".

Lot of Record. A lot which is part of a subdivision, the plat of which has been recorded in the office of the Clerk of Court and Recorder of Natchitoches Parish, or a lot described by metes and bounds, the description of which has been recorded in the office of the Clerk of Court and Recorder of Natchitoches Parish.

Mobile home. A structure transportable in one or more sections, which in the traveling mode, is eight body feet or more in width or forty body feet or more in length or, when erected on site is 320 or more square feet, and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities and includes the plumbing, heating and air conditioning, and electrical systems contained therein. For purposes of this ordinance, the terms "mobile home," "manufactured home" and "manufactured housing" may be used interchangeable and apply only to structures bearing the permanently affixed seal of the United States Department of Housing and Urban Development.

Mobile home park. Any contiguous parcel of land to be used for the accommodation of mobile homes for rental purposes to either persons owning their own mobile home or for rent by the owner of the mobile home park who rents a mobile home and lot as a unit.

Mobile home lot. A designated parcel of land within a mobile home park designed for the accommodation of one (1) mobile home and its accessory equipment or buildings for the exclusive use of the occupants.

Modular home. Factory-built housing designed for long-term residential use, and which is transported to a site and installed as a permanent structure that is not designed to be moved again after it is installed on its permanent foundation. For the purpose of this ordinance, the term "pre-cut home" (which includes kit, log and dome homes and panelized home) may be used interchangeably.

Nonconforming Structure. A building or part thereof lawfully existing on the effective date of this ordinance and which does not conform to all of the regulations of the district in which it is located.

Nonconforming Use. A use which lawfully occupied a building or land on the effective date of this ordinance and which does not conform to the regulations of the district in which it is located (to the use regulations of the district in which it is located).

Official Map. The map established by the City Commission, showing the streets existing and established as public streets and the lines of planned new streets or street extensions, widenings, narrowings or vacations.

Permitted Structure. A structure meeting all the requirements established by this ordinance for the district in which the structure is located.

Rooming House. A building, other than a hotel, where for compensation and by prearrangement, five or more persons other than occasional or transient customers are provided with lodging.

Street. A public right-of-way which provides vehicular and pedestrian access to adjacent properties.

Street Line. The line or boundary separating the public right-of-way from the land or property adjoining.

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APPENDIX B ZONING REGULATIONS

Structure. Anything constructed or erected which requires location on the ground or attached to something having a location on the ground; provided, however, that utility poles and fences and walls (other than building walls) shall not be considered to be structures.

Yard, Front. An open, unoccupied space on the same Building Site with a main building, extending the full width of the Building Site and situated between the street line and the front line of the building projected to the side lines of the Building Site. The depth of the front yard shall be measured between the front line of the building and the street line.

Yard, Rear. An open, unoccupied space on the same Building Site with a main building, extending the full width of the Building Site and situated between the rear line of the Building Site and the rear line of the building projected to the side lines of the Building Site. The depth of the rear yard shall be measured between the rear line of the Building Site and rear line of the building.

Yard, Side. An open, unoccupied space on the same Building Site with a main building, situated between the side line of the building and the adjacent side line of the Building Site and extending from the rear line of the front yard to the front line of the rear yard; if no front yard is provided, the front boundary of the side yard shall be the front line of the Building Site, and if no rear yard is provided, the rear boundary of the side yard shall be the rear line of the Building Site.

(Ord. No. 64-2001, § 1, 7-9-2001)

Section II. Districts.

A. GENERAL PROVISIONS

1. *Creation of districts.* For the purposes of this ordinance the City of Natchitoches is divided into the following districts:

R-1 Districts: Residence Districts - One-Family

RMH-1 Districts: Residence/Mobile Home Districts - One-Family

R-1.5 Districts: Residence Districts - Town House

R-2 Districts: Residence Districts - Multiple Family

R-3 Districts: Residence Districts - Multiple Family

R-MHP Districts: Mobile Home Park Districts

RED Districts: Residential Estates District

B-1 Districts: Transition Business District

B-2 Districts: Neighborhood Business Districts

B-3 Districts: Community and Central Business Districts

B-A Districts: Businesses Selling Alcoholic Beverages for Consumption on the Premises

B-SOB Districts: Sexually Oriented Business Districts

I-A Districts: Industry-Agriculture Districts

I-1 Districts: Light Industry Districts

I-2 Districts: Heavy Industry Districts

PART II - CODE OF ORDINANCES

APPENDIX B ZONING REGULATIONS

2. *Zoning map.* The zoning districts and the boundaries thereof are shown on the attached Zoning Map of the City of Natchitoches, 1972, which map is hereby made a part of this ordinance.
3. *District boundaries.* Except where specifically shown by dimension or otherwise on the Zoning Map, the boundaries of districts are lot or property lines, the center lines of streets or alleys or such lines extended, railway right-of-way lines, natural boundary lines such as water courses, and the municipal corporate limit lines as they may exist from time to time. Questions concerning the exact location of any district boundary shall be decided by the Planning Commission.
4. *Annexed territory.* All territory annexed to the City of Natchitoches, Louisiana, hereafter shall be classified as "R-1" One-Family Residence District until permanently zoned by the governing body of the City of Natchitoches. The Planning Commission shall as soon as practicable, after annexation of any territory to the City of Natchitoches, institute proceedings on its own motion to give the newly annexed territory a permanent zoning and the procedure to be followed shall be same as is provided by law for the adoption of the original zoning regulations.
5. *Application of regulations.* Except as hereinafter provided:
 - a. No land shall be used or occupied, no structure shall be designed, erected, altered, used, or occupied, and no use shall be operated unless in conformity with the regulations herein prescribed for the district in which such structure or land is located;
 - b. No structure shall be designed, erected, altered, used, or occupied to exceed the height limits herein established, to have less building site area, or to have narrower or smaller front, side, and rear yards than herein prescribed for the district in which the structure is located;
 - c. No part of a yard or other open space required about any structure for the purpose of complying with the provisions of this ordinance shall be included as a part of the yard or other open space similarly required for another structure;
 - d. No Building Site shall be so reduced or diminished that the building site area, yards, or other open spaces shall be smaller than prescribed by this ordinance;
 - e. Every structure, other than an accessory structure, hereafter designed, erected, altered, used, or occupied shall have provided and continuously maintained for it a separate Building Site as herein defined;
 - f. Every use, unless expressly exempted by this ordinance, shall be operated entirely within a completely enclosed structure.

(Ord. No. 64-2001, § 2, 7-9-2001; Ord. No. 71-2003, § 1, 11-10-03)

B. RESIDENTIAL DISTRICTS

INTENTIONALLY REMOVED FOR THIS INDUSTRIAL SITE CERTIFICATION PACKAGE

C. BUSINESS DISTRICTS

INTENTIONALLY REMOVED FOR THIS INDUSTRIAL SITE CERTIFICATION PACKAGE

PART II - CODE OF ORDINANCES

APPENDIX B ZONING REGULATIONS

D. INDUSTRY DISTRICTS

1. *I-A Districts: Industry-Agriculture districts.* These districts are comprised of lands lying within areas set forth on the Master Plan for industrial development. Existing land uses therein are mainly agriculture, livestock raising or vacant, and these regulations are designed to protect the essentially open character of the districts by prohibiting the establishment of uses that are unsuited or unrelated to the district as a whole. It is intended that a subdivision of land within these areas shall be approved and proper zoning action be executed before land uses other than those specified herein shall be permitted.

a. *Permitted uses.* In I-A Districts only the following uses are permitted:

(1) *Uses by right.* The uses listed below are permitted subject to the conditions specified:

Accessory Use

Dwelling, One-Family, intended for use by the owner, members of his family, and employees

Extraction of oil, gas or other natural mineral deposits

Farming and Truck Gardening; need not be enclosed within structure

Golf Course, but not including commercial miniature course or commercial driving range; need not be enclosed within structure

Home Occupation

Livestock and Poultry Raising, including Dairy; need not be enclosed within structure

Name Plate; need not be enclosed within structure

Outdoor General Advertising Structure; need not be enclosed within structure

Park or Playground (public), including Recreation Center; need not be enclosed within structure

(2) *Uses requiring planning commission approval.* The uses listed below are permitted upon approval of the location and site plan thereof by the Planning Commission as being appropriate with regard to transportation and access, water supply, waste disposal, fire and police protection, and other public facilities, as not causing undue traffic congestion or creating a traffic hazard, and as being in harmony with the orderly and appropriate development of the district in which the use is located:

Fire Station

Pipe Line or Electric Transmission Line; need not be enclosed within structure

Railroad Right-of-Way, but not including shops, yards, and team tracks; need not be enclosed within structure

Revival, Church

School, Elementary and/or Secondary, meeting all requirements of the compulsory education laws of the State of Louisiana

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University or College (non-profit)

Water Storage; need not be enclosed within structure

Water or Sewage Pumping Station

- (3) *Special exception uses.* These uses are declared to possess such characteristics of unique or special form that each specific use shall be considered an individual case and shall be subject to approval of the City Commission after a Public Hearing and Recommendation by the Planning Commission:

Airport; need not be enclosed within structure

Airport and Dusting Service; need not be enclosed within structure

Cemetery; need not be enclosed within structure

Church, including Parish House, Community House, and Educational Buildings

Correctional, Detention, or Penal Institution

Electric Substation; need not be enclosed within structure but must be enclosed within a wall or fence at least ten feet high

Radio and Television Broadcasting Transmitter, but not including studio

- b. *Building site area.* Except as provided in Section III, the minimum building site area shall be:

For a one-family dwelling7,200 sq. ft.

For any other permitted use10,000 sq. ft.

- c. *Building height limit.* Except as provided in Section III, no structure shall be erected or altered to exceed thirty-five (35) feet.

- d. *Yards required.* Except as provided in Section III, the minimum dimensions of yards shall be:

Front Yard25 ft.

Side Yard10 ft.

Rear Yard25 ft.

2. *I-1 Districts: Light industry districts.* These districts are composed of land and structures used for light manufacturing or wholesaling, or suitable for such uses, where the use and its operation do not directly adversely affect nearby residential and business uses. These districts are usually separated from residential areas by business areas or by natural barriers. The district regulations are designed to allow a wide range of industrial activities subject to limitations designed to protect nearby residential and business districts.

- a. *Permitted uses.* In the I-1 Districts only the following uses are permitted:

- (1) *Uses by right.* The uses listed below are permitted subject to the conditions specified:

Accessory Use

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APPENDIX B ZONING REGULATIONS

- Air Conditioning Sales and Service
- Airport and Dusting Service; need not be enclosed within structure
- Airport; need not be enclosed within structure
- Armory
- Automobile and Truck Body Repair
- Automobile and Truck Laundry, including steam cleaning
- Automobile and Truck Maintenance Shops and Garages
- Automobile and Truck Sales and/or Repair, but not including commercial wrecking, dismantling, or auto salvage yard; need not be enclosed within structure provided the unenclosed part shall comply with the requirements for maintenance of off-street parking facilities
- Automobile Storage (commercial); need not be enclosed within structure
- Aviary; need not be enclosed within structure
- Bakery, Wholesale
- Barber and Beauty Supplies and Equipment Sales
- Battery Manufacture
- Beverage Manufacture (not including alcoholic)
- Brooms and Brushes Manufacture
- Canvas Products Manufacture
- Carnival or Circus; as a temporary use on permit issued by the Zoning Administrator, such permit to be good for a period not exceeding three days and renewal for not more than three such periods; need not be enclosed within structure
- Carting, Express, Crating, Hauling and Storage
- Clothing Manufacture
- Coffee Roasting
- Cold Storage Plant
- Concrete and Concrete Products Manufacture; need not be enclosed within structure
- Contractor's Storage Yard for vehicles, equipment, materials and/or supplies; need not be enclosed within structure

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Cosmetics (compounding only)

Creamery

Dairy Equipment Sales

Dog Pound; need not be enclosed within structure

Drug Manufacture

Dry Cleaning

Dry Goods, Wholesale

Electric Repair Shop

Electric Substation; need not be enclosed within structure

Electroplating

Fairgrounds, Baseball Park or Stadium; need not be enclosed within structure

Farm Equipment and Supplies Sales

Farming and Truck Gardening; need not be enclosed within structure

Feed Store

Fire Station

Fixture Sales

Food Locker Plant, renting only individual lockers for home customer storage of food; cutting and packaging of meats and game permitted, but not including any slaughtering or eviscerating thereof

Food Products Manufacture

Food Products, Wholesale Storage and Sales

Foundry

Freight Depot, Railway and/or Truck

Frozen Food Plant

Fruit and Produce, Wholesale

Gas Regulator Station

Glass Products Manufacture (from glass stock)

Hardware Manufacture

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Hardware, wholesale storage and sales

Hatchery

Hosiery Mill

Ice Cream Manufacture

Ice Manufacture

Laboratory

Laundry, Linen Supply, or Diaper Service

Lumber Yard and Building Materials; need not be enclosed within structure

Machine Shop

Machinery, Tools, and Construction Equipment, sales and service

Mail Order House

Mattress Manufacture and Rebuilding

Metal Products Fabrication

Metal Sharpening

Millinery Manufacture

Millwork and similar wood products manufacture

Novelty and Souvenir Manufacture

Office

Office Equipment and Supplies Manufacture

Oil Well Supplies and Machinery; need not be enclosed within structure

Optical Goods, Wholesale

Outdoor General Advertising Structure; need not be enclosed within structure

Packing and Gasket Manufacture

Painting and Decorating Contractor

Paper Products Manufacture

Paper Supplies, Wholesale

Passenger Depot, Railway or Bus

Pipe Line or Electric Transmission Line

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Pipe Storage; need not be enclosed within structure

Plumbing Shops

Printing, Publishing, and Allied Industries

Railroad Facilities, except shops; need not be enclosed within structure

Restaurant Supplies Sales

Revival, Church (temporary); as a temporary use on permit issued by the Zoning Administrator, such permit to be good for a period not exceeding one week and renewal for not more than three such periods

Roofing and Sheet Metal Shop

Rug Cleaning

Sand and Gravel Storage Yard; need not be enclosed within structure

Seed Store

Shoe Manufacture

Shoe Store, Wholesale

Sign Shop

Sporting Goods Store, Wholesale

Telephone Exchange, including shops and garages

Toy Manufacture

Trailer Sales; need not be enclosed within structure

Trade School

Transit Vehicle Storage and Servicing; need not be enclosed within structure

Venetian Blind and Metal Awning Fabrication and Cleaning

Water Distillation

Water or Sewage Pumping Station

Water Storage; need not be enclosed within structure

Welding Shop

Well Drilling Company

Wholesale and Warehousing

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APPENDIX B ZONING REGULATIONS

- (2) *Uses requiring planning commission approval.* The uses listed below are permitted upon approval of location and site plan thereof by the Planning Commission as being appropriate with regard to transportation and access, water supply, waste disposal, fire and police protection, and other public facilities, as not causing undue traffic congestion or creating a traffic hazard, and as being in harmony with the orderly and appropriate development of the district in which the use is located:

Theater, Outdoor; need not be enclosed within structure

Mobile Home Park (Must comply with R-MHP district requirements)

Trailer Court; must meet the following requirements: water, sewerage and electric power connections for each trailer unit; a site providing a minimum of 3500 square feet per trailer site; and adequate plan for traffic circulation on the site. Yard requirements for each trailer unit as follows:

Front Yard20 feet

Side Yard 5 feet

Rear Yard25 feet

- b. *Building site area.* The minimum building site area shall be 10,000 sq. ft.
- c. *Building height limit.* Except as provided in Section III, no structure shall be designed, erected, or altered to exceed forty-five (45) feet.
- d. *Yards required.* Except as provided in Section III, the minimum dimensions of yards shall be:

Front Yard25 feet

Side Yard 10 feet

Rear Yard25 feet

3. *I-2 Districts: Heavy industry districts.* These districts are composed of land and structures used for heavy manufacturing and related activities or suitable for such uses. Located for convenient access from existing and future arterial thoroughfares and railway lines, these districts are in many instances separated from residential areas by business or light industry areas or by natural barriers; where they are adjacent to residential areas some type of artificial separation may be required. The district regulations are designed to permit the development of the district for almost any industrial uses, subject to the minimum regulations necessary for the mutual protection of the uses.

- a. *Permitted uses.* In the I-2 Districts only the following uses are permitted:

- (1) *Uses by right.* The uses listed below are permitted subject to the conditions specified:

Abrasives Manufacture

Accessory Use

Acetylene Gas Manufacture and/or Storage

Air Products Manufacture

Airport and Dusting Service; need not be enclosed within structure

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Airport; need not be enclosed within structure

Alcohol Distillation and/or Storage

Ammonia, Bleaching Powder, and Chlorine Manufacture

Armory

Asbestos Products Manufacture

Asphalt Products Manufacture

Automobile and Truck Body Manufacture

Automobile and Truck Body Repair

Automobile Manufacture

Automobile Storage (commercial); need not be enclosed within structure

Aviary; need not be enclosed within structure

Battery Manufacture

Boiler and Tank Works

Brewery

Carnival or Circus; as a temporary use on permit issued by the Zoning Administrator, such permit to be good for a period not exceeding three days and renewal for not more than three such periods; need not be enclosed within structure

Carting, Express, Crating, Hauling and Storage

Caustic Soda Manufacture

Celluloid Manufacture

Chemicals (heavy or industrial) Manufacture and/or Processing

Clothing Manufacture

Cold Storage Plant

Concrete and Concrete Products Manufacture; need not be enclosed within structure

Cotton Compress

Cotton Ginning and Baling

Contractors Storage Yard for vehicles, equipment, materials and/or supplies

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Detergents, Soaps, and By-Products Using Animal Fat, Manufacture

Diesel Engine Repair

Disinfectant, Insecticide, or Poison Manufacture

Dog Pound; need not be enclosed within structure

Drug Manufacture

Dyestuff Manufacture

Electric Power Generating Station

Electric Substation; need not be enclosed within structure

Electroplating

Farming and Truck Gardening; need not be enclosed within structure

Felt Manufacture

Fire Station

Food Products Manufacture

Food Products, wholesale storage and sales

Foundry

Freight Depot, Railway and/or Truck

Frozen Food Plant

Fungicides Manufacture

Glass Manufacture

Glass Products Manufacture (from glass stock)

Grain Drying or Feed Manufacture from refuse, mash, or grain

Grain Milling, Storage and Elevators

Graphite Manufacture

Hair Products Manufacture or Processing

Hardware Manufacturing

Hosiery Mill

Ice Manufacture

Incinerator

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Insulation Manufacture or Fabrication
Laboratory
Linoleum Manufacture
Lumber Yard and Building Materials; need not be enclosed within structure
Machine Shop
Metal Products Fabrication
Millwork and similar wood products manufacture
Office
Office Equipment and Supplies Manufacture
Oil Well Supplies and Machinery; need not be enclosed within structure
Oils and Fats (animal and vegetable) Manufacture
Outdoor General Advertising Structure; need not be enclosed within structure
Packing and Gasket Manufacture
Paints, Pigments, Enamels, Japans, Lacquers, Putty, Varnishes, Whiting, and
Wood Filler, Manufacture or Fabrication
Paper Products Manufacture
Paper, Pulp, Cellulose, and Rayon Manufacture
Pipe Line or Electric Transmission Line
Pipe Storage; need not be enclosed within structure
Plastics Manufacture
Potash Works
Railroad Facilities; need not be enclosed within structure
Revival, Church (temporary); as a temporary use on permit issued by the
Zoning Administrator, such permit to be good for a period not exceeding
one week and renewal for not more than three such periods
Rock Crusher; need not be enclosed within structure
Roofing and Sheet Metal Shop
Sand and Gravel Storage Yard; need not be enclosed within structure
Saw Mill or Planing Mill

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Sewage Disposal Plant

Shoe Manufacture

Shoe Polish or Stove Polish Manufacture

Soda and Washing Compound Manufacture

Stone Cutting

Sugars and Starches Manufacture

Syrup Manufacture

Tar Distillation or Manufacture

Telephone Exchange, including shops and garages

Tool Manufacture

Toy Manufacture

Trade School

Trailer Manufacture

Transit Vehicle Storage and Servicing, need not be enclosed within structure

Water or Sewage Pumping Station

Water Storage; need not be enclosed within structure

Welding Shop

Well Drilling Company

Wood Preserving by Creosote or other Impregnation Treatment

- (2) *Uses requiring planning commission approval.* The uses listed below are permitted upon approval of the location and site plan thereof by the Planning Commission as being appropriate with regard to transportation and access, water supply, waste disposal, fire and police protection, and other public facilities, as not causing undue traffic congestion or creating a traffic hazard, and as being in harmony with the orderly and appropriate development of the district in which the use is located:

None

- (3) *Special exception uses.* These uses are declared to possess such characteristics of unique or special form that each specific use shall be considered an individual case and shall be subject to approval of the City Commission after a Public Hearing and recommendation by the Planning Commission:

Acid Manufacture (hydrochloric, nitric, picric, sulphuric, sulphurous, carbolic)

Animal Black, Lamp Black, or Bone Black Manufacture

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Animal Reduction

Automobile Wrecking, Dismantling or Salvage; need not be enclosed within structure but must be enclosed within a fence not less than seven feet nor more than ten feet high and adequate to screen the area from public view

Bones, Distillation

Butane and other liquefied petroleum products storage and sales; need not be enclosed within structure

Cement, Lime, Gypsum and Plaster Manufacture

Clay and Clay Products Manufacture; need not be enclosed within structure

Explosives, Fireworks and Gunpowder Manufacture and/or Storage

Fertilizers Manufacture or Processing

Garbage Dumping; need not be enclosed within structure

Glue, Size, or Gelatin Manufacture

Junk Yard, including storage, baling or sale of rags, paper, iron, or junk; need not be enclosed within structure but must be enclosed within a fence not less than seven feet nor more than ten feet high and adequate to screen the area from public view

Matches Manufacture

Meat Slaughtering and/or Packing

Metal Ingots, Pigs, Castings, Sheets, or Bars Manufacture

Petroleum and Petroleum Products Manufacture, Processing, or Storage

Rubber or Gutta Percha Manufacture, Processing, or Reclaiming

Stockyards; need not be enclosed within structure

Tannery, including curing of hides

- b. **Building site area.** The minimum building site area shall be 10,000 sq. ft.
- c. **Building height limit.** Except as provided in Section III, no structure shall be designed, erected, or altered to exceed forty-five (45) feet.
- d. **Yards required.** Except as provided in Section III, the minimum dimensions of yards shall be:
 - Front Yard25 ft.
 - Side Yard10 ft.
 - Rear Yard25 ft.

(Ord. No. 64-2001, § 5, 7-9-2001)

Section III. Supplementary regulations.

A. SUPPLEMENTARY USE REGULATIONS

1. *Areas subject to inundation.* Certain areas are subject to periodic inundation, making them unsafe and unfit for human habitation. No structure or portion thereof which is designed for dwelling use or as a place of public assembly shall be erected or altered for such uses where the land to be covered by such structure or portion thereof has been designated by the Zoning Administrator as uninhabitable, until the conditions making the land uninhabitable have been corrected. Land that is permitted to be used shall not be considered to be guaranteed by the City against flood or other hazard.
2. *Natural production uses.* In any district the extraction of oil, gas, or other natural mineral deposit, except top soil, may be permitted upon the approval of the Planning Commission and subject to such terms and conditions as the Commission may fix for the protection of adjacent property and uses.
3. *Illumination of uses.* Lighting facilities used to illuminate signs, parking areas, or for other purposes shall be so arranged that the source of light is concealed from adjacent residence properties and does not interfere with traffic.
4. *Individual mobile homes and all portable structures.*
 - a. *General.* No person, firm, partnership or corporation shall erect or move any building or structure including mobile homes or any other portable structures supported by wheels or skids and place any such structure or mobile home on any lot or plot of ground that is zoned other than RMH-1, R-MHP, B-3 or Industrial.
 - b. *Exceptions.* The provisions of Paragraph a. above shall not apply to individual small units, overnight campers, or campers mounted on the beds of ½ or ¾ ton trucks, provided that said individual small units, campers, or campers mounted on trucks are not connected to electricity or to the sewerage system or water system of the City of Natchitoches. If any said unit or camper is occupied or lived in, then it shall be deemed a mobile home and the prohibitions of paragraph a. shall be applicable.
 - c. *Temporary permit.* Before any mobile home or other portable structure, as described in Paragraph a. above, can be placed temporarily on any lot or parcel of ground, a permit must first be obtained from the City. Said permits will be valid for a maximum period of fifteen (15) days.
 - d. *Permanent permit.* In the event any person wishes to install a mobile home, or any portable structures supported by wheels or skids upon any plot or lot of ground located in the City of Natchitoches which is zoned other than RMH-1, R-MHP, B-3 or Industrial, he must first make application for Planning Commission approval. An affidavit signed by the Assessor for the Parish of Natchitoches setting forth the names and addresses of all property owners located within three hundred (300) feet of the lot on which it is proposed to locate the mobile home (or other portable structure as defined above) shall be attached to the application. The application shall be submitted to the Planning Commission at its regular meeting. Planning Commission approval for the installation of mobile homes shall not exceed one mobile home for one lot of ground. Recognizing the fact that the Assessor's list is based upon his rolls as they appear at the beginning of the tax year, it shall be the duty of the applicant to conclusively show to the Planning Commission that there have been no changes in the ownership of the property owners within the three-hundred-foot distance subsequent to the closing of the assessment rolls the date of the filing of the application.

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General requirements: All mobile/manufactured homes to be placed on any lot or parcel within the City of Natchitoches must comply with the standards defined herein. These regulations are designed to protect the residential character of the area protected by these standards and to ensure a residential environment and compatibility with adjoining sites. For the purpose of this section, travel trailers and recreational vehicles shall not be authorized for use as permanent residents and shall not be provided sewer, water or electric utility connections in residentially zoned area. The prohibitions provided in this section shall not apply to the placement of temporary construction trailers used as an office related to a permitted construction project.

Development permit/application fee required. A nonrefundable application fee of \$50.00 shall accompany each application for mobile home placement review.

Minimum lot area. The minimum lot area required for mobile home placement shall be no less than 6,500 square feet.

Setback requirements. Mobile home lots shall have the following building setbacks.

Front yard: 25 feet

Side yard: 5 feet

Rear yard: 25 feet

Site plan required. A scaled site plan showing the lot dimensions, location and placement of the mobile home, location of the driveway, proposed parking areas, name and location of adjacent streets and any additional information deemed necessary to document conformance with this section must accompany the application.

Age Restriction of Structure. Mobile homes shall have a date of manufacture of not more than (5) years from the date of application for a permit to install. The applicant shall be responsible for providing documentation acceptable to the Zoning Administrator that the mobile home complies with the age restriction.

Installation Standards. Installation and anchoring of manufactured homes shall be in compliance with the provisions of the City of Natchitoches Municipal Code and with the standards for manufactured housing as contained in NFPA 501. Each mobile home shall be permanently sited (nonmobile). The wheels, axles and tongue must be removed.

- (1) *Skirting.* Mobile homes must be skirted with acceptable skirting which includes vinyl or metal. Skirting must be reinforced with framing material that will increase the rigidity of the skirting wall.
- (2) *Parking and access.* A paved driveway with a minimum width of ten (10) feet shall be provided. At least two on-site parking spaces must be provided. Parking may be in tandem. Parking shall be constructed in accordance with the drainage and surfacing requirements as set forth in Section V.A.(3) a Off-Street Parking Requirements of the Zoning Regulations.
- (3) *Inspection required.* The site shall be checked by the City Building Inspector for availability of utility connections and property drainage. Utility services, whether provided by the City of Natchitoches or other utility companies providing services to the site shall not be authorized until the required installation standards have been met and the appropriate permit issued.

Nonconforming uses. A mobile/manufactured home presently located in the City of Natchitoches covered by this section at the time of the enactment or subsequent

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amendment of this section but not in conformity with the provisions thereof, may be continued in such nonconforming use by its present owner or transferee provided that the nonconforming mobile/manufactured home shall be required to comply with the regulations contained in Section VI. Nonconforming uses and structures of the Zoning Regulations. The relocation of a nonconforming mobile home to a new site shall be deemed a new placement and shall for the purpose of regulation be required to comply with the requirements of this section.

- e. *Penalties and fines.* Any person, firm, partnership or corporation who installs a mobile home or other portable structure without first obtaining the permits as provided for herein shall be guilty of a misdemeanor and upon conviction thereof shall be fined not more than one hundred and No/100 Dollars (\$100.00) or imprisonment not to exceed ten (10) days or both. Each day that the violation continues shall be considered a separate offense.

B. SUPPLEMENTARY AREA REGULATIONS

- 1. *Dwelling on small building site.* Where a lot located in a residence district contains an area less than the required building site area for the district and on the effective date of this ordinance was existing and of record and held in separate and different ownership from any lot immediately adjoining, such lot may be used as the Building Site for a one-family dwelling.
- 2. *Visibility at intersections.* On a corner Building Site in any district in which a front yard is required, no fence, wall, hedge, or other structure or planting more than three (3) feet in height shall be erected, placed, or maintained within the triangular area formed by the intersecting street lines and a straight line connecting such street lines at points thirty (30) feet from the point of intersection measured along such street lines.

C. SUPPLEMENTARY HEIGHT REGULATIONS

- 1. *Height exceptions.* The height limits for the various districts shall not apply to church spires, belfries, cupolas, penthouses, or domes not used for human habitation, nor to chimneys, ventilators, skylights, water tanks, parapet walls, cornices, or necessary mechanical appurtenances usually carried above the roof level and non-commercial radio and television tower, provided that such features are limited to that height necessary for their proper functioning.
- 2. *Excess height.* In any district any main structure may be erected or altered to a height in excess of that specified for the district in which the structure is located provided that each required front, side, and rear yard is increased one foot for each foot of such excess height; provided, further, that where no front yard is required the part of the structure exceeding the height specified for the district shall be set back from the vertical planes of all street lines one foot for each two feet of such excess height.
 - a. *Compensating bulk and open space.* To permit variety in the shape and bulk of structures, in any district part of a main structure may be erected or altered to a height in excess of that specified for the district in which the structure is located without increasing the yards or creating the setback as required above provided a volume of space at least equal to the volume of space occupied by the part of the structure exceeding the height limit is provided and kept open below the height limit; it is intended that such open space below the height limit shall compensate for the excessive bulk above the height limit, and to this and both the excess bulk and the compensating open space shall be provided on the same Building Site.
- 3. *Accessory structures.* No accessory structure shall exceed the height of the main structure.

D. SUPPLEMENTARY YARD REGULATIONS

- 1. *Front yard depth.* In any residence district, any Building Site lying between two Building Sites adjacent thereto and having dwellings erected upon them on the effective date of this ordinance

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shall have a front yard equal in depth at least to the average depth of the front yards of the Building Sites adjacent thereto; provided, however, that no front yard shall be less than twenty (20) feet in depth, and no front yard shall be required to be more than thirty per cent (30%) of the depth of the Building Site.

2. *Side yard at abutting districts.* Where the side line (and the rear line, in the case of a corner lot) of a Building Site in business or industry district, except the B-1 District, abuts upon the side line of a Building Site in any residence district, there shall be provided on the Building Site lying in the business or industry district and adjacent to the residence district a side yard and rear yard in the case of a corner lot not less than forty (40) feet in width.
3. *Corner building site.* In any district a corner Building Site having to its rear a Building Site facing toward the intersecting or side street shall have provided on the intersecting or side street side of the corner Building Site a side yard having a width equal at least to the depth of the front yard required for a structure on the Building Site to the rear of the corner Building Site; provided, however, that this regulation shall not be applied to reduce the buildable width of the corner Building Site to less than thirty (30) feet nor require a side yard of more than twenty (20) feet.
4. *Projecting architectural features.* Every part of a required yard shall be open and unobstructed from the ground to the sky except for permitted accessory structures and for the ordinary projections of sills, belt courses, cornices, buttresses, eaves, and similar architectural features, provided that such projections shall not extend more than two (2) feet into any required yard. Open fire escapes may extend into any required yard not more than three and one-half (3½) feet.
5. *Accessory structures.* In any business or industry district no accessory structure shall occupy any part of a required rear yard; in any residence district no accessory structure shall occupy more than thirty (30) per cent of a required rear yard; in no district shall an accessory structure occupy any part of a required front or side yard.
 - a. *Side yard and rear yard requirements.* No accessory structure shall be erected or altered so that it is closer to any side or rear line than five (5) feet.
 - b. *Corner building site.* No accessory structure on a corner Building Site having to its rear a Building Site facing toward the intersecting or side street shall be erected or altered nearer to the intersecting or side street line than the front building line to be observed by any structure on the Building Site to the rear of the corner Building Site.
6. *Mapped street lines.* Front yard depth and, in the case of a corner Building Site, side yard width shall be measured from the future street right-of-way line where such line has been established on the Official Map to define a mapped street.
7. *Fences and walls.* No fence or wall that obstructs sight shall be erected or altered in any required front yard to exceed a height of three (3) feet, and no fence or wall, other than the wall of a permitted structure, shall be erected or altered in any required side or rear yard to exceed a height of seven (7) feet.

E. PROTECTION STANDARDS

1. *Noise.* There shall be no production by any use of noise which at any boundary of the Building Site is in excess of the average intensity of street and traffic noise at that boundary.
2. *Heat, glare, and vibration.* There shall be no emission by any use of objectionable heat, glare, or vibration which is perceptible beyond any boundary of the Building Site on which the use is located.
3. *Dust, dirt, odors, gases, smoke, and radiation.* There shall be no emission by any use of dust, dirt, odors, gases, smoke, or radiation which is in an obnoxious or dangerous amount or degree beyond any boundary of the Building Site on which the use is located.

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4. *Hazard.* There shall not be created or maintained by any use any unusual fire, explosion, or safety hazard beyond the boundary of the Building Site on which the use is located.
5. *Wastes.* No materials or wastes shall be stored in such a manner that they may be transferred off the Building Site by natural forces or causes.
6. *Hours of operation.* In any B-1 District no store, shop, or other commercial establishment shall be open for business before 7:00 A.M. or after 7:00 P.M.; in any B-2 District no store, shop, or other commercial establishment shall be open for business before 7:00 A.M. or after 12:00 midnight.

F. CLASSIFICATION OF UNLISTED USES

The classification of uses not readily determinable by this ordinance shall be fixed by the Office of Zoning Administration.

G. HOME OCCUPATION APPLICATION

Application shall be made for a home occupation and a statement of Zoning Verification secured from the Office of Zoning Administration to be used to secure an Occupational License to operate.

H. RESIDENCE/MOBILE HOME DISTRICTS - ONE FAMILY DEVELOPMENT STANDARDS

Mobile home subdivisions shall be developed in accordance with the standards for development set forth in the Subdivision Ordinance adopted by the City of Natchitoches.

I. RESIDENCE/MOBILE HOME PARK DEVELOPMENT STANDARDS

Application procedure: Whenever a new mobile home park is proposed, before any contract is made for the construction of same, and before authorization for the erection and/or placement of any structures in such proposed park shall be granted, the developer shall apply for and secure approval of such proposed mobile home park in accordance with the following procedure.

Site plan submittal. A scaled site plan shall be submitted with each application for zoning amendment where a zoning amendment is required. The purpose of the site plan shall be to consider the development from point of view of layout and configuration of lots, streets, easements and emergency vehicle access and the geometric relationships with existing streets and easements which may join or cross the proposed mobile home park and to determine whether the proposed layout is satisfactory from the standpoint of public interest. The site plan shall be drawn in accordance with the preliminary plan requirements in the subdivision ordinance adopted by the City of Natchitoches. Approval of a site plan with an application for zoning amendment shall not constitute construction plans approval.

Construction plans review. An application for construction plans review shall be made on forms provided by the Office of Zoning Administration. Construction plans shall include a scaled site plan and the complete design of the sanitary sewerage and water system, storm drainage system and the street system for the entire area to be developed prepared by a licensed engineer.

The Office of Zoning Administration will confer with the director of utilities, director of public works, the fire chief and a duly authorized agent of the department of health and hospitals, (when applicable) for their review and approval. Each official shall indicate approval by endorsement of the construction plans. The developer shall be advised of any required revisions and shall be required to resubmit such revisions before approval shall be granted.

Planning Commission review and approval. Upon completion of the construction plans review, the Office of Zoning Administration shall present the application for consideration by the Planning Commission at its next regular meeting. The Planning Commission shall consider granting construction plans approval based on the endorsements of the reviewing officials. Such approval shall authorize construction of the proposed park.

Approval of construction plans and specifications shall be valid for a period of six (6) months from the date of approval. The City of Natchitoches shall cancel and revoke approval, in writing, of all construction

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plans under which no work is commenced within six (6) months. New construction plans conforming to the regulations then in effect must be submitted and approved before construction of any improvements. In any event, construction must be completed within two (2) years of approval.

Construction shall at all times be subject to inspection by representatives of the City of Natchitoches, but shall in no way relieve the developer or his engineer of close supervision and final compliance with approved plans. Any revisions to approved plans, shall require Planning Commission approval.

Street Standards.

- (a) *Streets dedicated.* Streets dedicated to the public shall be designed in accordance with the street improvement and width requirements contained in the Subdivision Ordinance adopted by the City of Natchitoches.
- (b) *Streets not dedicated.* Streets not dedicated to the public shall be paved with a hard surface and have a minimum surface width of twenty-one (21) feet. Street pavement, shape and drainage features shall be subject to approval by the City of Natchitoches and said streets shall be maintained by the owner of the mobile home park in perpetuity.

Screening requirements. Where a mobile home park development abuts any part of a residence district zoned other than R-MHP there shall be constructed and properly maintained in perpetuity by the park owner, a permanent screening device (wooden fence or wall) of not less than six (6) feet in height.

Floodplain management provisions. Any mobile home park or portion thereof which is located within a special flood hazard area, as depicted on FEMA flood insurance rate maps, shall be required to comply with the guidelines of the City of Natchitoches Flood Damage Prevention Ordinance.

Service building. Within those mobile home parks where service buildings are to be provided for such purposes as laundry facilities, storage or sanitation purposes, such building shall be designed in accordance with applicable building codes adopted by the City of Natchitoches.

Existing mobile home parks. Mobile home parks in existence before the adoption of this zoning district amendment will be considered nonconforming and governed by the restrictions under this classification. Any extensions of existing mobile home parks shall comply with the R-MHP district requirements.

J. WIRELESS COMMUNICATION FACILITIES

1. *Purpose and Goals.*

The purpose of this sub-section is to establish general guidelines for the siting of Wireless Communication Facilities. The goals of this section are to:

Establish adequate development and design criteria to enhance the ability of providers of telecommunications services to provide service to the community quickly, effectively, and efficiently;

Encourage collocation and site sharing of new and existing wireless communication facilities to reduce the number of new communications towers needed within the City of Natchitoches;

Protect residential and historic areas from the uncontrolled development of towers by requiring reasonable siting conditions;

Promote the use of suitable sites (public and private) for the location of wireless communication facilities.

Insure the harmonious, orderly and efficient growth and development of the City;

Provide clear performance standards addressing the siting of towers;

Provide a range of locations for wireless communication facilities in various zoning districts; and

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Promote cooperation between the City of Natchitoches and the Board of the Natchitoches Regional Airport regarding regulation and control of wireless communication facilities.

2. *Definitions.* For the purpose of this section certain words, phrases and terms used herein shall be interpreted as stated in this section.
- a) *Antenna array.* An antenna array is one or more rods, panels, discs or similar devices used for the transmission or reception of radio frequency signals, which may include omnidirectional antenna (rod), directional antenna (panel) and parabolic antenna (disc). The antenna array does not include the support structure.
 - b) *Attached Wireless Communication Facility (Attached WCF).* An attached WCF is an antenna array that is attached to an existing building or structure (attachment structure), which structures shall include but not be limited to utility poles, signs, water towers, rooftops, towers with any accompanying pole or device (attachment device) which attaches the antenna array to the existing building or structure and associated connection cables, and an equipment facility which may be located either inside or outside of the attachment structure.
 - c) *Collocation/Site Sharing.* Collocation/site sharing shall mean use of a common WCF or common site by more than one wireless communication license holder or by one wireless license holder for more than one type of communications technology and/or placement of a WCF on a structure owned or operated by a utility or other public entity.
 - d) *Equipment Facility.* An equipment facility is any structure used to contain ancillary equipment for a WCF which includes cabinets, shelters, a buildout of an existing structure, pedestals, and other similar structures.
 - e) *FAA.* Federal Aviation Administration.
 - f) *FCC.* Federal Communications Commission.
 - g) *FTA.* Federal Telecommunications Act of 1996.
 - h) *Fall Zone.* A fall zone is the area measured by radius that is equal to the height of the WCF.
 - i) *Height.* When referring to a WCF, height shall mean the distance measured from ground level to the highest point on the WCF, including the antenna array.
 - j) *Setback.* Setback shall mean the required distance from the property line of the parcel on which the WCF is located to the perimeter fence surrounding the support structure, or, in the case of guy-wire supports, the guy anchors.
 - k) *Support Structure.* A support structure is a structure designed and constructed specifically to support an antenna array, and may include a monopole, self supporting (lattice) tower, guy-wire-support tower and other similar structures. Any device (attachment device) which is used to attach an attached WCF to an existing building or structure (attachment structure) shall be excluded from the definition of and regulations applicable to support structures.
 - l) *Tower Use Permit (TUP).* A permit issued by the City specifically for the location, construction and use of a WCF subject to an approved site plan and any special conditions determined by the Zoning Administrator to be appropriate under the provision of this section.
 - m) *Wireless Communications.* Wireless Communications shall mean any personal wireless services as deemed in the Telecommunications Act of 1996, which includes FCC licensed commercial wireless telecommunications services including cellular, personal

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communication services (PCS), specialized mobile radio (SMR), enhanced specialized mobile radio (ESMR), paging, and similar services that currently exist.

- n) *Wireless Communication Facility (WCF)*. A WCF is any un-staffed facility for the transmission and/or reception of wireless telecommunications services, usually consisting of an antenna array, connection cables, an equipment facility, and a support structure to achieve the necessary elevation.

3. *General Guidelines and Requirements.*

- a) *District height limitations.* The requirements set forth in this section shall govern the height limitation of wireless communication facilities. The height limitations applicable to buildings and structures shall not apply to Wireless Communications Facilities.
- b) *Permit Required.* No person, firm or corporation shall install or construct any WCF unless and until a Tower Use Permit (TUP) has been issued pursuant to the requirements of this section.
- c) *Pre-existing Wireless Communications Facility.* Wireless communications facilities for which a permit has been issued prior to the effective date of this ordinance shall not be required to meet the requirements of this section; however, nothing in this ordinance shall alter the effect of other regulations in full force and effect on the date that this ordinance adopted.
- d) *Airport Zoning.* Any WCF located or proposed to be located in airport areas governed by the FAA shall also comply with the provisions of all applicable local, state and federal airport regulations.
- e) *Building Codes.* Construction of all WCF's shall comply with the requirements of the Natchitoches Building Codes and permitting process in addition to the requirements of this section.
- f) *Fire Safety.* Construction of all WCF's shall comply with the provisions of local fire safety and prevention regulations in addition to the requirements of this section.
- g) *Limitations on tower approvals.* All tower approvals shall be limited to the specific request as applied for. Any approvals which are not exercised within six (6) months of such approval shall become null and void. The planning director may approve a six (6) month extension provided the applicant provides satisfactory proof of extenuating circumstances to the planning director prior to the expiration of the current approval period. The maximum number of extensions that may be granted for non-development of any tower use approval shall not exceed two (2) six-month extensions.
- h) *Inventory of existing sites.* Each applicant for an antenna and/or tower permit shall provide to the Planning Director, at the time of application, an inventory of its existing antenna and tower locations that are either within the jurisdiction of the city or within ¼ mile of the border thereof, including specific information about location, height, and design of each tower. The Planning Director may share such information with other applicants applying for use approval under this section, provided however that the city is not, by sharing such information, in any way representing or warranting that such sites are available or suitable.

4. *Location of Wireless Communication Facilities.* Location preference for Wireless Communication Facilities shall be given to publicly owned structures, co-location sites and industrial or commercial sites. Preference shall also be given to attached wireless communication facilities. New wireless communication facilities should avoid sites located near residential areas.

- a) *Attached Wireless Communication Facilities.* Attached Wireless Communication Facilities may be allowed in all zoning districts subject to the Planning Commission hearing process and upon compliance with the development criteria set forth herein.

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- b) *Wireless Communication Facilities.* Wireless Communication Facilities will be limited to the following districts: B-3 Central Business, I-A Industry/Agriculture, I-1 Light Industry or I-2 Heavy Industry subject to the Planning Commission hearing process and upon compliance with the development criteria set forth herein.

5. *Development Criteria.*

- a) *Height Standards.* The following height standards shall apply to all wireless communications facility installations.

Attached wireless communications facilities. Antenna arrays for attached wireless communication facilities shall not add more than twenty (20) feet to the height of the existing building or structure to which it is attached (attachment structure). However, antenna attachment to existing communication towers shall not increase the height of the tower above the maximum permitted height of the attachment tower.

Wireless communication facilities with support structures. Wireless communication facilities with support structures shall be sited so as to provide a minimum fall zone measured by radius that is equal to the height of the facility. A fall zone is an area within which no other structure or property use can be located around a telecommunications facility.

- b) *Setback Standards.* The following setback standards shall apply to all wireless communication facility installations.

Attached Wireless Communication Facilities. Antenna arrays for attached wireless communications facilities are exempt from the setback provisions of the zone in which they are located. An attached wireless communication facility antenna array may extend up to thirty (30) inches horizontally beyond the edge of the attachment structure so long as the antenna array does not encroach upon an adjoining parcel.

Wireless Communications Facilities with Support Structure. Wireless communications facilities with support structures shall meet the setback requirements for principle structures of the underlying zones in which they are located. For the purpose of determining whether the installation of a wireless communication facility complies with setback requirements, the dimensions of the entire lot shall control even though the facility may be located on leased parcels within such lots.

- c) *Landscaping and Screening.* The following landscaping and screening requirements shall apply to all Wireless Communications Facility installations. A landscape plan shall accompany each request for a Tower Use Permit.

Wireless Communication Facilities with support structures shall be landscaped with a buffer of plant materials that effectively screens the view of the tower compound.

Existing vegetation on a wireless communication facility site may be used in lieu of required landscaping where approved by the Planning Commission. Any proposed landscaping should be visually compatible with existing vegetation in the vicinity.

Existing mature tree growth and natural land form on the site shall be preserved to the extent feasible; provided however, that vegetation that causes interference with the antennas or inhibits access to the equipment facility may be trimmed or removed.

- d) *Aesthetics, Placement, Materials and Colors.* Wireless Communications Facilities shall be designed so as to be compatible with the existing structures and surroundings to the extent feasible, including placement in a location which is consistent with proper functioning of the Wireless Communications Facility, the use of compatible or neutral colors, or stealth technology.

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- e) *Lighting and Signage.* The following lighting and signage requirements shall apply to all Wireless Communications Facility installations.

Artificial Illumination. Wireless Communications Facilities shall not be artificially illuminated, directly or indirectly, except for security and safety lighting of equipment buildings if such lighting is appropriately down shielded to keep light within the boundaries of the site and for such illumination of the Wireless Communications Facility as may be required by the FAA or other applicable authority installed in a manner to minimize impacts on adjacent residences.

Signage. Wireless Communications Facilities shall not display any signage, logos, decals, symbols or any messages of a commercial or noncommercial nature, except for a small message containing provider identification and emergency telephone numbers and such other information as may be required by local, State or federal regulations governing Wireless Communications Facilities.

- f) *Security Fencing.* Wireless Communications Facilities with Support Structures shall be enclosed by an opaque security fence not less than six (6) feet in height. Security features may be incorporated into the landscaping and screening requirements for the site. Nothing herein shall prevent security fencing that is necessary to meet requirements of State or Federal agencies.
- g) *Radio Frequency Emissions/Sound.* The following radio frequency emissions standards shall apply to all Wireless Communications Facility installations:

RF Impact. The FTA gives the FCC jurisdiction of the regulation of Radio Frequency (RF) emissions, and wireless communications facilities that do not exceed the FCC standards shall not be conditioned or denied on the basis of RF impact.

FCC Compliance. In order to provide information to its citizens, copies of ongoing FCC information concerning wireless communications facilities and RF emissions standards may be requested. Applicants for wireless communications facilities shall be required to provide information with the application on the measurement of the effective radiated power of the facility and how this meets the FCC standards.

Sound Prohibited. No unusual sound emissions such as alarms, bells, buzzers or the like are permitted.

- h) *Structural Integrity.* Wireless communications facilities with support structures shall be constructed to the Electronics Industries Association/Telecommunications Industries Association (EIA/TIA) 222 Revision F Standard entitled "Structural Standards for Steel Antennas Towers and Antenna Support Structures" (or equivalent), as it may be updated and amended. Each support structure shall be capable of supporting multiple antenna arrays.
- i) *Collocation Agreement.* All applicants for wireless communications facilities are required to submit a statement with the application agreeing to allow and reasonably market collocation opportunities to other wireless communications facility users. The statement shall include the applicant's policy regarding collocation of other providers and the methodology to be used by the applicant in determining reasonable rates to be charged other providers. The collocation agreement shall be considered a condition of issuance of a TUP (Tower Use Permit). A Tower Use Permit shall not be issued unless the applicant complies with the collocation policy outlined in this section.
6. *Review Process.* All Wireless Communication Facilities, regardless of type or location shall be subject to the Planning Commission hearing process.

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Provided, further, that any Wireless Communications Facility (attached or with a support structure), regardless of type, to be located within an established historic area shall be subject to review by the Historic District Commission in accordance with that District ordinance and administrative procedures.

Wireless communications facilities as part of a proposed residential or nonresidential subdivision, Planned Unit Development, site plan, conditional rezoning, or other coordinated development approval shall be reviewed and approved through those processes.

7. *Application Process.*

- a) *Application Submission.* All requests for a Tower Use Permit, regardless of wireless communication facility type shall submit an application in accordance with the requirements of this section.
- b) *Application Contents.* Each applicant requesting a TUP under this section shall submit a scaled site plan containing a scaled elevation view and other supporting drawings, calculations and other documentation, signed and sealed by the appropriate licensed professionals, showing the location and dimensions of the Wireless Communications Facility and all improvements associated therewith, including information concerning specifications, antenna locations, equipment facility and shelters, landscaping, existing vegetation, topography, parking, access, fencing, adjacent uses and other information deemed necessary by Planning Director to be necessary to assess compliance with this section. Such application shall also include the signatures of all property owners of the proposed tower location. Applicants proposing to collocate on an existing wireless communication facility shall include a Radio Frequency Intennodulation Study with their application.
- c) *Submission requirements.* Application for a TUP shall be submitted to the City on forms prescribed by the City. The application shall be accompanied by a site plan containing the information described above and a copy of the appropriate FCC license. If Historic District or Airport Commission review is required, the application and site plan shall be placed on the next available Commission agenda in accordance with the agenda deadlines established by the City.
- d) *Application Fees.* A plan review fee of five hundred (\$500) and a Radio Frequency Intermodulation Study review fee of five hundred (\$500) {collocation applicants only} shall accompany each application. These fees may be used by the City to engage an engineer(s) or other qualified consultant(s) to review the technical aspects of the application and Radio Frequency Intennodulation Study (if required).
- e) *Technical Assistance.* In the course of its consideration of an application, the City, the Zoning Administrator, the Planning Commission or the City Council may deem it necessary, in complex situations, to employ an engineer(s) or other consultant(s) qualified in the design and installation of wireless communication facilities to assist the City in the technical aspects of the application. In such cases, any additional reasonable costs incurred by the City not to exceed fifteen hundred dollars (\$1,500) for the technical review and recommendation shall be reimbursed by the applicant prior to the final City hearing on the TUP.

8. *Shared Facility and Collocation Policy.* All new wireless communication facilities shall be engineered, designed and constructed to be capable of sharing the facility with other providers, to collocate with other existing wireless communication facilities and to accommodate the future collocation of other wireless communication facilities. A TUP shall not be issued until the applicant proposing a new wireless communications facility shall demonstrate that it has made a reasonable good faith attempt to locate its WCF onto an existing structure. Competitive conflict and financial burden are not deemed to be adequate reasons against collocation.

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All WCF's with support structure up to a height of one hundred fifty (150) feet shall be engineered and constructed to accommodate at least the three (3) antenna array. All WCF's with support structure up to a height of more than one hundred fifty (150) feet shall be engineered and constructed to accommodate at least the four (4) antenna array.

9. *Removal of Abandoned Wireless Communication Facilities.* Any wireless communication facility that is not operated for a continuous period of twelve (12) months shall be considered abandoned, and the City, at its election, may require the wireless communication facility owner to remove the wireless communication facility within ninety (90) days after notice from the City to remove the wireless communication facility. If the abandoned wireless communication facility is not removed within ninety (90) days, the City may remove it and recover its costs from the wireless communication facility owner. If there are two or more users of a single wireless communication facility, this provision shall not become effective until all providers cease to use the wireless communication facility. If the owner of an abandoned wireless communication facility cannot be located or is no longer in business, the requirements of this section shall be the responsibility of the landowner on whose property the wireless communication facility is located.
10. *Nonconforming Wireless Communications Facilities.* Wireless Communication Facilities in existence on the date of the adoption of this section which do not comply with the requirements of this section (nonconforming wireless communications facility) are subject to the following provisions:
 - a) *Expansion.* Nonconforming wireless communication facilities may continue in use for the purpose now used, but may not be expanded without complying with this section except as further provided in this section.
 - b) *Additions.* Nonconforming wireless communications facilities may add additional antennas (belonging to the same provider or other providers) subject to planning commission review under this section.
 - c) *Repairs or Reconstruction.* Nonconforming wireless communications facilities which become damaged due to any reason or cause, may be repaired and restored to its former use, location, and physical dimensions subject to the provisions of this section. Provided, however, that if the damage to the wireless communication facility exceeds 50% of replacement cost, said wireless communication facility may only be reconstructed or repaired in compliance with this section. Any wireless communications facility not in use for six (6) months shall be deemed abandoned and all rights as a nonconforming use shall cease.
11. *Revocation of Tower Use Permits.* Any tower use permit issued pursuant to this section may be revoked after a hearing as provided hereinafter. If the Zoning Administrator finds that any permit holder has violated any provision of this section, or has failed to make good faith reasonable efforts to provide or seek collocation, the Zoning Administrator shall notify the permit holder in writing that the TUP is revocable due to the permit holder's noncompliance with the conditions of the permit and the Zoning Administrator shall convene a meeting with the permit holder no later than thirty (30) days from the date of the letter. The Zoning Administrator may, require the permit holder to correct the violation within a reasonable amount of time or the Zoning Administrator may recommend to the City Council that the tower use permit be revoked. After the appropriate public hearing, the Mayor and City Council may revoke the tower use permit (TUP) upon such terms and conditions, if any, that the Mayor and City Council may determine. Prior to initiation of revocation proceedings, the City shall notify the permit holder, in writing, of the specific areas of non-compliance and specify the date by which such deficiencies must be corrected. The time for correction of deficiencies shall not exceed sixty (60) days. The permit holder shall provide the city with evidence that the required corrective action has been taken. Should the permit holder fail to correct any deficiencies in the time required, the Mayor and City Council shall convene a public hearing to consider revocation of the Tower Use Permit. The

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hearing shall be conducted pursuant to notice by publication in a newspaper with general circulation in the city not less than ten (10) days prior to the hearing and by written notice to the permit holder. The Mayor and City Council may impose reasonable restrictions with respect to time and procedure.

12. *Penalty.* The fine or penalty for violating any provisions of this section, shall be as set forth and prescribed at Section 1-9 of the Code of Ordinances of the City of Natchitoches.

K. ON-PREMISE AND OFF-PREMISE SIGNS.

1. *Intent.* The purpose of this ordinance is to promote the reasonable, orderly and effective display of on-premise and off-premise advertising and to promote and enhance the beauty, order and attractiveness of the city to residents, tourists and visitors and positively influence the economic prosperity of the City of Natchitoches.
2. *Definitions.* The following terms, as used in this ordinance, are hereby defined as follows:
 - a. *Double-faced sign* - a sign with two sign faces, generally back to back.
 - b. *Ground sign* - an outdoor advertising display sign when such sign is supported by uprights or braces in or upon the ground; or when such sign is mounted upon a vehicle, trailer, or mobile structure principally used for the purpose of advertising. A ground sign includes three basic kinds of detached signs: (1) pole signs, (2) detached reader-board signs (skid-mounted signs) as set forth in subsection 4(h) herein, and (3) monument signs.
 - c. *Height* - the vertical distance measured from the ground level to the highest point of the sign.
 - d. *Monument sign* - any ground sign which is placed in or on the ground with little or no open area below the face.
 - e. *Pole sign* - any ground sign which is supported by poles, columns or other similar structures or supports in or on the ground and independent of support from any building.
 - f. *Sign* - a name, identification, description, display, illustration or device that is affixed to or represents directly or indirectly upon a building, structure or land and that directs attention to a product, place, activity, person, institution or business.
 - g. *Sign, face* - that part of the sign where copy and display matter is or could be located.
 - h. *Sign, off-premise* - any outdoor sign, display, figure, painting, drawing, message, plaque, poster, billboard, flag, or any other thing which is designed, intended or used to advertise or inform, which is not located within the public right-of-way, and part of which advertising or information content is visible from any place on the main travelway of the interstate system or any public street in the city.
 - i. *Sign, on-premise* - any sign that advertises goods, products, services, business, persons or activity found on the premises where the sign is located or a sign of a noncommercial nature placed on the premises by the owner or occupant thereof.
 - j. *Sign, surface* - the total area of a plane that contains the sign face or faces.
 - k. *Temporary sign* - any sign that is intended to be displayed for a specified or limited time period such as a sale, single event, or until a permanent sign can be installed. Included in this category are sandwich (A-frame) signs, banner signs, inflatable or gas-filled signs and retailers' signs displayed for the purpose of informing the public of a sale or special offer.
 - l. *Visibility triangle* - the triangle formed by the intersecting street right-of-way lines and a straight line connecting such street lines at points 30 feet from the point of intersection measured along such street lines.
 - m. *Wall sign* - any sign affixed to or attached to the exterior of any building or structure.

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3. *General provisions.* The following regulations shall apply to signs in all districts unless otherwise provided for elsewhere in this ordinance.
 - a. No sign shall be erected as to prevent free ingress or egress from any door, window, or fire escape; and no sign of any kind shall be attached to any fire exit, fire exit access, fire hydrant, fire protection standpipe or fire escape.
 - b. No sign shall be erected at the intersection of any streets in such a manner as to obstruct free and clear vision or at any location where, by reason of position, it may interfere with or obstruct the view of traffic sight lines or traffic control devices.
 - c. All signs shall be constructed and erected in accordance with the pertinent requirements of the latest building codes and if illuminated; the National Electric Safety Code of the City of Natchitoches (Sec. 12.2 of the Code of Ordinances) including the securing of all permits and payment of any fees regarding such codes.
4. *On-premise signs.*
 - a. *Residential districts.* Signs to be erected in the Historic District shall conform with the provisions of Chapter 16.1 Article III. Section 16.1-40 of the Natchitoches Code of Ordinances.

PERMITTED SIGNS.

The following signs shall be permitted in any residential district as defined by the official zoning map of the City of Natchitoches.

- (1) Those signs described in subsection (n) of this Section.
- (2) Permanent detached signs for the purpose of identification of a residential or townhouse subdivision/development, limited to one sign per subdivision/development entrance and not exceeding 7 feet in height and 72 square feet in size per sign face.
- (3) Permanent detached signs for the purpose of identification of any use that requires specific approval by the Planning Commission limited to one double-faced sign per building site and not exceeding 15 feet in height and 72 square feet per sign face for sites with less than 200 feet of frontage. Sites with frontage greater than 200 feet, shall be limited to one double-faced sign per building site and not exceeding 30 feet in height and 150 square feet per sign face.
- (4) Permanent detached signs for the purpose of identification of a multifamily complex/development, limited to one double-faced sign at the principal entrance and not exceeding 15 feet in height and 72 square feet in size per sign face.
- (5) Residential nameplate not exceeding one square foot for single-family or two-The following signs shall be permitted in any business or industrial district as defined by the official zoning map of the City of Natchitoches.
 - b. *Business and industrial districts.* Signs to be erected in the Historic District shall conform with the provisions of Chapter 16.1 Article III Section 16.1-40 of the Natchitoches Code of Ordinances.

Permitted Signs.

The following signs shall be permitted in any business or industrial district as defined by the official zoning map of the City of Natchitoches.

Detached signs not exceeding 35 feet in height in B-1 and B-2 districts; detached signs not exceeding 45 feet in height in B-3 districts and detached signs not exceeding 60 feet in height in I-A, I-1 and I-2 districts if such signs are located more than 300 feet from residentially zoned properties; otherwise, signs shall not exceed 45 feet in height.

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- c. *Advertisement of nonconforming uses.* Any sign used in the advertisement of a nonconforming use, structure, business, etc., shall comply with all of the provisions of this ordinance for the zoning district in which the property is located.
- d. *Signs in rights-of-way.* Notwithstanding any other provision of this ordinance, no sign shall be permitted within the street right-of-way.
- e. *Number and location of ground signs.* For each building site, only one onsite detached monument or pole sign shall be permitted. However, when more than one business occupies a single building or a series of buildings joined or grouped together, but acting as an individual entity (e.g., a shopping center, office complex, etc.) one detached sign containing all business identification signs will be permitted for each 200 feet of frontage or fraction thereof. Each frontage shall act independently of the other. (See note below.)

Note:

0—200 feet = one sign

201-400 feet = two signs

401-600 feet = three signs, etc.

- f. *Pole sign.* A detached pole sign shall have a minimum height of ten feet from the bottom of the sign display surface to the grade surface, unless the top of the sign is not more than three feet above the grade surface. The display surface of all such signs shall be set back at least ten feet from any street right-of-way. Flagpoles displaying flags bearing a company name, logo, insignia, etc., shall be considered a sign and will be limited to 35 feet in height with a display surface not to exceed five feet by eight feet.
- g. *Monument signs.* A detached monument sign shall be set back at least five feet from the property line and in no case shall such signs be placed within 15 feet of the curb or edge of pavement.
- h. *Detached reader-board.* In addition to the allowable number and location of permanently detached signs as set forth in subsection 4(c) herein, one reader-board shall be permitted for every 200 feet of frontage or fraction thereof provided the following requirements are met:
 - (1) Screening of the base, e.g., skirting or landscaping, is encouraged.
 - (2) Signs shall not exceed 50 square feet in size per sign face.
 - (3) A sign permit shall be required.
 - (4) Signs shall be prohibited in residential districts.
 - (5) Signs shall not be placed in a parking space that is part of the minimum parking requirements.
 - (6) Signs shall be set back at least five feet from the property line and in no case shall such signs be placed within 15 feet of the curb or edge of pavement.
- i. *Wall signs.* A sign permit is required when the sign is painted on other material, which in turn is mounted or attached to the wall.
- j. *Temporary signs.* Unless otherwise noted in subsection (n) of this section, no permit shall be required if a temporary sign is less than 60 square feet in size; however, a business shall be limited to two temporary signs not exceeding 60 square feet each.

In the case of air-filled advertising displays, the following shall apply:

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- (1) Must be set back from any property line a distance equal to or greater than its height.
 - (2) Maximum allowable time at any one location is 30 days.
 - (3) Permits will be required for each location.
 - (4) Displays attached to buildings or vehicles are prohibited.
- k. *Permit fees.*
The permit fee for on-premise signs shall be \$35.00 per sign.
- l. *Prohibited signs.* Strictly prohibited are signs which:
- (1) Are of a size, shape, location, movement, content, coloring or manner of illumination which may be confused with or construed as a traffic-control device or which hides from view any traffic or street sign or signal.
 - (2) Street signs, banners and streamers suspended over or above dedicated streets or alleys are prohibited.
- m. *Illuminated and electronic signs.* Illuminated and electronic variable message signs shall be constructed and located so as to protect the general welfare of all citizens and the safety of the motoring public as follows.
- (1) The light from any illuminated sign shall be so shaded, shielded, or directed that the light intensity or brightness will not be hazardous or objectionable to the adjacent or surrounding areas.
 - (2) Beacons or revolving lights shall not be permitted.
 - (3) Neither the direct nor the reflected light from a primary light source shall create a traffic hazard to operators of motor vehicles on public thoroughfares.
- n. *Signs exempt from permit requirements.* The signs listed in this subsection are exempt from the permit requirements of this section only if the sign does not exceed six square feet in size, except where otherwise specifically enumerated, and complies with structural and safety requirements.
- (1) Residential name plate signs for single-family and two-family residences.
 - (2) Street number signs in all districts for all uses.
 - (3) Directional signs erected solely for the purpose of:
 - a. Identifying and giving directions for phone booths, restrooms, and parking areas.
 - b. Providing directions to motorists within parking lots and structures.
 - c. Aiding and directing the movements of pedestrians.
 - (4) Signs protecting private property or identifying property hazards.
 - (5) Temporary signs for the purposes listed below, which shall be removed upon completion of activity (in real estate, completion shall mean closing) or project denoted by sign:
 - a. Identifying the location of rummage and garage sales.
 - b. On-premises advertising of residentially zoned property for sale, lease or rent, including open house signs up to eight square feet.
 - c. Contractor, developer or construction project identification signs and limited to a maximum size of forty square feet.
 - d. Political signs located on residential zoned property up to thirty two square feet.

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- (6) Notices posted by public agencies (e.g., notice of zoning change).
 - (7) Public utility signs and safety signs required by law.
5. *Off-premise signs.*
- a. *Location of signs.*
 - (1) No off-premise sign shall be permitted in any residential or commercial zoned area as defined by the official zoning map of the City of Natchitoches.
 - (2) Approved off-premise signs shall be permitted in any industrial zoned areas as defined by the official zoning map of the City of Natchitoches.
 - (3) Signs to be erected in the Historic District shall conform with the provisions of Natchitoches Code, Chapter 16.1 Article III. Section 16.1-40.
 - (4) The following requirements shall apply:
 - (i) Off-premise signs must maintain a setback of ten (10) feet from the front property line.
 - (ii) No side yard will be required.
 - (iii) No rear yard will be required unless the adjacent property is a residential zoned district where the rear yard will be twenty-five (25) feet.
 - (iv) No off-premise sign shall be located on or project over a building.
 - b. *Size of signs.*
 - (1) The following sign requirements per location for each face are as specified in Industrial zoning districts.
 - Maximum area of total sign surface per side (square feet)350
 - Maximum height of total sign surface per side (feet)15
 - Maximum length of total sign surface per side (feet)30
 - Maximum height of sign (feet)60
 - (2) The maximum area, heights of surface, and length of surface dimensions are exclusive of any border or trim, the base or supports, and other structural members.
 - (3) The maximum height of any sign shall be measured as the vertical distance between the highest part of the sign and either the ground level at its supports or the nearest edge of the adjacent interstate highway right-of-way or public street right-of-way, whichever is higher in elevation.
 - (4) When two off-premise sign surfaces are placed back-to-back or V-type on the same structure with an angle between them of not more than 60 degrees, each sign surface shall conform to the maximum size limitations. No more than two sign surfaces are allowed on one structure. No more than two sign faces may comprise one sign surface.
 - c. *Spacing of signs.* Property facing on the interstate system and public streets and all other property within 660 feet of the nearest edge of the right-of-way of such roads and streets which is zoned so as to permit the construction and maintenance of outdoor advertising signs shall be subject to the following spacing restrictions:
 - (1) For the purpose of this ordinance, each side of the interstate system or public street shall be considered separately.

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- (2) V-type or back-to-back sign surfaces on the same structure with an angle between them of not more than 60 degrees shall be considered one sign. However, the foregoing notwithstanding, only two sign surfaces are allowed on one structure and each surface shall conform to the size and spacing requirements of this ordinance.
 - (3) The following spacing requirements shall be applied:
 - Interstate 491,000 feet
 - Public Streets100 feet
 - (4) The maximum distance between off-premise signs shall be measured along the nearest edge of the pavement between points directly opposite the signs on each side of the highway and shall apply only to off-premise signs located on the same side of the highway.
 - (5) An off-premise sign shall maintain a minimum spacing of 200 feet from any residential zoning district with frontage on the same side of the same street, as measured linearly along the same street right-of-way frontage.
 - (6) No sign shall be located within 200 feet of any public park of more than one acre.
- d. *Lighting.* Signs may be illuminated, subject to the following restrictions:
- (1) No revolving or rotating beam or beacon of light that simulates any emergency light or device shall be permitted as part of any sign. Flashing devices shall not be permitted upon a sign; however, illuminated signs which indicate such customary public service as time, date, temperature or other similar information shall be permitted.
 - (2) External lighting, such as floodlights, thin line and goose neck reflectors are permitted provided the light source is directed on the face of the sign and is effectively shielded so as to prevent beams or rays of light from being directed or reflected onto any portion of the interstate highway or public street.
- e. *Permit fees.* The chief building official shall collect twenty-five cents (\$0.25) per square foot per sign for all off-premise signs.
- f. *Temporary signs.*
- (1) Except as herein after provided, off-premise temporary signs related to political elections or off-premise temporary signs in connection with nonprofit promotions or special events may be erected in any zoning district of the city but not within the public right-of-way provided they are of community-wide interest and approved for placement by the chief building official.
 - (2) Off-premise temporary signs placed in residential areas shall not exceed 32 square feet in area and no such sign in other zoning districts shall not exceed 32 square feet. Such temporary signs shall be removed within one week of the event's conclusion. For the purpose of this subsection, "temporary signs" shall refer to those signs described in subsection g(4) which follows.
- g. *Prohibited signs.* The following signs shall not be permitted to remain or be erected.
- (1) Signs and structures not meeting construction standards.
 - (2) Signs which have been erected without a city permit.
 - (3) Signs which are illegal under state laws or regulations.
 - (4) Signs that are not securely fixed on a substantial structure, securely connected to the ground in such a way that it cannot easily be moved from one location to another, including trailer-mounted signs.

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- (5) Signs which attempt or appear to regulate, warn or direct the movement of traffic which interferes with, imitates or resembles any official traffic sign, signal or device.
 - (6) Signs which are erected or maintained upon trees or painted or drawn upon rocks or other natural features.
 - (7) Signs located on public property, unless placed thereon under lease arrangements or otherwise permitted by legal authority.
 - (8) Signs which contain statements, words, or pictures of an obscene nature as defined by law.
 - (9) Signs which contain as part of the message mirror-like surfaces.
 - (10) Signs which are constructed so as to periodically change the direction toward which any plane containing the sign surface area is oriented.
 - (11) Signs which emit smoke, vapor, particles, or odor.
 - (12) Signs which are not consistent with the standards in this section.
- h. *Visible sign backs.* Visible backs of signs shall be suitably painted or otherwise covered to present a neat and clean appearance.
 - i. *Owner identification.* All off-premise signs shall include an identification plaque 200 square inches or less on each sign surface. The plaque shall contain the name (or easily recognized logo) of the sign owner and be clearly legible.
 - j. *Installer requirements.* All persons and sign companies operating off-premise signs in the city must be licensed and submit to the chief building official an annual certificate of liability insurance with minimum limits of \$100,000.00 for any one accident, prior to the issuance of any permit. This section does not apply to the erection of signs as set forth in subsection "f." (Temporary Signs).
6. *Enforcement.* The chief building official shall have the authority to determine compliance with the provisions of this ordinance. Upon presentation of proper credentials, he or his authorized representative may enter any building, structure or premises in the city to perform any duty imposed upon him by this ordinance.
 7. *Permit requirement.* No sign shall be erected, altered, or relocated without first securing a permit from the chief building official. No permit will be required when changing out the sign face of an existing business. However, a permit will be required when changing out the sign face to a new business or ownership. Such permit shall contain the location of the sign structure, the name and address of the sign owner, the sign erector, a drawing or drawings showing the design and location of the sign and such other pertinent information as the building inspector may require to ensure compliance with all ordinances of the city.
 8. *Sign removal.* The chief building official may order the removal of any sign erected or maintained in violation of this ordinance. He shall give 30 days written notice by certified mail to the owner of such sign or of the building, structure or premises on which such sign is located to remove the sign or to bring it into compliance. However, in the case of temporary signs, the chief building official shall only be required to give 7 days written notice by certified mail. He may remove a sign at cost to the owner, immediately and without notice if, in his opinion which shall be final, the sign presents an immediate threat of danger to the safety of the public or if the sign is located within the right-of-way.
 9. *Nonconforming signs.* On premise and off-premise signs legally in existence prior to the adoption of this ordinance and not conforming to the provisions of this ordinance shall be considered "grand fathered" and shall not be enlarged in overall dimensions or otherwise altered except to conform to the provisions of this ordinance. Such nonconforming sign may be rebuilt at its existing location or an alternate location provided that written application is made by

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the owner to the City Council and after notice is given to all property owners within 300 feet of the subject property and a public hearing is held. However, no alternative site shall be approved in any area zoned "Residential" under the Zoning Ordinance. Nothing contained herein shall be construed to prevent normal maintenance and repairs, repainting, or posting of such signs or structures.

10. *Penalty.* The fine or penalty for violating any provisions of this ordinance shall be as set forth and prescribed at Section 1-9 of the Code of Ordinances of the City of Natchitoches.

(Ord. No. 3-1989, § 1, 3-13-89; Ord. No. 64-2001, §§ 6—9, 7-9-2001; Ord. No. 98-2001, § 1, 11-12-2001; Ord. No. 06-2003, Art. I, 2-24-2003; Ord. No. 056-2007, § 1, 7-9-2007)

Section IV. Planned building groups.

A. POLICY ON PLANNED BUILDING GROUPS

1. *Purpose of provisions.* Under the regulations prescribed by this ordinance for the various districts, a separate Building Site is required for each structure other than an accessory structure. For the purpose of allowing and encouraging greater variety of design and flexibility of location for buildings comprising a planned group, the provisions of this section waive the requirement for a separate Building Site for each building and permit two or more buildings to be erected and maintained on the same Building Site when certain conditions hereinafter set forth are met. Examples of such building groups that might be erected under the provisions of this section are multiple-family dwelling projects and shopping centers.
2. *Limitations.* The provisions of this section are applicable in all districts except the R-1 and R-1.5 Districts.

B. CONDITIONS TO BE MET BY SPECIAL PLANS FOR BUILDING GROUPS

1. *District regulations.* Every building group erected and maintained under the provisions of this section shall comply with all of the regulations established by this ordinance for the district in which the building group is located except the regulation requiring a separate Building Site to be provided and maintained for each principal structure; such building group may be considered as one building for the purpose of complying with the building site area, height, yard and other regulations of the ordinance.
2. *Site plan and improvements.* A special plan for a building group shall show and there shall be provided the following:
 - a. *Drainage.* Adequate facilities for the drainage of surface water, including storm sewers, gutters, paving, and the proper design of finished grades;
 - b. *Circulation.* Adequate facilities for the safe and convenient circulation of pedestrian and vehicular traffic, including walks, driveways, off-street parking areas, off-street loading areas, and landscaped separation spaces between pedestrian and vehicular ways;
 - c. *Play areas.* In dwelling building groups, adequate and safely located play areas for small children;
 - d. *Protection of residence districts.* In business building groups near or adjoining residence districts, adequate provision (including fences, walls, and planting) to screen and protect the residence districts from parking lot illumination, headlights, fumes, heat, noise, blowing papers and dust, and the visual encroachment of commercial buildings, service areas, signs, and commercial activity on the privacy and neighborhood character of the residence district.

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3. *Building spacing and orientation.* The following spacing between buildings shall be measured perpendicularly between exterior walls; it does not apply to corner-to-corner placement of buildings where walls do not overlap:
 - a. *Spacing of buildings.* A building wall shall be located no closer to another building than a distance equal to the height of the taller building of the two; provided, further that for a building containing dwelling units such distance shall not be less than fifty (50) feet in the case of a wall having windows and not less than twenty-five (25) feet in the case of a wall having no windows;
 - b. *Orientation of buildings containing dwelling units.* In buildings containing dwelling units, walls having main window exposures shall be so oriented as to insure adequate light and air, to avoid exposure to highways and other high-volume trafficways, and to preserve visual and audible privacy between buildings;
 - c. *Access by emergency vehicles.* The buildings in a planned building group shall be so arranged that every inhabited building is accessible by emergency vehicles.

C. PROCEDURE ON SPECIAL PLANS FOR BUILDING GROUPS

1. *Application for approval.* An application for approval of a special plan for a building group shall be filed with the Office of Zoning Administration and shall contain the following information:
 - a. *Interest and ownership.* The applicant's name, address, and interest in the application, and the name, address, and interest of every person, firm, or corporation represented by the applicant in the application; the concurrence of the owner or owners of the entire land area included in the special plan and all incumbrances of such land; and sufficient evidence to establish that the applicants are all the owners and incumbrancers of the designated land area, intend actually to develop the designated area, and have both the means and ability to do so;
 - b. *Plans for building group.* Plans showing the land area included within the special plan, with the boundaries and dimensions and present zoning classification of the area, the adjoining properties and the present zoning classification thereof, all public and private easements and rights-of-way, both existing and proposed, within or bounding the designated area and the adjoining properties, the location of buildings and the use of the land on adjoining properties, proposed contours not to exceed two foot intervals and necessary finished grades, the location, number of stories, and gross floor area of proposed principal buildings and accessory buildings, curb cuts, driveways, off-street parking areas, off-street loading areas, walks, open areas to be set aside for special purposes, the location and height of proposed walls, fences, and screen planting, the types of paving or other surfacing to be used in the various areas, and such other site information as may be necessary to describe completely the proposed building group.
2. *Administrative examination.* Upon receipt of an application for approval of a special plan for a building group, properly and completely made out, the Office of Zoning Administration shall examine the application and make such investigation as is necessary. Within thirty days of the receipt of an application the Office of Zoning Administration shall transmit the application, together with its report and recommendation, to the Planning Commission. The Office of Zoning Administration may also transmit a copy of the application to any department or agency which might be affected by the approval of the application, and such department or agency may transmit its report and recommendation to the Planning Commission.
3. *Review by planning commission.* The Planning Commission shall review each application and shall approve or disapprove the special plan; approval may establish conditions and limitations, which may include a performance bond. The Planning Commission shall then return the application, together with its report of approval or disapproval to the Office of Zoning

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Administration, and the Office of Zoning Administration shall notify the applicant of the approval or disapproval of the special plan by the Planning Commission.

4. *Registration of special plan.* Upon approval of a special plan, a copy of such plan shall be registered among the records of the Office of Zoning Administration and shall thereafter be binding upon the applicants, their heirs, successors, and assigns, shall limit and control the issuance and validity of permits and certificates, and shall restrict and limit the use and operation of all land and structures within the area designated in such special plan to all conditions and limitations specified in such special plan and the approval thereof; provided, however, that the Office of Zoning Administration may, upon a showing of engineering necessity therefor, permit minor changes in the location of structures and site improvements if such minor changes will not change the character of the development, increase the gross floor area, intensity of use, or ground coverage, reduce the total building site area, the space between buildings, or the ratio of off-street parking area and off-street loading area to gross floor area, or otherwise cause the special plan to fail to meet the conditions specified herein.
5. *Amendment or withdrawal of special plan.* Pursuant to the same procedure and subject to the same limitations and requirements by which the special plan was approved and registered, any special plan may be amended or withdrawn, either partially or completely, if all land and structures remaining under such special plan comply with all the conditions and limitations of the special plan and all land and structures withdrawn from such special plan comply with all regulations established by this ordinance and unrelated to the special plan.

Section V. Off-Street parking and off-street truck loading.

A. OFF-STREET PARKING REQUIREMENTS

1. *Provision and maintenance required.* Except in the Central Business District area, as shown on the Zoning Map, no land shall be used or occupied, no structure shall be designed, erected, altered, used, or occupied and no use shall be operated unless the off-street parking facilities herein required are provided in at least the amount and maintained in the manner herein set forth; provided, however, that off-street parking facilities in excess of the amounts heretofore required by law, need be neither provided nor maintained for land, structures, or uses actually used, occupied and operated on the effective date of this ordinance unless, after the effective date of this ordinance, such land, structures, or uses are enlarged, expanded, or changed in which event, the land, structures, and uses hereby excluded shall not be used, occupied, or operated unless there is provided for the increment only of such land, structures, and uses, and maintained as herein required, at least the amount of off-street parking facilities that would be required hereunder if the increment were a separate land, structure, or use. The provision and maintenance of the off-street parking facilities herein required shall be the joint and several responsibility of the operator and owner of the use and the operator and owner of the land on which, or the structure in which, is located the use for which off-street parking facilities are required to be provided and maintained.
2. *Size and location.* Each off-street parking space shall be an area at least ten (10) feet wide and twenty (20) feet deep, exclusive of access or maneuvering area, ramps and other appurtenances. Maneuvering area, ramps and other appurtenances shall be located off the street right-of-way and except for one-family and two-family dwellings, facilities shall be so planned that vehicles do not have to back into the roadway. Except as otherwise permitted under a special plan for location or sharing of facilities, off-street parking facilities shall be located on the Building Site on which the use or structure for which they are provided is located. In residentially zoned districts, required off-street parking spaces shall not occupy more than fifty (50) percent of the required front yard.

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3. *Parking design standard.* Vehicular access to individual parking spaces shall comply with the minimum off-street parking requirements for 60-degree and 90-degree parking as furnished by the City of Natchitoches.
4. *Combined facilities.* The off-street parking facilities required of two (2) or more uses located on the same Building Site may be combined and used jointly, provided, however, that where the facilities are combined and used jointly by two (2) or more uses having different standards for determining the amount of facilities required, the off-street parking facilities shall be adequate in area to provide the sum total of the facilities required of all such uses; provided, further, that where the facilities are combined and used jointly by two (2) or more uses having the same standard for determining the amount of facilities required, all of such uses, for the purposes of this section, shall be considered as a single unit in determining the amount of off-street parking facilities required.
5. *Amounts of off-street parking facilities required.* At least the following amounts of off-street parking facilities shall be provided. The classification of uses shall be deemed to include and apply to all uses, and if the classification of any use for the purpose of determining the amount of off-street parking facilities to be provided is not readily determinable hereunder, the classification of the use shall be fixed by the Office of Zoning Administration.

Bed and Breakfast	One space per guest bedroom in addition to parking required for single-family dwelling unit
Single-family Dwellings	Two spaces per family dwelling unit
Town Houses	Two spaces per dwelling unit plus one visitor space per each two dwelling units
Dwelling, one- and two-family	One and one-half per dwelling unit
Dwelling, multi-family:	
Up to 500 square feet unit	One and one-half per unit
501 to 700 square feet unit	One and three-fourths per unit
700 square feet unit	Two per unit
Dwelling, multi-family; mid- or high-rise:	
Four to nine stories	One and one-fourth per unit
Over nine stories	One per unit
Hotels, Motels, Rooming Houses, Tourist	One space per guest room

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Courts	
Mobile Home Parks	Two space per mobile home lot
College Fraternities and Sororities	One space per two beds
Hospitals and Sanitariums	One space per two beds
Institutions for Children or the Aged, Convalescent Homes	One space per four beds
Theaters, Auditoriums	One space per three seats
Gymnasiums, Convention Halls, Churches	One space per three seats
Funeral Homes	One space per three seats in parlors and chapels
Schools, Elementary	One space per classroom
Schools, Secondary	Six spaces per classroom
Business College and Trade Schools	One space per four seats
Restaurant	One space per 100 sq. ft.
Beauty and Barber Shops	One space per 100 sq. ft.
Furniture Store, retail	One space per 400 sq. ft. reserved parking area with the following amounts surfaced for active use:

Square Feet	Percentage
Up to 5,000	100

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5,001 to 10,000	90
10,001 to 15,000	85
15,001 to 20,000	80
20,001 to 30,000	70
30,001 to 40,000	60
Over 40,000	50

General Business, Commercial And Personal Service Establishments, Commercial Amusements, Offices, Filling Stations, Repair Shops, Medical and Dental Clinics:	
Up to 25,000 sq. ft.	One per 200 sq. ft. of gross floor area, adjusted accordingly to combination of individual uses
25,001 to 400,000 sq. ft.	One per 200 sq. ft. of leasable floor area, regardless of individual uses
Over 400,000 sq. ft.	One per 200 sq. ft. of leasable floor area, regardless of individual uses
Libraries, Museums, Art Galleries	One space per 300 sq. ft. of gross floor area
Clubs Lodges	One space per 300 sq. ft. of gross floor area
Industrial and Manufacturing Establishments	One space per 400 sq. ft. of gross floor area
Warehouses:	

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Up to 10,000 sq. ft.	One per 400 sq. ft.
Over 10,000 sq. ft.	One per 1,200 sq. ft.

6. *Special plan for location or sharing of facilities.* Under the standard provisions of this ordinance, off-street parking facilities are required to be provided on the same Building Site as the use or structure for which the facilities are provided and are required to be provided in an amount based on the listed requirement for the individual use or structure. Pursuant to the procedure hereinafter set forth, either part or all of the required off-street parking facilities may be located on another site than the one occupied by the use or structure for which the facilities are provided; also, two (2) or more uses may share the same off-street parking facilities and each of such uses may be considered as having provided such shared space individually.
- a. *Limitations on separation from use.* In B-3 Districts off-street parking facilities may be located on a separate site from the Building Site on which the use is located, provided such separate site is no farther from the Building Site of the use for which provided than four hundred (400) feet; all such distances shall be measured by a straight line from the nearest point of the Building Site on which the use is located to the nearest point of the separated off-street parking facilities.
 - b. *Limitations on sharing facilities.* No use shall be considered as individually having provided off-street parking facilities which are shared with one (1) or more other uses unless the schedules of operation of all such uses are such that none of the uses sharing the facilities require the off-street parking facilities at the same time as any other use sharing them.
 - c. *Applications for approval of special plan.* An application for approval of a special plan hereunder shall be filed with the Office of Zoning Administration by the owner or owners of the entire land area to be included within the special plan, the owner or owners of all structures then existing on such land area, and all encumbrances of such land area and structures and, additionally, shall contain sufficient evidence to establish that the applicants are all the owners and encumbrances of the designated land area and structures. The application shall contain such information required by this ordinance or deemed necessary by the Office of Zoning Administration and shall include plans showing the location of the uses or structures for which off-street parking facilities are required and the location at which the off-street parking facilities are proposed to be located.
 - d. *Review of application.* Applications hereunder shall be reviewed by the Office of Zoning Administration and either approved or disapproved; any approval may establish conditions and limitations.
 - e. *Registration of special plan.* Upon approval of special plan, a copy of such plan shall be registered among the records of the Zoning Commission and Clerk's Office and shall thereafter be binding upon the applicants, their heirs, successors and assigns, shall limit and control the issuance and validity of permits and certificates and shall restrict and limit the use and operation of all land and structures included within such special plans to all conditions and limitations specified in such plans and the approvals thereof.
 - f. *Amendment or withdrawal of special plan.* Pursuant to the same procedure and subject to the same limitations and requirements by which the special plan was approved and registered, any special plan may be amended or withdrawn, either partially or completely, if all land and structures remaining under such special plan comply with all the conditions and limitations of the special plan and all land and structures withdrawn from such special

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plan comply with all regulations established by this ordinance and unrelated to the special plan.

B. OFF-STREET TRUCK LOADING FACILITIES

1. *Provision and maintenance required.* No structure shall be designed, erected, altered, used, or occupied unless the off-street truck loading facilities herein required are provided in at least the amount and maintained in the manner herein set forth; provided, however, that off-street truck loading facilities in excess of the amounts heretofore required by law need be neither provided nor maintained for structures actually used, occupied, and operated on the effective date of this ordinance unless, after the effective date of this ordinance, such structures are enlarged, expanded or changed, in which event the structures hereby excluded shall not be used, occupied, or operated unless there is provided for the increment only of such structures, and maintained as herein required, at least the amount of off-street truck loading facilities that would be required hereunder if the increment were a separate structure. The provision and maintenance of the off-street truck loading facilities required shall be the joint and several responsibility of the operator and owner of the structure for which the off-street truck loading facilities are required to be provided and maintained.
2. *Size and location.* For the purposes of this ordinance there shall be considered to be two sizes of off-street truck loading spaces, "large" and "small". Each "large" space shall have an overhead clearance of at least fourteen feet, shall be at least twelve feet wide, and shall be at least fifty feet long, exclusive of access or maneuvering area, platform, and other appurtenances; each "small" space shall have an overhead clearance of at least ten feet, shall be at least eight feet wide, and shall be at least twenty feet long, exclusive of access or maneuvering area, platform, and other appurtenances. Off-street truck loading facilities shall be located on the same Building Site on which the structure for which they are provided is located; provided, however, that facilities provided under a cooperative arrangement as hereinafter permitted may be located on another site not more than 300 feet from the structure for which they are provided.
3. *Maintenance.* Off-street truck loading facilities shall be constructed, maintained, and operated in accordance with the following specifications:
 - a. *Drainage and surfacing.* They shall be properly graded for drainage, surfaced with concrete, asphaltic concrete, or asphalt, and maintained in good condition, free of weeds, dust, trash, and debris;
 - b. *Protective barriers.* They shall be provided with barriers of such dimensions that occupants of adjacent structures are not unreasonably disturbed, either by day or night, by the movement of vehicles;
 - c. *Lighting.* Lighting facilities shall be so arranged that they neither unreasonably disturb occupants of adjacent residential properties nor interfere with traffic;
 - d. *Entrances and exits.* They shall be provided with entrances and exits so located as to minimize traffic congestion.
4. *Cooperative establishment and use of facilities.* Requirements for the provision of off-street truck loading facilities with respect to two or more structures may be satisfied by the permanent allocation of the requisite number of spaces for each use in common truck loading facility, cooperatively established and operated; provided however, that the total number of spaces designated is not less than the sum of the individual requirements unless, in the opinion of the Zoning Administrator, a lesser number of spaces will be adequate, taking into account the respective times of usage of the truck loading facilities by the individual users, the character of the merchandise, and related factors. In order to eliminate a multiplicity of individual facilities, to conserve space where space is at a premium, and to promote orderly development generally, the Office of Zoning Administration is hereby authorized to plan and group off-street truck

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loading facilities cooperatively for a number of truck loading generators within close proximity to one another in a given area, and especially in the central business district, in such manner as to obtain a maximum of efficiency and capacity, provided consent thereto is obtained from the participants in the cooperative plan.

5. *Amount of off-street truck loading facilities required.* At least the following amounts of off-street truck loading facilities shall be provided for all structures containing uses devoted to commerce, business, industry, manufacturing, storage, warehousing, processing, offices, professional purposes, hotels, multiple-family dwellings, hospitals, airports, railroad terminals, and similar purposes; provided, however, that structures required to provide and maintain less than five off-street parking spaces as per Section V shall be exempt from these requirements:

Sq. Ft. of Gross Floor Area	Required No. of Spaces
0 up to & including 12,500	1 (small)
12,501 up to & including 25,000	2 (small)
25,001 up to & including 40,000	1 (large)
40,001 up to & including 100,000	2 (large)
For each additional 80,000 over 100,000	1 (large)

(Ord. No. 64-2001, § 11, 7-9-2001; Ord. No. 007-2008, § 1, 4-14-08)

Section VI. Nonconforming uses and structures.

A. NONCONFORMING USES: REGULATIONS

1. *Continuance of nonconforming uses.* Except as hereinafter provided, the lawful operation of a nonconforming use as such use existed on the effective date of this ordinance or on the effective date of any amendment hereto by which the use became a nonconforming use, may be continued.
2. *Maintenance of number of dwelling units.* The number of dwelling units in a nonconforming dwelling use shall not be increased over or exceed the number of dwelling units existing in the nonconforming use on the effective date of this ordinance.
3. *Expansion or enlargement of nonconforming uses.* The land area occupied by any nonconforming use on the effective date of this ordinance, or on the effective date of any amendment hereto by which the use became a nonconforming use, shall not be increased except to provide open off-street parking space or open off-street loading space for the nonconforming use, such space to be maintained in accordance with the regulations herein established.

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4. *Extension of nonconforming uses in structures.* A nonconforming use in a structure may be extended throughout the structure provided no structural alterations, except those required by law or ordinance, are made therein.
5. *Change in nonconforming uses.* Except as hereinafter provided, a nonconforming use may be changed to another use enumerated in the same group of Permitted Uses, or in the group of Permitted Uses of a more restricted district, and when so changed shall not thereafter be changed back to the former nonconforming use; a nonconforming use shall not be changed to another use enumerated only in the group of Permitted Uses of a less restricted District. A nonconforming use not conducted in a structure, or one in which a structure is incidental to the use of the land, shall not be changed to any other nonconforming use.
6. *Termination of nonconforming uses.* Except as hereinafter provided, a nonconforming use that has been abandoned or discontinued for a period of six months shall not thereafter be reestablished.
 - a. *Open land nonconforming uses.* A nonconforming use not conducted in a structure, or one in which a structure is incidental to the use of the land, shall, after three years from the effective date of this ordinance, become a prohibited and unlawful use and shall be discontinued.
 - b. *Destruction, damage, or obsolescence of structures.* The right to operate and maintain any nonconforming use shall terminate whenever the structure or structures in which the nonconforming use is operated and maintained are damaged, destroyed, or become obsolete or substandard beyond the limits hereinafter established for the termination of nonconforming structures.

B. NONCONFORMING STRUCTURES: REGULATIONS

1. *Continuance of nonconforming structures.* Except as hereinafter provided, any nonconforming structure may be occupied and operated and maintained in a state of good repair.
2. *Enlargement or extension of nonconforming structures.* A nonconforming structure in which a nonconforming use is operated shall not be enlarged or extended; a nonconforming structure in which only permitted areas are operated may be enlarged or extended if the enlargement or extension can be made in compliance with all of the provisions of this ordinance established for structures in the district in which the nonconforming structure is located.
3. *Restoration of damaged nonconforming structures.* A nonconforming structure damaged in any manner and from any cause whatsoever to the extent of not more than 75% of its replacement cost may be restored, provided restoration is begun within one year and completed within two years of the date of the damage; provided, further, that any structure so restored shall conform to the height, building site area, and yard requirements of the district in which it is located and to the off-street parking requirements and the off-street loading requirements of this ordinance.
4. *Restoration of obsolete nonconforming structures.* A nonconforming structure which becomes obsolete or substandard under any applicable ordinance and for which the cost of placing such structure in lawful compliance with the applicable ordinance exceeds 50% of the replacement cost shall be removed.

Section VII. Administration and enforcement.

A. GENERAL PROVISIONS FOR ADMINISTRATION AND ENFORCEMENT

1. *Applicability to all land and structures.* No land shall be used or occupied and no structure shall be erected, altered, used, or occupied except in conformity with all regulations herein established and upon performance of all conditions herein set forth.

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2. *Permits and licenses.* No building or other permit, license, or other documents of approval, the use of which may be subject to the provisions of this ordinance, shall be issued by any department, agency, or board of the municipality until the Office of Zoning Administration shall have certified that the use to be made of the permit, license, or other document is in full compliance with the provisions of this ordinance.
3. *Certificate of occupancy.* Except as hereinafter provided, no structure, or land shall be used, occupied, or changed in use until a Certificate of Occupancy shall have been issued therefor by the Office of Zoning Administration, stating that the proposed use of land or the structure and the proposed use thereof is in full compliance with the provisions of this ordinance.
 - a. *Structures.* Application for a Certificate of Occupancy for a new structure or for an existing structure to be altered shall be made coincident with application for a building permit; after erection or alteration of such structure shall have been completed in compliance with the provisions of this ordinance and within three clear legal days after written request is made to the Office of Zoning Administration the Certificate of Occupancy shall be issued.
 - b. *Land.* Application for a Certificate of Occupancy for the use of vacant land or for a change in the character of the use of land shall be made before any such land is occupied or used, and a Certificate of Occupancy shall be issued by the Office of Zoning Administration within three clear, legal days if such proposed use or change in use is in compliance with the provisions of this ordinance.
 - c. *Farming, truck gardening and livestock raising.* The use of land for farming, truck gardening, and livestock raising and the erection and alteration of structures that are accessory to such use of the land are exempted from the requirement for a Certificate of Occupancy.
4. *Plans required.* Each application for a Certificate of Occupancy for a new structure or for the alteration of an existing structure shall be accompanied by a drawing or plat, in duplicate, showing the site plan, the location of the building on the site, accurate dimensions of the building and site, location of off-street parking and off-street loading spaces required, and such other information as may be necessary for the enforcement of these regulations.
5. *Prior building permits.* Nothing herein contained shall require any change in the plans, construction, or designated use of a structure for which a building permit has been heretofore legally issued and the construction of which shall have actually begun within ninety days of the date of such permit and which entire structure shall be completed, according to such plans as are filed, within two years after the effective date of this ordinance; provided, however, that any permit which does not authorize the alteration or erection of a designated structure on the basis of complete plans and specifications shall not be deemed a building permit and shall not come within the foregoing exclusion.
6. *Offenses and liabilities preserved.* All offenses committed and all liabilities incurred prior to the effective date of this ordinance shall be treated as though all prior applicable zoning ordinances and amendments thereto were in full force and effect for the purpose of sustaining any proper suit, action, or prosecution with respect to such offenses and liabilities.
7. *Violations.* Any person, firm, or corporation violating any provision of this ordinance shall be fined upon conviction not less than five dollars nor more than one hundred dollars or imprisoned for not more than ten days or both, for each offense; each day that a violation is permitted to exist shall constitute a separate offense. The imposition of any penalty hereunder shall not preclude the municipality or any proper person from instituting any appropriate action or proceedings to require compliance with the provisions of this ordinance and with administrative orders and determinations made hereunder.

B. OFFICE OF ZONING ADMINISTRATION

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1. *Establishment.* There is hereby established an Office of Zoning Administration, hereinafter called the "Office"; there is hereby vested in the Office the duties of administering and enforcing this ordinance and the power necessary for such administration and enforcement. The Zoning Administrator shall be the officer in charge of the Office.
2. *Administration.* In carrying out its administrative duties the Office shall:
 - a. *Building permits, certificates of occupancy, special plans.* Review all application for Building Permits, Certificates of Occupancy, and approvals of special plans hereunder; approve or disapprove such applications as they relate to zoning and make the necessary certifications and issue the necessary certificates and approvals of special plans.
 - b. *Applications for amendment.* Receive all applications for amendments to this ordinance, including the Zoning Map; refer such applications to the Planning Commission for examination and hearing and submit to the City Commission all such applications together with the recommendations of the Planning Commission.
 - c. *Procedures.* Establish and administer rules and regulations for proceedings with and within the Office, together with the regular forms for such proceedings, and a schedule of fees for processing amendments, issuing Certificates and registering in its records those matters and things required by this ordinance to be registered.
 - d. *Zoning map.* Maintain the Zoning Map showing the current classification of all land.
 - e. *Record of actions.* Maintain records of all action taken by the Office under this ordinance.
 - f. *Zoning commission.* Intervene for and on behalf of the Municipality in all public hearings before the Zoning Commission, present facts and information to assist the Commission in reaching a decision, resist and oppose any deviations from the standard provisions of this ordinance and have decisions of the Zoning Commission reviewed in a court of proper jurisdiction when, in the judgment of the Zoning Administrator and with the approval of the Mayor, such review is desirable.
 - g. *Initiation of amendments.* Propose and recommend the enactment of such amendments to this ordinance, including the Zoning Map as are made desirable or necessary because of changing conditions or because of judicial or administrative proceedings or for the purpose of improving administration and enforcement, all in accordance with the Amendment Procedure set forth herein.
3. *Enforcement.* In carrying out its enforcement duties the Office shall:
 - a. *Investigations and surveys.* Conduct investigations and surveys to determine compliance or non-compliance with the provisions of this ordinance. Incidental to such surveys and investigations, an authorized representative of the Office may enter into and upon any land or structure other than a dwelling to be inspected or examined.
 - b. *Enforcement.* Issue written orders requiring compliance with the provisions of this ordinance; such orders shall be served personally or by registered mail upon the person, firm, or corporation deemed by the Office to be violating the provisions of this ordinance; provided, however, that if such person, firm, or corporation is not the owner of the land on or the structure in which the violations is deemed to exist or to have occurred, a copy of the order shall be sent by registered mail to the owner of such land or structure, the owner to be determined from the tax roll for the preceding year in the office of the Tax Assessor of Natchitoches Parish. The date of mailing shall be deemed the date of service of any order served by registered mail.
 - c. *Legal proceedings.* Institute, in courts of proper jurisdiction, proceedings for the enforcement of the provisions of this ordinance and administrative orders and determinations made hereunder when in the judgment of the Zoning Administrator and with the approval of the Mayor such measures are desirable.

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4. *Appeals from the office.* Any person aggrieved or any officer or department may appeal to the Zoning Commission from any order or decision of the Office.
 - a. *Procedure.* Such appeal shall be taken by filing with the Office and with the Zoning Commission, within the time provided by the rules of the Commission, a notice of appeal specifying the particular grounds upon which the appeal is taken. Upon receipt of a notice of appeal, the Office shall transmit to the Zoning Commission all of the original documents and materials, or true copies thereof, constituting the record upon which the order or decision appealed from was based.
 - b. *Effect of appeal.* An appeal from the Office to the Zoning Commission shall stay all proceedings unless the Zoning Administrator certifies that, by reason of the facts stated in the certificate, a stay would in his opinion cause imminent peril to life or property. When such certificate is filed, proceedings shall not be stayed except by a restraining order granted, after due notice to the Office, by the Zoning Commission or a court of proper jurisdiction.

Section VIII. Amendments.

- A. **AMENDMENT POLICY.** This ordinance, including the Zoning Map, is based on comprehensive planning studies and is intended to carry out the objective of a sound, stable, and desirable development. It is recognized that casual change or amendment to the ordinance would be detrimental to the achievement of that objective, and it is therefore declared to be the public policy to amend this ordinance only when one or more of the following conditions prevail:
 1. *Error.* There is a manifest error in the ordinance;
 2. *Change in conditions.* Changed or changing conditions in a particular area, or in the metropolitan area generally, make a change in the ordinance necessary and desirable;
 3. *Increase in need for sites for business or industry.* Increased or increasing needs for business or industrial sites, in addition to sites that are available, make it necessary and desirable to rezone an area or to extend the boundaries of an existing district;
 4. *Subdivision of land.* The subdivision or imminent subdivision of open land into urban building sites makes reclassification necessary and desirable.
- B. **AMENDMENT PROCEDURE**
 1. *By whom initiated.* Amendments to this ordinance may be initiated by the City Commission on its own motion or by the Planning Commission; amendments may also be initiated by any person, firm, or corporation by filing a written application therefor with the Office of Zoning Administration.
 2. *Amendment application.* An application for amendment to this ordinance shall contain at least the following:
 - a. *Interest and ownership.* The applicant's name, address, and interest in the application, and the name, address, and interest of every person, firm, or corporation represented by the applicant in the application, the concurrence of the owner or owners of the entire land area to be included within the proposed district, the owner or owners of all structures then existing thereon and all incumbrancers of such land area and structures, and, additionally, sufficient evidence to establish that the applicants are all the owners and incumbrancers of the designated land area and structures, intend actually to develop the designated area, and have both the means and ability to do so;
 - b. *Plat.* If the proposed amendment would require a change in the Zoning Map, a plat showing the land area which would be affected, the present zoning classification of the

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area, the land area of all abutting districts and the present zoning classification thereof, public rights-of-way and easements bounding and intersecting the designated area and the abutting districts, the locations of all existing and proposed structures with supporting open facilities, and the specific ground area to be provided and continuously maintained for the proposed structure or structures;

- c. *Development schedule.* The time schedule for the beginning and completion of development planned by the applicant in the area; if the development is planned in stages, the time schedule shall indicate the successive stages and the development planned for each stage;
 - d. *Market information.* If the proposed amendment would require a change in the Zoning Map by rezoning an area from an existing Residential District to a free-standing Business District, would require more than double the area of an existing Business District entirely surrounded by Residential Districts, or would enlarge the area of an existing Business District by more than eight acres, the applicant shall furnish a written description of the market area to be served by the development, the population thereof, the effective demand for the proposed facilities and any other information describing the relationship of the proposed development to the needs of the applicable area;
 - e. *Public need.* The changed or changing conditions in the applicable area, or in the metropolitan area generally, that make the proposed amendment necessary and desirable for the promotion of the public health, safety, or general welfare;
 - f. *Effect of amendment.* A report giving the nature, description, and effect of the proposed amendment; if the proposed amendment would require a change in the Zoning Map, a description of the probable effect on the surrounding land uses and properties;
 - g. *Error.* The error in this ordinance that would be corrected by the proposed amendment.
3. *Administrative examination.* Upon receipt of an application for amendment, properly and completely made out, the Office of Zoning Administration shall examine the application and shall make such investigation as is necessary. Within thirty days of the receipt of an application the Office of Zoning Administration shall transmit the application, together with its report and recommendation, to the Planning Commission.
 4. *Preliminary hearing by planning commission.* The Planning Commission shall hold a preliminary hearing on each application for amendment to this ordinance and shall notify the applicant and the Office of Zoning Administration of the time and place of such preliminary hearing. After holding a preliminary hearing the Zoning Commission shall certify the application for public hearing and shall notify the applicant of the time and place of such public hearing. Within ten days after such notification the applicant shall:
 - a. *Additional information.* Furnish the Commission with such additional information as it may request;
 - b. *Owners of surrounding property.* If the proposed amendment would require a change in the Zoning Map, furnish the Commission with the name, description of property owned, and mailing address of each owner or property lying within a distance of three hundred feet of the fronting corners of the property the classification of which is sought to be changed, such distance to be measured along the property lines of the streets on which such property is located and along any other streets crossing the same or leading therefrom; in the case of a corner lot, the rear corner on the side street shall be considered a fronting corner;
 - c. *Fee.* Deposit fifty dollars (\$50.00) with the Planning Commission to cover the cost of advertising and processing the amendment.
 5. *Public hearing by planning commission.* The Planning Commission shall fix a

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reasonable time for a public hearing and shall give public notice thereof, as required by law, as well as notice to the applicant and to the Office of Zoning Administration; if it deems necessary, the Commission may also notify the owners of surrounding property by mail as the names and addresses of such owners have been furnished by the applicant and may post a notice of such hearing on the property included within the proposed district. The Commission shall prepare a record of its proceedings for each case showing the grounds of its recommendation. The record of the proceedings shall be filed in the office of the Commission and shall be public record; a certified copy of the record of proceedings shall be transmitted to the City Council:

6. *Legislative disposition.* The City Council shall examine all such applications and reports submitted to it and shall take further action as it deems necessary and desirable. Before enacting any amendment the City Council shall hold a public hearing thereon and shall give public notice thereof, as required by law.
 - a. *Conditions.* If an application for an amendment to the Zoning Map contains representations that a specified area will be developed in accordance with a given plan and time schedule, and if the area is rezoned substantially as proposed in the application, the City Council shall fix conditions, which conditions may include a performance bond, in the amendment so as to require performance of the development in accordance with such plan and time schedule. Such conditions, among other things shall provide that, upon a failure to develop the area within the specified time and in accordance with the conditions fixed, no permit for the construction of any structures within the area shall be issued until the area has been examined and zoned or rezoned for its more appropriate use. Conditions fixed in amendments relating to rezoning shall run with the land in the area involved and shall be binding upon applicants for amendments, their heirs, successors, and assigns. As a mandatory condition for such amendment, or for any waiver of side yard dimensions or the like, the City Council shall fix in the ordinance a stipulation that the proposed construction shall begin on the property within six (6) months from the date of the passing of the ordinance, in default of which, the amendment shall cease to be effective and the property will either revert to its original zoning, or the waiver will [be] considered inapplicable, whichever is appropriate. However, the City Council may provide in the ordinance for such longer time as it considers appropriate, and may extend, by resolution the period for one (1) additional six-month period.
 - b. *Reconsideration.* No land for which an application for reclassification has been denied by the Planning Commission and the City Council shall be considered again by the Planning Commission or the City Council for at least six (6) months from the date such application was denied.

(Ord. No. 55-1977, § B, 9-26-77; Ord. No. 16-1981, § A, 5-11-81; Ord. No. 64-2001, § 12, 7-9-2001)

Section IX. Interpretation and validity.

- A. *Interpretation.* In interpreting and applying the provisions of this ordinance they shall be held to be the minimum requirements for the promotion of the public health, safety, and general welfare. Whenever the provisions of this ordinance require a greater width or size of yards or other open spaces, a lower height of buildings or less number of stories, a greater percentage of lot to be left unoccupied, or other higher standards than are required in any other applicable statute, ordinance, or regulation, the provisions of this ordinance shall govern; whenever other applicable statutes, ordinances, or regulations require higher standards than the provisions of this ordinance, such other applicable statutes, ordinances, or regulations shall govern.
- B. *Validity.* The requirements and provisions of this ordinance are separable, and should any section or part thereof be declared by any court of competent jurisdiction to be unconstitutional or invalid the

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decision of the court shall not affect the validity of the ordinance as a whole or any section or part thereof other than the section or part thereof so declared to be unconstitutional or invalid.

Section X. [Separability].

If any part of this Ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portion of this Ordinance.

Section XI. [Repealer].

All ordinances or parts of ordinances in conflict herewith are hereby repealed, but all ordinances or parts of ordinances which are not in conflict herewith are expressly retained.

INTRODUCED AND PASSED on this the 22nd day of July, 1974, by the Mayor and Commissioners of the City of Natchitoches.

FOOTNOTE(S):

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Editor's note— The zoning ordinance of the city, No. 1103 of July 22, 1974, is set out herein as enacted, except that catchlines have been added by the editor where necessary to facilitate indexing. Material enclosed in brackets has been added to the text where necessary for purposes of clarification, except that obviously misspelled words have been corrected without notation. **(Back)**

Cross reference— Building regulations, Ch. 8; electrical regulations, Ch. 12; fire prevention and protection, Ch. 13; gas regulations, Ch. 15; health and sanitation, Ch. 16; housing regulations, Ch. 17; planning, Ch. 24; streets, sidewalks and public places, Ch. 28; subdivision regulations, App. A. **(Back)**